MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: January 10, 2019 **TIME:** 6:05 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, James, Lussen, Thomas

MEMBERS ABSENT: Larkin, Peterson

VOTE ON CLOSING: **MEMBERS AYE:** Archambault, Claybrook, James, Lussen, Thomas
MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Executive Director John Muno outlined a potential opportunity to acquire the property between Elder Lane Park and Centennial Park. Resident [redacted] has expressed an interest in a subdivided section of the north end of Elder Lane Park, which could be be leveraged to acquire the property between the two lakefront parks as outlined in the Lakefront Master Plan. Board consensus was to pursue this opportunity further.

At 6:17 p.m., Commissioner Thomas made a motion to return to Open Session. Commissioner James seconded the motion and a roll call vote was taken. Ayes: Archambault, Claybrook, James, Lussen, Thomas. Nays: None. Motion carried.

MOTION: Thomas
SECOND: James

VOTE: 5 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: July 25, 2019 **TIME:** 7:05 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo and James.

MEMBERS ABSENT: Commissioners Knupp, Lussen and Peterson

VOTE ON CLOSING: **MEMBERS AYE**: Archambault, Claybrook, Codo and James.

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director and Mary Cherveny, Administrative Services Manager

- **APPLICABLE STATUTORY SECTIONS**: 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Executive Director John Muno stated that the purpose of this closed session was to discuss the Elder Lane property. The potential seller had an appraisal of the property completed. Commissioner James stated that as part of the master plan, if the opportunity to acquire the property between Elder Lane Park and Centennial Park presented itself, that we should have a recognized commitment to take action. Keeping with the master plan, the Board needs to determine funding. About a year ago, the idea of a land swap presented itself as a possibility. Since that time, a homeowner has presented an interest and the resources to do so with potential for tax advantages by way of the donation to the Winnetka Parks Foundation. The property appraisal came in at 6.2 million. Typical a three-appraisal approach, yours, mine and ours could be one strategy to determine the appropriate price. The Board discussed sub-dividing a parcel of land similar in size and value to fund the Elder property we are interested in acquiring. There are certain legal processes to go through. By state statue, the Park Board can vote to selling up to 3 acres. Our counsel will be expected to walk us through this process. Other items that would need to work through include land use/planning (create parcel and all statutory issues), covenants, conditions or easements imposed on the new parcel and the future use of the house on the Elder property. There was continued Board conversation related to the details on the potential sale and new parcel.

A motion to return to open session was made at 7:35 p.m.

MOTION: Commissioner Claybrook
SECOND: Commissioner James

VOTE: 4 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: August 22, 2019 **TIME:** 7:43 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Codo, James (via phone), Knupp and Peterson

MEMBERS ABSENT: Commissioners Claybrook and Lussen

VOTE ON CLOSING: **MEMBERS AYE**: Commissioners Archambault, Codo, James, Knupp and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director and Mary Cherveny, Administrative Services Manager

- **APPLICABLE STATUTORY SECTIONS**: 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Vice President Peterson provided a status update on the potential land-acquisition opportunity regarding the property between Elder and Centennial, [redacted] of Elder and existing Park District property at the north end of Elder. This update included the current homeowner appraisal, the homeowner tax assessment and recent conversation with [redacted] We will be meeting with the Village administration next week to discuss land-use conditions to execute on this opportunity. There was some additional Board discussion on the logistics and state statues clarifications.

[redacted]

[redacted]

[redacted]

[redacted]

A motion to return to open session was made at 8:24 p.m.

MOTION: Vice President Peterson
SECOND: Commissioner Codo

VOTE: 5 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: September 12, 2019 **TIME:** 6:29 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp and Lussen

MEMBERS ABSENT: Commissioners Peterson

VOTE ON CLOSING:

MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp and Lussen

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Executive Director, John Muno provided an update on the Park District appraisal on the property between Centennial and Elder. The written appraisal is due back in the next couple of days, but the appraiser stated verbally that it will be $5.2 million. The owner's appraisal was $6.2 million.

President Archambault asked if a third appraisal will be needed. Commissioner James indicated that not necessarily, if the two appraisers can come together on a price and the seller agrees, then we would have the essence of a sales price. If not, a third agreement upon appraisal can be conducted. Additionally, we need to define the sub-divided parcel, define uses and work through the village to make sure the intended uses meets with zoning ordinances. We need to make sure that what we are selling matches the price of what we are purchasing. We will need attorney counsel to execute this arrangement. There was continues discussion regarding the negotiation process and the execution of the transaction.

Executive Director Muno also has set up a meeting with the potential third party to this land acquisition [redacted] for next week. This will be an opportunity to determine level of financial commitment based on the appraisals. He has also indicated interest in sharing in the cost of a northern property breakwater. Commissioner James stated that [redacted] is commitment to this opportunity. The discussion continued on the value and shape of the potential sub-divided property, including the preservation of parkland at the top.

There will need to be future Board dialogue on the lakefront master plan, including whether there would be any reshuffling of priorities. Timeline for this land acquisition arrangement would most likely extended into first quarter of 2020.

[redacted]

A motion to return to open session was made at 6:57 p.m.

MOTION: Commissioner Claybrook
SECOND: Commissioner James

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: September 26, 2019 **TIME:** 6:20 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Knupp and Peterson

MEMBERS ABSENT: Commissioners Claybrook and Lussen

VOTE ON CLOSING:

MEMBERS AYE: Commissioners Archambault, Codo, James, Knupp and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director; Mary Cherveny, Administrative Services Manager and Costa Kutulas, Superintendent of Parks

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:

President Archambault stated the purpose of the closed session is to discuss the potential acquisition of the property between Centennial and Elder Parks [redacted].

Commissioner James provided an update on the potential acquisition of the property between Centennial and Elder Parks. This included appraisals (owners at 6.2 million and the Park District's at 5.2 million), upcoming meeting with potential equity source and board consensus to make an offer at Park District appraisal price of 5.2 million on the property contingent on financing. There was continued discussion centered on these points. There was also discussion regarding the potential subdivided property that the potential equity source has an interest in obtaining. Including a subdivision, that is close in value to the acquired property value. Next steps also include appraisals of subdivided property, attorney involvement, and conversations with the Village.

[redacted]

[redacted]

A motion to return to open session was made at 7:42 p.m.

MOTION: Vice President Peterson
SECOND: Commissioner Codo

VOTE: 5 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: October 10, 2019 **TIME:** 6:49 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp and Peterson

MEMBERS ABSENT: Commissioner Lussen

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director and Mary Cherveny, Administrative Services Manager

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Executive Director John Muno stated that our attorney has reached out to the property owner's attorney and made a verbal offer for the property at $5.2 million, with finance and contingences. He acknowledged the offer and said he would reach out to his client and get back to us. Cotingences would include secured financing, necessary village approvals and an 18-month timeline to close. There was some continued discussion around confidentiality until we have verbal agreement and can enter into a written agreement for Park Board action.

[redacted]

A motion to return to open session was made at 7:13 p.m.

MOTION: Commissioner Codo
SECOND: Commissioner Knupp

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: October 24, 2019 **TIME:** 7:17 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, Knupp, Lussen and Peterson

MEMBERS ABSENT: Commissioners James

VOTE ON CLOSING:

MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, Knupp, Lussen and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director and Mary Cherveny, Administrative Services Manager

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Executive Director John Muno provided an update on the property between Elder and Centennial. Our attorney made a verbal offer to the property owner's attorney at $5.2 million. He acknowledged the offer and will share with the owner and get back to us.

[redacted]

A motion to return to open session was made at 7:21 p.m.

MOTION: Commissioner Claybrook
SECOND: Commissioner Lussen

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: November 14, 2019 **TIME:** 8:09 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp and Peterson

MEMBERS ABSENT: Commissioner Lussen

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director and Mary Cherveny, Administrative Services Manager

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Commissioner James provided an update on [redacted] potential purchase of a subdivided section at north end of Elder Lane Park. [redacted] is standing firm with his offer of 5.2 million to purchase the land. Simultaneously to this discussion, was a counter offer from [redacted], property owner between Elder and Centennial, at 5.8 million and a quick close. The plan was for the proceeds of the one sale to cover the purchase of the property. There was a lengthy discussion about next steps between the Board members. Current consensus was to stay firm in the negotiations at 5.2 million if wants a quick close, otherwise the Park Board would need to reevaluate funding.

A motion to return to open session was made at 8:42 p.m.

MOTION: Commissioner Codo
SECOND: Commissioner Claybrook

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: December 5, 2019 **TIME:** 6:37

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, and Peterson

MEMBERS ABSENT: Commissioners James, Knupp and Lussen

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director, Mary Cherveny, Administrative Services Manager and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Vice President Peterson gave an update on the negotiations for the property adjacent to Elder Beach. A counter offer was received from the property owner's attorney and the Park District is in the process of having a response drafted. The most favorable option would be to have an agreed upon third party appraisal of the property. It was noted that a singular property in an open market may pose a challenge. [redacted]

A motion to return to open session was made at 6:57p.m.

MOTION: Commissioner Claybrook
SECOND: Commissioner Codo

VOTE: 4 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: December 12, 2019 **TIME:** 7:17 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp and Lussen

MEMBERS ABSENT: Commissioner Peterson

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp and Lussen

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Commissioner James said that regarding the property he wanted to clarify that we should go back to with an offer of $5.4 million or pursue the appraisal method to bridge the gap to the counter offer. He said that Mr. [redacted] stood firm and would not go above $5.2 million to purchase the land at Elder. Steve Adams had sent a letter to ttorney, it was received on 12/10. Lara Kuechel noted that the closed session minutes are archived and stay closed until they are reviewed and released. They are not posted, just made available to FOIA requests. [redacted].

A motion to return to open session was made at 7:30 p.m.

MOTION: Commissioner Knupp
SECOND: Commissioner Codo

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

[redacted]

Mickey Archambault, Board President

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: January 9, 2020 **TIME:** 6:31 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen and Peterson

MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Lussen and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director, and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:

Purchase of the property between Centennial and Elder was discussed. Executive Director Muno said that an offer of $5.4 million was made and countered by the seller at $5.6 million. He suggested that we owe a response to the seller's attorney. The Board expressed concern over losing the buyer of the Elder property as well as the good will that has taken place thus far. It was further suggested that the Park District should communicate with the seller's attorney and John Muno offered to reach out. All Board members agreed to the proposed asking price of $5.6 million and that as part of that offer, the Park District will ask for more time to complete the transaction in order to discuss plans with Steve Adams and the potential buyer of the proposed sub-divided parcel on the North side of Elder. Commissioner Claybrook facilitated a discussion regarding communication with the Village of Winnetka regarding the future use of the property.

A motion to return to open session was made at 6:48p.m.

MOTION: Commissioner Claybrook
SECOND: Commissioner Codo

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: January 16, 2020 **TIME:** 7:22p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen and Peterson

MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director, and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
A discussion took place regarding the purchase of the property between Elder and Centennial Beaches. Vice President Peterson reported that he, Commissioner James and Executive Director John Muno would be meeting on Wednesday, January 22nd 2020 to touch base with parties involved in the transactions so that the efforts are coordinated. Executive Director Muno said that an offer was made through attorney Steve Adams, but no response had been received to date. Commissioner Knupp inquired about the transactions, per the minutes from the January 9th meeting and Commissioner Claybrook provided clarification regarding the properties and parties involved. All were in agreement that it is exciting to have reached this stage in the process.

A motion to return to open session was made at 7:30p.m.

MOTION: Commissioner Claybrook
SECOND: Vice President Peterson

VOTE: 7 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: February 6, 2020 **TIME:** 6:30p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Knupp, Lussen and Peterson

MEMBERS ABSENT: Teresa Claybrook

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Codo, James, Knupp, Lussen and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director, and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Vice President Peterson reported on the property between Elder and Centennial; met with Warren James, John Muno and Steve Adams; the prospective land acquisition donor agreed on a price of $5.6 Million, with a contingency to finalize in 8 months. The Park District countered with 12 months and is waiting to hear back. Commissioner James noted that until it is under contract nothing is certain, but in the interim the potential swap property owner is proceeding to vet plans with the Village and his attorney so he knows what he can and can't do. When questioned by Commissioner Codo, Vice President Peterson said that the timeline could be a month or so, but potential is there to vote at the meeting on the 27th. Commissioner Lussen questioned if bridge financing was necessary; to which Commissioner James said it would be a simultaneous transaction. [redacted]

A motion to return to open session was made at 6:38p.m.
MOTION: Commissioner Codo
SECOND: Commissioner Lussen

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: February 20, 2020 **TIME:** 6:36p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo (via phone), James, Lussen and Peterson

MEMBERS ABSENT: Colleen Knupp

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo (via phone), James, Lussen and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director, and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5)

SUBJECT MATTER DISCUSSED:
Executive Director Muno reported that neither he nor Steve Adams had received a response to date from the seller of the Elder/Centennial property or his attorney regarding the counter for an extension of time. Commissioner James reported on a productive meeting with Village of Winnetka representatives and a potential buyer for the Elder parcel, noting that the Village would commence with due diligence. Vice President Peterson reported on a positive meeting with Village President, Chris Rintz. Commissioner Claybrook questioned if waterfront changes had been discussed with the potential buyer and Commissioner James that it had been and should be a seamless process, he will know more after the next meeting and will report back.

A motion to return to open session was made at 6:43p.m.
MOTION: Commissioner James
SECOND: Commissioner Lussen

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted] [redacted]

Mickey Archambault, Board President John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: February 27, 2020 **TIME:** 7:05p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Codo, Knupp, and Peterson

MEMBERS ABSENT: Teresa Claybrook, Eric Lussen, Warren James

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Codo, Knupp, and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director, and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5) & 5 ILCS 120/2(c)(1)

SUBJECT MATTER DISCUSSED:
Vice President Peterson reported on the property between Elder and Centennial; WPD offered $5.6 million and a 12 month runway to complete process, the attorney of the seller and the seller thought it excessive, revised offer to 8 month runway. Land swap team is able to move in that time frame, Village is aware of plans. Vice President Peterson asked for the Board's support of a 6 month runway if necessary. John Muno noted that a sticking point was the lack of earnest money; the seller has requested 1.5% earnest money. Commissioner Codo inquired about challenges from neighbors of the land swap property. Commissioner Knupp questioned the turn-around time of the transaction. Executive Director Muno suggested that we can influence the acquisition by submitting earnest dollars then would have a better chance of the deal coming together. Moving forward with the possible of 6 month close and 1.5% earnest money.

A decision was made to not go ahead with a discussion regarding personnel and the meeting came to a close.

A motion to return to open session was made at 7:21p.m.
MOTION: Commissioner Codo
SECOND: Commissioner Knupp

VOTE: 4 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted] [redacted]

Mickey Archambault, Board President John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: March 12, 2020 **TIME:** 6:28 p.m.

PLACE OF MEETING: Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook (electronic) Codo, James and Peterson

MEMBERS ABSENT: Colleen Knupp, Eric Lussen

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook (electronic) Codo, James and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Muno, Executive Director, and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5) & 5 ILCS 120/2(c)(1)

SUBJECT MATTER DISCUSSED:
There is a verbal agreement between both parties for the Elder and Centennial property purchase at $5.6 million, with $20,000 earnest money and 30 days due diligence, $64,000 remaining earnest money at 8 months and 12 months to complete. The purchase agreement will be put together ASAP to bring before the Board. Commissioner Claybrook questioned if the current market situation poses any change in position for the other party involved in the transaction, to which Executive Director Muno said that he did not have any indication of that at this time. At the suggestion of Vice President Peterson, a follow-up meeting to include elected officials is proposed to bring the Village up to date. Additionally, engagement of Shabica & Associates to participate in the stormwater related part of the plan would be beneficial and is important for the purchaser. It is noted that the Board needs a firm commitment in the next 30 days from the Elder purchaser in order to move towards execution mode. The goal is to get all contracts ready to approve simultaneously by the April 2nd meeting.

[redacted]

A motion was made to return to Open Session at 7:33p.m.
MOTION: Commissioner Codo
SECOND: Commissioner James

VOTE: 4 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

Mickey Archambault, Board President

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: April 2, 2020 **TIME:** 8:05 p.m.

PLACE OF MEETING: Community Room - electronic participation via teleconference

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen and Peterson

MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen and Peterson

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE IN COMMUNITY ROOM: John Muno, Executive Director, and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5) & 5 ILCS 120/2(c)(1)

SUBJECT MATTER DISCUSSED:
Commissioner James updated the Board on the Elder properties. Attorney Steve Adams had submitted for review, draft purchase agreements between the Park District and the potential parcel purchaser and the Park District and . Both appear to be straightforward. He further expressed his reservations over the purchase price and the comfort level of the purchaser due to the current circumstances (COVID-19), but is in favor of the transaction. A brief question and answer session took place among the Commissioners and Executive Director Muno said that the survey work has been done to complete the final piece of the appraisal process.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

A motion was made to return to Open Session at 8:35p.m.
MOTION: Commissioner Claybrook
SECOND: Commissioner Codo

VOTE: 4 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Munro, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: April 23, 2020 **TIME:** 7:33 p.m.

PLACE OF MEETING: Community Room - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen

MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE IN COMMUNITY ROOM: John Muno, Executive Director; John Peterson, Executive Director Candidate; and Lara Kuechel, Executive Assistant; Christine Berman, Superintendent of Finance

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6) & 5 ILCS 120/2(c)(1)

SUBJECT MATTER DISCUSSED: [redacted]

Forward progress is ongoing for the parcel to the north of Elder and the property. The survey work has been done and is awaiting review. Commissioner James reported that there are some inquiries regarding the contracts, per correspondence with attorney Steve Adams, i.e. breakwater and a large tree in dangerous condition on parkland. He was given the support of the Board to communicate further with President Archambault and Attorney Adams.

A motion was made to return to Open Session at 8:13p.m.

MOTION: Commissioner Codo
SECOND: Commissioner Lussen

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Muno, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: May 14, 2020 **TIME:** 7:33 p.m.

PLACE OF MEETING: Community Room - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen
MEMBERS ABSENT: Commissioner Knupp

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Lussen

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE IN COMMUNITY ROOM: John Peterson, Executive Director, John Muno, and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6) & 5 ILCS 120/2(c)(1)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson noted interesting activities regarding the Elder & Centennial properties. Commissioner James provided an update on the potential purchaser of the Elder property and meetings that he took part in long with Executive Director Peterson and Transitional Executive Director Muno, who met with the potential purchaser at the Elder Beach house and had a subsequent Zoom meeting prior to the current Board meeting. Commissioner James relayed 13 requests made by the potential purchaser, with the objective to make sure that all Board members are aware and to reach a consensus for response to the conditions that are being examined. He noted condition #12 in particular which involved the effort to get a contract for the purchase price, for which he expressed concern for the Park District's overall financial commitment to the full scope of the project as well as possibly seeking a price reduction from the seller of the Centennial property. President Archambault noted that the effects of changes in the world during the current crisis are a factor and may be worth asking for a price deduction. Commissioner Lussen felt that we should stick with what we have offered and expressed concern of losing this opportunity. Commissioner Codo questioned ancillary costs, to which Commissioner James said that the real cost challenge is the breakwall construction, deferring to Jon Shabica and the WPD staff's assessment of costs. She further supported the pursuit of the purchase/sale agreements. Commissioner Claybrook expressed fear of losing this opportunity, even if it means paying a little more than we would prefer to spend. Executive Director Peterson said that there is a timing issue between the seller and purchaser along with consideration of work being done by the village, with hopes to get some energy from them. Commissioner James suggested that we proceed to contract from both parties and settle this by the next Board meeting, but suggested seeking counsel from Steve Adams prior to going public, noting that we also have a due diligence time with no financial commitment and particular interest in getting in to inspect the sale property.

[redacted]

[redacted]

It was noted that Commissioner Claybrook left the meeting just prior to the vote.

A motion was made to return to Open Session at 8:13p.m.

MOTION: Commissioner Codo
SECOND: Commissioner Lussen

VOTE: 4 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: May 21, 2020 **TIME:** 7:16 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen

MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE IN COMMUNITY ROOM: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6) & 5 ILCS 120/2(c)(1)

SUBJECT MATTER DISCUSSED:

[redacted]

[redacted]

Commissioner James gave an update from the property purchase. Attorney Steve Adams addressed the conditions put forth by the s attorney and agreed to have a meeting in person as the WPD has yet to be in the house; they should meeting with , , attorney for . More information is expected by the next Board meeting. Conversations have taken place with Rob Bahan and Chris Rintz regarding stormwater outfall at Elder.

[redacted]

[redacted]

A motion was made to return to Open Session at 7:28p.m.

MOTION: Commissioner Codo
SECOND: Commissioner Lussen

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: May 28, 2020 **TIME:** 6:22 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen
MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Lussen

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE IN COMMUNITY ROOM: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6) & 5 ILCS 120/2(c)(1)

SUBJECT MATTER DISCUSSED:
Commissioner James reported on a productive meeting and tour of the house with Executive Director Peterson, attorney for the Park District, Steve Adams and attorney for the seller, . Commissioner James conveyed that the house is thoughtfully designed but would have difficult adaptability due to changes in elevation and narrow doorways; it is a remarkable use of space further noting that it has extraordinary mechanicals.

It was a productive meeting and set the stage for the next steps. A brief discussion took place regarding the process to adjust the price. Commissioner James advised relying on the expertise of Mike Marous for an updated appraisal. He further questioned the Board about the possible uses of a lovely home with lovely views. Executive Director Peterson added that an appraisal will be conducted by the following Monday, June 1st and new figures should be available for the Centennial and Elder properties by mid-June.

A motion was made to return to Open Session at 6:32p.m.

MOTION: Commissioner Codo
SECOND: Commissioner Lussen

VOTE: 5 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: June 11, 2020 **TIME:** 7:07 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp Lussen
MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson began by noting that the Elder/Centennial project continues to evolve. An email was received from Park District Attorney Steve Adams, Commissioner James relayed there are some points of negotiation. He pointed out the breakwater at Elder is critical to the commitment. He further recommended continuing to arrive at a final design and determine the cost, and suggested taking a poll of the commissioners regarding the Park District's commitment to meet this condition so that the contract with the Elder/Centennial project could move forward. Commissioner James felt the commitment to the breakwater at Elder was not unreasonable. Commissioner Lussen questioned the detail of the request, which was explained as a 225 ft. breakwater north of the pier. Commissioner James noted he was not sure of the final cost of the breakwater, but did note we owe it to future generation to improve the aesthetic of that beach. Commissioner Claybrook further questioned what would be best for our site and a discussion of further benefits ensued, for both public and private entities.

It was noted that conversations with Rob Bahan and Steve Saunders regarding the Elder outfall continue, but the Village may not be ready to advance the project at this time and will revisit the conversation. Attention from the Village is toward southwest Winnetka, noting the appreciation for the intent of the Winnetka Park District (WPD). Commissioner Lussen clarified the role of the WPD and lack of cost sharing on the project with the Village of Winnetka.

For the land acquisition, Commissioner James explained that the Elder Park parcel is not a buildable lot and has less economic value and is waiting for an appraisal, but expect substantially less than $5.2 million. He said it is possible to ask for participation for the cost of the Elder breakwater, but is not sure that it is the right thing for this particular negotiation. Without the Elder breakwater, the deal will not proceed. For the Elder Park parcel, an outfall pipe can be put in place and connected in the future. Commissioner Lussen noted that it is a different deal. A very important point was made noting that the sand to the north of the breakwater has to be a residential cost. A discussion took place, comparing the project to the

one at Lloyd Beach. Commissioner Lussen questioned adjusting the deal for private benefit and brief further discussion took place. Additional conditions were addressed as well.

A motion was made to return to Open Session at 7:36p.m.

MOTION: Commissioner Claybrook
SECOND: Commissioner Lussen

VOTE: 6 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: June 18, 2020 **TIME:** 7:39 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Seaman
MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Seaman

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6), 5 ILCS 120/2 (c) (21)

SUBJECT MATTER DISCUSSED:

Executive Director Peterson re-engaged Mike Moruse regarding the appraisal of the Elder Lane Park north property. The property came in at $4.5 million, a reduction of $700,000.00. The Elder parcel was formally appraised at $2.3 million. The purchaser has held fast to the $5.2 million price which will leave a substantial donation to the Winnetka Parks Foundation. Commissioner James added that the seller of the house is set on $5.6 million. The fact that the parcel was not a buildable lot influenced the lower value. The home value decrease was influenced by current conditions, but the seller is still set at at the $5.6 million sale price. The purchaser has further responded that the breakwater needs to be installed in a timely fashion and wants naming rights per his significant contribution. Commissioner James suggested that the WPD needs to respond, and we are able to execute the conditions, but we need to further talk about the changing values. Seeking a number from Michels and Shabica for prices next year. JP discussed plans for a permitting process. Commissioner Claybrook questioned plans for the breakwater and expectations for similar costs to Lloyd, to which Commissioner James suggested that it is smaller, but may require marine base costs that may be the challenge. Commissioner Codo questioned the stormwater pipe plan and that it be ready for use when the Village is prepared to move forward. Sand will be responsibility of the private beach owner. It was suggested to take the Michels and Shabica volume estimates to make our own estimate for

06/19, additional conversations to take place with Rob Bahan and Steve Saunders regarding the storm pipe will be in the near future.

[redacted]

A motion was made to return to Open Session at 8:00p.m.

MOTION: Commissioner Codo
SECOND: Commissioner Claybrook

VOTE: 5 Ayes/0 Nays

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: July 23, 2020 **TIME:** 8:08 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Seaman
MEMBERS ABSENT: Commissioners Knupp and Lussen

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Seaman
MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson reported that he and Commissioner James met with the neighbor north of Elder and would be meeting again in August to finalize a timeline. A preliminary proposal was just received from Shabica & Assoc. and further noted that a good relationship has been established with the neighbors to the south of Centennial. Recent dialog has taken place with the representative of the neighbor in-between Elder and Centennial. Executive Director Peterson said that it has been a good few weeks in advancing the project. He also reported that the formal appraisal on the parcel at the north end of Elder came in at $2.23 million, leaving room for a substantial donation to the Winnetka Parks Foundation as a result. The home between Elder and Centennial had an amended appraised value at $4.5 million, and would require re-negotiating the price. Commissioner Codo questioned the significant value changes, in particular regard to the parcel north of Elder which was confirmed to be because it is a non-conforming property. Commissioner Seaman asked for clarification regarding the Elder transaction and its need for a breakwater to complete the transaction and how it relates to the numbers. Commissioner James offered an explanation of the pieces necessary to complete the process.

Executive Director Peterson also briefly pointed out that the Village has an outfall under the pier and the WPD has asked Steve Saunders and Rob Bahan to make a decision to move it to the south edge of the north breakwater. The Village does not appear urgent to take advantage of that opportunity. He also has had conversations with some public relations firms for consideration. Commissioner James added that we are awaiting some proposals and movement from the Village, but has had some communication from Chris Rintz, with the possibility that some funds may have been allocated.

Commissioner Seaman questioned the timing to move forward with a commitment to which Commissioner James clarified that the Shabica plan, cost estimate and commitment to prioritize the project should be sufficient assurance to the purchaser. Commissioner Codo addressed cost sharing for the breakwater, and it was noted that the purchaser would be paying for the sand. The Park District hopes to be able to collaborate with other neighbors as well since we are able to defray the cost by using land based, rather than marine based operations. President Archambault concluded that the negotiations have been cordial and professional thus far.

A motion was made by Commissioner Codo to return to Open Session at 8:26 p.m. Seconded by Commissioner James. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: August 21, 2020 **TIME:** 1:05 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman

MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson gave an update on the proposed land swap transaction for the property, noting that the real estate agent was on vacation and they were awaiting his return to complete the proposed contract.

A meeting took place between Executive Director Peterson, Superintendent Kutulas and Jon Shabica. It was further reported that Orchard 2020 Revocable Trust had expressed sincere interest in the plans the Winnetka Park District (WPD) had for the property and neighboring parks. A financial support meeting regarding the private residence took place and the additional interest in the exchange for the property south of Centennial was mentioned. On August 10th, 2020 the real estate agent for confirmed that an offer was made on the private residence, substantially exceeding the WPD offer. Executive Director Peterson and Commissioner James met with Orchard 2020 representatives on August 12, 2020. On the 17th of August, Orchard 2020 had signed a contract to purchase the property. Orchard 2020 is communicating with WPD Attorney, Steve Adams so that a temporary license may be granted to conduct soil samples as they have until August 31st to drop the contract on the property. In a matter of 29 days the intent to enter an agreement with and the neighbor to the north of Elder has changed and the WPD is now prepared to enter into a land swap with the owner of the property (Orchard 2020) to the south of Centennial Park. Commissioner James clarified the house and land swap should confirm an equal amount (65 – 70 ft.) of shoreline as associated with the property, the south border of Centennial moving north, and the north variance footage possibly decreased. South of Centennial, Orchard 2020 wants shoreline equal to

the . property and will pay for 50% of the south breakwater. He further stated that individual for Orchard 2020 wants to be a contributing member of the community for many years to come, but wishes to remain confidential and has been in earnest.

Commissioner Claybrook offered kudos for making this happen for the benefit of the community and questioned the impact to the north of Elder resident. Executive Director Peterson replied that information was shared out of respect, further noting that there was no major negative response and the resident was incredibly upstanding. No appraisal has been done on the south property as of yet, although it is an economically advantageous transaction for the south property as that breakwall will be paid for.

Commissioner James emphasized that it is a totally unique situation. Executive Director Peterson said that in time that further opportunities may be explored to the north of Elder. President Archambault polled the Board regarding their support for the transaction. Commissioners Claybrook, Lussen, Codo, Knupp, Seaman and Archambault were unanimously in favor and commented on the remarkable opportunity. President Archambault noted three points of response will include the loss of the dog park per the Master Plan, there are no directives for the use of the residence and the plan will be introduced to the public. Executive Director Peterson said that the principal of the transaction would be voted upon in the return to open session. The Park District will seek the counsel of Steve Adams and a public relations firm.

Shabica & Assoc. will design the work for Elder and Centennial and the breakwaters will be underway ASAP. Commissioner James said that there are two phases for consideration: south, north to minimize disruption or all at once. He reached out to Village of Winnetka President, Chris Rintz who was reported to be excited and supportive of the proposal. President Archambault added that the WPD will be looking for other opportunities for dogs and Commissioner Claybrook pointed out that the project for a "people beach" is in keeping with the Master Plan. No further dialogs have taken place regarding the north property. Commissioner James added that there is an achievable solution with the use of property north of the breakwall per the Master plan. The WPD can negotiate future rights following a future sale.

A motion was made by Commissioner James to return to Open Session at 1:48 p.m. Seconded by Commissioner Claybrook. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: August 27, 2020 **TIME:** 7:36 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Seaman
MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Seaman
MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1), 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)+

SUBJECT MATTER DISCUSSED:
Executive Director Peterson reported on the continued dialog with Orchard 2020, particularly in the legal sense regarding the land exchange. An appraisal of the and South Centennial parcel are to take place, a public notice draft document is in process, dialog has also taken place with the Village of Winnetka and documentation for talking points has been provided to the Board. It appears that we are on track to approve the concept.

A discussion took place regarding how the project fits into the Lakefront Masterplan, most notably that the loss of the dog park will be an issue. It was suggested that focus be on the property exchange and additional consideration for the masterplan as it relates to Centennial. Commissioner James said that the loss of dog beach is part of the deal, but is not a part of the property exchange. Executive Director Peterson suggested isolating the pieces of the puzzle; the use of the home, the breakwater and the dog beach. President Archambault stated that it is the opportunity of a lifetime. He further said that he spoke with Village President, Chris Rintz, who is in favor of and will support a dog park on top of the dump, although it will not materialize until all of the dirt from the stormwater project is moved there. It will not be instantaneous, but would like to have a target date. Commissioner Claybrook noted that the closure will be part of many items to be worked through. She further state that when she and Commissioner James participated in the Masterplan initially it seemed like an almost impossible vision, and she offered commendation and thanks for the ability to find a way to arrive at the most significant portion of the plan for Centennial.

Executive Director Peterson offered 10 talking points that are available to Board Members to be used for any third party conversations to maintain consistency, any queries beyond that should be referred to Executive Director Peterson. He relayed that the Winnekta Park District is waiting

for the actual purchase by Orchard 2020 to be complete, a public hearing postings will take place, then hope to finalize the property exchange in October. A press release will follow the completion. Commissioner Claybrook suggested that it is important to have a Special Board Meeting to execute the transaction quickly. Executive Director Peterson suggested 09/29 as a date for a Special Meeting, to follow the 09/28 suggested date for Public Hearing.

President Archambault questioned what was needed to move forward to which Executive Director Peterson expressed the need for a motion in Open Session to approve the concept; a proposal to exchange the southernmost 70 ft. of shore frontage from at the ordinary high water line to Sheridan Road for a similar parcel that includes 261 Sheridan Road, the house. It was decided that Commissioner James would make the motion and clarified the key points.

[redacted]

A motion was made by Commissioner Codo to return to Open Session at 8:05 p.m. Seconded by Commissioner Knupp. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Knupp, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: September 10, 2020 **TIME:** 6:46 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Knupp, Seaman
MEMBERS ABSENT: Commissioners Claybrook & Lussen

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, James, Lussen, Seaman
MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson gave an update on moving forward with the property exchange, most notably the agreement between Orchard 2020 and the Winnetka Park District (WPD). He reported that Steve Adams is working on the final points and notices have been posted for upcoming meetings. Mike MaRous will be providing an appraisal. Shabica & Assoc. is working through Terra Technology regarding the Centennial breakwater and working with the south of Centennial property owner. Communication has continued with Shabica and the north of Elder neighbor with the goal of finalizing the design and seeking approval by the end of 2020. Commissioner Seaman confirmed that the timing of the breakwater and the land swap are separate. Commissioner James asked for clarification of the plans which as a best case scenario would ideally involve: getting a plan from Shabica, executing the deal to the south, a potential deal to the north, getting the majority of the cost covered for the breakwaters to the north and south and two islands for 2021. The collective goal is to get the permits done by the end of the year 2020. Potential delays regarding tax considerations for may occur, so it is important to close on 261 Sheridan as quickly as possible. The WPD will permit the south breakwater as we can go further into Lake Michigan and there does not appear to be any negativity on the part of Orchard 2020. No progress has been made with the Village of Winnetka regarding the stormwater discharge and Executive Peterson noted that it would be valuable for both the WPD and the Village.

Commissioner James explained the ways in which we can satisfy interests and financial concerns in working with the adjacent owner to the north of Elder with mid, min or max approaches. The max involves giving up more valuable property. Commissioner Seaman is in favor of the max proposal. Commissioner Codo questioned the WPD's ability to sell property and cautioned that it may set a dangerous precedent. Executive Director Peterson said that yes, we can sell and

Commissioner Codo further explained that she was worried about making it a fair process regarding pricing and that we would get enough money for the maximum approach. Commissioner Knupp hates to see the dog beach go, but felt we are getting a great deal in support of the max. Commissioner Archambault was in support of the max approach as long as there are no strings attached. Commissioner James shared an illustration to further explain the proposals. He cautioned that there may be significant pushback in giving up so much parkland. A brief discussion took place regarding the possibilities of giving up parkland.

***Note:** Commissioner Knupp left the meeting at 7:14 p.m.

President Archambault suggested that the Board think about plans for the house for discussion at another time. Executive Director Peterson clarified that he had Board support for he and Commissioner James to create an agreement for the north of Elder property.

A motion was made by Commissioner Codo to return to Open Session at 7:20p.m. Seconded by Commissioner Seaman. A roll call vote was taken.

Ayes: Archambault, Codo, James, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: September 24, 2020 **TIME:** 7:02 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, James, Lussen, Seaman
MEMBERS ABSENT: Commissioners Codo & Knupp

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, James, Lussen, Seaman
MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson updated the Board on conversations regarding the property exchange involving Orchard 2020. We will be doing due diligence for 261 Sheridan and the south of Centennial parcel to make sure that we are getting the value we expect. It appears that everything is progressing ahead and is on-track. He relayed the meeting plans to include combined office and Zoom participation in order to satisfy the public meeting responsibilities on the 29th of September and approve the Ordinance on the 30th. Counsel Steve Adams will participate via Zoom.

Commissioner James reported on meeting with the neighbor north of Elder and the possibility of a property conveyance there as the owner is still interested. He further noted that it is important to not violate the public's trust. Executive Director Peterson emphasized that it is more pressing to complete the 261 Sheridan transaction and use the ample parkland to provide the best services while obtaining the support of the Village of Winnetka.

Commissioner James also spoke with Village of Winnetka President, Chris Rintz regarding the north of Elder property and encouraged stormwater discharge improvements. Shabica & Assoc. are working on plans for Elder/Centennial and will be getting cost estimates. Commissioner Claybrook agreed that it is important to engage the Village of Winnetka to move on this as a legacy project.

President Archambault questioned if the Lloyd Phase II project can be done as a change order for Michels. It was determined that the topic did not meet the criteria for discussion in closed session and would be discussed upon return to Open Session.

A motion was made by Commissioner Lussen to return to Open Session at 7:23p.m. Seconded by Commissioner Claybrook. A roll call vote was taken.

Ayes: Archambault, Claybrook, James, Lussen, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: September 30, 2020 **TIME:** 6:36 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman
MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman
MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Lara Kuechel, Executive Assistant; Steven Adams, Attorney, Robbins Schwartz

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director John Peterson offered thanks to Board members Steve Adams, Lara Kuechel and especially Warren James for his personal involvement, passion and perseverance.

Orchard 2020, October 14th closing for 261 Sheridan. A sell - leaseback agreement is in the works for 261 Sheridan as the owner is restricted due to the fact that he is currently residing in France. Commissioner James said that we should have input on the details and confer with Counsel. August 1st 2021 is the final date for the homeowner to move is personal affects. Commissioner Claybrook questioned the ability to execute work outside of the house and if the personal property in the house prevents us from moving forward. A discussion took place regarding those details.

Commissioner Claybrook suggested that we make visible and put emphasis on linkage to the Master Plan and bring assets back to the community. Executive Director Peterson said that plans are in place to email residents and issue a press release. It was suggested that Steve Adams should weigh in on plans. Commissioner Lussen questioned the response from the public following the meeting held September 29th. President Archambault and Executive Director Peterson addressed resident concerns.

***Note:** Steve Adams joined the meeting at 6:58 p.m.

A brief discussion took place about the leaseback concept and need to have full control of the property. Steve Adams would like to review the agreement.

A discussion took place regarding the north Elder neighbor and the possibilities for a continued path with the interested party. President Archambault suggested that we not give up on the potential opportunity, but will face stiff defense. Commissioner Claybrook was in agreement. Executive Director Peterson noted the possibility of building a breakwater that could be of benefit to the individual and the limited time period to work through the current Orchard 2020 exchange. Steve Adams emphasized that the leaseback should be our transaction and should have details to the benefit of the Winnetka Park District, particularly in terms of occupancy and taxation issues, further discussion ensued. Commissioners Seaman and Lussen agreed that we should keep all of our options open, given our financial situation. Mr. Adams pointed out that as a park district we will have to go through entitlement and will require special use permits so time will be needed for development. The Commissioners discussed the importance of relaying the right messaging to the public regarding the value of the contiguous property.

A motion was made by Commissioner Codo to return to Open Session at 7:20 p.m. Seconded by Commissioner Seaman. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: October 8, 2020 **TIME:** 6:52 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman

MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman

MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Lara Kuechel, Executive Assistant; Steven Adams, Attorney, Robbins Schwartz

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson reported that the Park District is close to finalizing each piece of approved Ordinance 580 with 4 of 5 exhibits in place for posting. Steven Adams added that fine tuning is taking place in regard to the dimensions of the two parcels which the surveyor is expected to deliver by Monday, October 12th, further noting that due to the back & forth, posting is not advisable until all are agreed upon in full. A discussion took place regarding the need to relay accurate information to the public, noting that misinformation is posted on social media platforms, per Commissioners James and Claybrook. A further discussion of the substantial costs for five beaches, with comments noting that if we poured money into buying the house, we would not have money for other needs necessary to care for our beaches, which are among our greatest assets. Mr. Adams also noted that making a public summary and graphic will go a long way. President Archambault suggested relying on Executive Director Peterson, Marketing Brank Manager Raftery and Commissioner James to relay our message and all agreed. Commissioner Claybrook added that value statements should be included. Commissioner Lussen reported receiving incredible feedback thus far.

Executive Director Peterson and Commissioner James spoke about the pursuit of other lakefront opportunities, most notably with the north of Elder neighbor and two site plans that would offer a contribution to offset the cost of the breakwater. Commissioner Claybrook expressed her concern over "selling" a piece of the property without public and community input and Commissioner Knupp agreed. Commissioner James noted the importance that the Board is fully informed and that the Village play a part in the process,

further acknowledging that a referendum may be necessary. He also provided a visual presentation via screen share to further explain the possibilities of a transaction. Mr. Adams explained the procedure for the sale of property through a court annex procedure.

***Note:** Commissioner Knupp left the meeting at 7:32 p.m.

A discussion took place regarding the closing of the 261 Sheridan property and the timing of a press release. All agree to notify the public and post the exhibit upon the closing date of October 14th.

A motion was made by Commissioner Claybrook to return to Open Session at 7:56 p.m. Seconded by Commissioner Codo. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: October 22, 2020 **TIME:** 7:07 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman
MEMBERS ABSENT: None

***Note:** Commissioner Knupp left the meeting at 7:46 p.m.

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Lussen, Seaman
MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Lara Kuechel, Executive Assistant

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:

[redacted]

Commissioner James broached the topic of the north of Elder property, noting that he has spoken with Trustees of the Village of Winnetka. He suggested we do nothing that may disrupt the south of Elder transaction at this time. President Archambault added that timing and plans for a dog park will be important, perhaps offering a temporary dog park solution as a referendum item.

Executive Director Peterson reported that the Elder/Centennial dialog continues and confirmed that Orchard 2020 has closed on the property. Commissioner James asked for information regarding contingencies and emphasized the need for more communication. Executive Director Peterson said that dialog also will continue regarding features important to the Park District and resident perspectives as well as resolving breakwater plans. Commissioner James questioned if there are any issues regarding the due diligence efforts such as soil boring and environmental testing to which Executive Director Peterson confirmed that there are none that he knows of.

A brief return to the Centennial property ensued and Commissioner James emphasized that a closing checklist is necessary to identify and address each contingency with the Orchard 2020 transaction and update the Board accordingly.

A motion was made by Commissioner Codo to return to Open Session at 7:53 p.m. Seconded by Commissioner James. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted] [redacted]

Mickey Archambault, Board President John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: November 12, 2020 **TIME:** 9:25 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen, Seaman
MEMBERS ABSENT: Commissioners Claybrook and Knupp

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
A brief update was given as to the progress of the land swap transaction. Executive Director Peterson reported the need to better define breakwater costs to the Winnetka Park District to, in turn, better understand contributions from Orchard 2020. Commissioner James commented Orchard 2020 has been upstanding thus far and committed to 50% of the cost of the breakwater.

The topic of a north of Elder transaction as another source of revenue, perhaps up to $5.2 million, was briefly discussed as was another location. Commissioner James expressed frustration and the need to see a breakdown of the costs for the project and identify project components and corresponding costs. Executive Director Peterson acknowledged Commissioner James' frustration and he was respectful of the need for more data. It was emphasized the property exchange must wrap up before entertaining other options. President Archambault suggested project costs from the Lloyd project should be able to be broken out and provided easily. It was reported Shabica & Associates is expected to meet with Superintendent Kutulas for design and development cost estimates November 17. Commissioner Codo emphasized we are not undertaking such a large expense without funding behind it. Commissioner James said the "as built" cost information has been requested many times and was needed to more accurately project utilization on the new project. All Board members are in agreement. All components are necessary so the Park District knows what funds need to be raised.

A motion was made by Commissioner Codo to return to Open Session at 9:42 p.m. Seconded by Commissioner James. A roll call vote was taken.

Ayes: Archambault, Codo, James, Lussen, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: November 19, 2020 **TIME:** 8:15 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman
MEMBERS ABSENT: None

VOTE ON CLOSING
MEMBERS AYE: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, Seaman
MEMBERS NAY: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson gave an update on the south of Centennial neighbor and a commitment to 50% of the breakwater cost and plans with Orchard 2020 are moving along well. Commissioner James commented on the need to obtain the focus of the Village of Winnetka.

Regarding the north of Elder neighbor, Commissioner Claybrook submitted that we offer a beneficial arrangement rather than sell land, as she is concerned about backlash. President Archambault noted that it is disrespectful of the north neighbor to see other financing. Commissioner James reiterated the mid, min and max approaches to the potential transaction. He also shared a slide to display the property lines along with groin and breakwater placement to explain the Elder layout. He is not in favor of selling the land with the public's interest in mind. Executive Director Peterson suggested naming rights for significant contributions. It was further suggested that when Commissioner James and Executive Director Peterson meet with the north of Elder neighbor, they should convey that the Board is divided and find out what the interest is in a breakwater solution. Commissioner Lussen suggested a land swap is the best project and moving forward, keeping an open mind to other options. Earnest deliberation took place.

Note: Commissioner Knupp left the meeting at 9:06 p.m.

A motion was made by Commissioner Claybrook to return to Open Session at 9:11 p.m. Seconded by Commissioner Lussen. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: December 10, 2020 **TIME:** 7:37 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen, and Seaman

MEMBERS ABSENT: Colleen Knupp

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS**: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson reported discussions continue with the neighbor north of Elder, entertaining a planter design between the groins. It also was reported a lengthy meeting of the Landmark Preservation Commission of Winnetka took place, with Executive Director Peterson and Commissioner James in attendance. A historical architectural impact study resulted in a potential 90 day delay for the 203/205 Sheridan demo project, although it is not expected to alter the outcome. No demolition can take place prior to the building permit application process. May not be able to accommodate our desire to load stone from the south end. A brief discussion took place regarding plans for the breakwater. Commissioner James is awaiting drawings and has been in contact with Shabica & Assoc., Scott Freres, and Mariani, the landscape architect. Executive Director Peterson communicated that the neighbor to the north is still very interested, is awaiting plans and understands that a financial commitment is involved. Commissioner James suggested shifting assembly to the north and make it work in the best interest of the public. Commissioner Claybrook inquired about the plans for the dog beach transition to a beach for people and emphasized communicating long term plans to the public.

[redacted]

[redacted]

[redacted]

[redacted]

A motion was made by Commissioner Lussen to return to Open Session at 8:03 p.m. Seconded by Commissioner Seaman. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted] [redacted]

Mickey Archambault, Board President John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: December 17, 2020 **TIME:** 6:44 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Knupp and Lussen Knupp
MEMBERS ABSENT: Teresa Claybrook, David Seaman

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Lara Kuechel, Executive Assistant

- **APPLICABLE STATUTORY SECTIONS:** 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson reported the appraisal process for the properties discussed in the last closed session; they will be sent to a third party for information purposes and expect more discussion by February. The Executive Director and Commissioner James recently participated in a plan commission meeting with the Village of Winnetka, reporting approval for a plan of subdivision which opens the window for the 261 property exchange. Formal approval from the Village is expected by late February. Commissioner James stated there were objectors present from Fuller Lane but also many who were in favor from various parts of the community who appreciated the Winnetka Park District's (WPD) efforts. He further suggested we elicit letters of support from the community.

Landmark preservation commissioner asked for a historical assessment of 205 & 203 Sheridan, which has commenced with some level of quick movement. The co-application with the revocable trust is recognized by the plan commission as without exception.

A FOIA request was sent to Executive Director Peterson and Executive Assistant Kuechel, inquiring about the identity of Orchard 2020. It was made by a Chicago Tribune reporter and is being addressed currently by counsel, Steve Adams.

The north of Elder neighbor considerations are in a holding pattern while awaiting designs. Commissioner James noted there are many moving parts; an obligation to protect our beaches and the WPD does not want to spend $7.4 million dollars in beachfront improvements and have the design compromised by existence of a dysfunctional stormpipe last updated in 1946. Commissioner Codo emphasized we are intent on making repairs as well.

President Archambault noted this is an opportunity of a lifetime. Commissioner James suggested the WPD conduct the permit process to relocate the discharge as a part of our beach enhancement.

A motion was made by Commissioner Lussen to return to Open Session at 6:58 p.m. Seconded by Commissioner Codo. A roll call vote was taken.

Ayes: Archambault, Codo, James, Knupp, Lussen
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

[redacted]

Mickey Archambault, Board President

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: January 7, 2021 **TIME:** 7:16 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen, and Seaman

MEMBERS ABSENT: Commissioner Knupp

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Lara Kuechel, Executive Assistant

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6), and 5 ILCS 120/2(c)(1)

SUBJECT MATTER DISCUSSED:
Executive Director Peterson reported there was a great dialog regarding the Elder/Centennial project; noting the fence line was the biggest issue. He added, Commissioner James has been very engaged and has been working with the revocable trust project manager. Suggested breakwaters structural designs have been discussed and shared with the north neighbor as well.

Commissioner James said there is still work to be done to get the Village of Winnetka to commit resources for the relocation of the Village of Winnetka's pier/outfall pipe at Elder Lane Beach. He added the Park District's ability to move the Village's outfall pipe through Elder Lane Park and into the north breakwaters structure will be considered a maintenance project; Commissioner James further explained the outfall pipe configuration challenges. The Village's existing pier will be demolished.

Executive Director Peterson spoke about the process regarding the home at 261 Sheridan as it relates to Elder/Centennial and it has commenced with the Village of Winnetka's Landmark Preservation Commissioner and Plan Commission review. A final review should take place in February. Access to the home will be needed for structural assessments. Commissioner Claybrook inquired about the usage plans and if a restaurant was still a possibility; a brief discussion ensued. Commissioner James noted that type of plan will call for a special use permit that will need community support as well as high level discussions with the Village of Winnetka.

[redacted]

January 7, 2021
pg 2

A motion was made by Commissioner Claybrook to return to Open Session at 7:39 p.m. Seconded by Commissioner Codo. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None.
Motion carried.

RECORD OF ANY VOTE TAKEN: No action taken during Closed Session.

Mickey Archambault, Board President

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: January 21, 2021 **TIME:** 7:56 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Knupp, Lussen, and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Lara Kuechel, Executive Assistant

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED:

[redacted]

[redacted]

[redacted]

[redacted]

***Note:** Commissioner Knupp left the meeting at 8:10 p.m.

[redacted]

[redacted]

[redacted]

A motion was made by Commissioner Lussen to return to Open Session at 8:16 p.m. Seconded by Commissioner Claybrook. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None.
Motion carried.

[redacted]on taken during Closed Session.

[redacted]

Mickey Archambault, Board President

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: February 11, 2021 **TIME:** 7:11p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen, and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Lara Kuechel, Executive Assistant

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6), and 5 ILCS 120/2 (c)(1)

SUBJECT MATTER DISCUSSED

Executive Director Peterson reported on a call from the Orchard 2020 contractor with specific interest in the easement south of Centennial Beach at 205 and 203 Sheridan; adding the permit application to the Village of Winnetka has been postponed, but is on track. Commissioner James provided additional insight for the value of the easement.

A structural engineering assessment of 261 Sheridan is being prepared for review to move forward. President Archambault noted plans for future use should be considered. Executive Director Peterson said the property appears to be in fine form. Commissioner James clarified the assessment is necessary to determine what work needs to be done for the building to be in compliance for public use. He added a plat of subdivision has been submitted and the park district is party to the document. A brief discussion took place and President Archambault stated it is most important to close on the property.

Regarding the north side of Elder, Commissioner James reported preliminary engineering for the storm pipe is complete, but design details still need to be vetted.

[redacted]

[redacted]

[redacted]

A motion was made by Commissioner Claybrook to return to Open Session at 7:45 p.m. Commissioner Codo seconded the motion. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action taken during Closed Session.

[redacted]
John Peterson, Board Secretary

APPROVED APRIL 22, 2021

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: February 25, 2021 **TIME:** 7:34 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Codo, James, and Seaman

MEMBERS ABSENT: Commissioners Claybrook and Lussen

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

[redacted]

President Archambault inquired about the status of the property closing for 261 Sheridan. Executive Director Peterson provided an update, explaining that several items are still under consideration.

Executive Director Peterson reported discussions continue with the neighbors north of Centennial.

A motion was made by Commissioner James to return to Open Session at 7:57 p.m. The motion was seconded by Commissioner Seaman. A roll call vote was taken.

Ayes: Archambault, Codo, James, Seaman

Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN: No action was taken during closed session.

[redacted]
John Peterson, Board Secretary

APPROVED MARCH 25, 2021

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: March 11, 2021 **TIME:** 7:12 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen, and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6), and 5 ILCS 120/2 (c)(1)

SUBJECT MATTER DISCUSSED

Executive Director reported there has been remarkable progress with the build out of the Elder breakwater. He added the north neighbor has been fantastic, and is committed to the park district.

Executive Director Peterson updated the board on the latest developments with Orchard 2020. He reported a proposed "master agreement" was received by the park district attorney from the owner's attorney. He added the terms of the "master agreement" are unacceptable, and include proposed design changes not in the best interest of the park district. Commissioner James provided additional information noting he, Executive Director Peterson, and park district legal counsel have worked hard to be respectful and firm in their responses. Discussions with the homeowner will continue to reach an agreement.

Executive Director Peterson described the area by the north breakwater that will be licensed to the neighbor for 20 years. Commissioner James provided additional rationale for the design and placement of the breakwater.

[redacted]

[redacted]

[redacted]

A motion was made by Commissioner Lussen to return to Open Session at 7:43 p.m. Commissioner Claybrook seconded the motion. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

APPROVED APRIL 22, 2021

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: March 25, 2021 **TIME:** 6:54 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen, and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Steve Adams, Attorney, Robbin Schwartz; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(3), 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6), and 5 ILCS 120/2 (c)(1)

SUBJECT MATTER DISCUSSED

Executive Director Peterson gave an update on the latest developments with Orchard 2020, and asked for confirmation that negotiations are heading in the right direction.

Commissioner James reported there have been several conversations back and forth conversations with the lawyer and owner of Orchard 2020. He noted the owner was told there might be some misunderstandings on the part of the attorney in trying to secure controls over the park district. Commissioner James said negotiations continue on the main issues: the design of the breakwater/boundary wall and the attorney's interest in linking the breakwater agreement to the property exchange agreement. Executive Director Peterson explained the park district is taking a firm stance that the property exchange agreement stands on its own, and believes there is a disconnect between the owner and attorney.

Commissioner James described the provisions being requested.

Attorney Steve Adams gave an overview of the process to date, and shared his view of the current issues, saying the owner's attorney led him to believe the owner was in agreement with all the terms. He also shared with the board commended Executive Director Peterson for his patience and perseverance, noting the progress made is due to his efforts.

Executive Director Peterson, Commissioner James and Attorney Steve Adams will meet with the owner and his attorney via Zoom on March 27.

Commissioner Seaman asked at what point the district would stop negotiations. Commissioner James expressed his opinions on what concessions he is willing to make. After further discussion, the board agreed on the importance of keeping the original property exchange agreement separate, and to continue working towards a formal agreement.

Attorney Adams left the meeting at 7:38 p.m.

[redacted]

A motion was made by Commissioner James to return to Open Session at 7:55 p.m. Commissioner Lussen seconded the motion. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

APPROVED APRIL 22, 2021

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: April 8, 2021 **TIME:** 6:30 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6), and 5 ILCS 120/2 (c)(1)

SUBJECT MATTER DISCUSSED

Executive Director Peterson updated the board on the latest developments with Orchard 2020. The Lakota Group has been working with staff on the breakwater design. Work continues on the terms of the breakwater agreement.

Executive Director Peterson and Commissioner James reviewed again the unacceptable requests of the homeowner. Commissioner James stressed he and Executive Director Peterson continue to work with and assist the homeowner so he will be able to obtain the required permits and build his home.

[redacted]

A motion was made by Commissioner Codo to return to Open Session at 6:47 p.m. Commissioner Claybrook seconded the motion. A roll call vote was taken.

Ayes: Archambault, Claybrook, Codo, James, Lussen, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN

No action was taken during Closed Session.

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: April 22, 2021 **TIME:** 6:40 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen (via Zoom), Rapp, and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Steve Adams, Attorney, Robbins Schwartz (via Zoom), Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6), and 5 ILCS 120/2 (c)(1)

SUBJECT MATTER DISCUSSED
Attorney Steve Adams stressed the importance of maintaining confidentiality of topics discussed in closed session.

Commissioner Lussen joined the meeting at 6:46 p.m.

For the benefit of Commissioner Rapp, Commissioner James provided a thorough overview of discussions, requests, and negotiations to date, related to the property exchange with Orchard 2020.

Commissioner James explained the current situation and recent steps taken, noting discussions on the breakwater design elements and lakefront improvements are progressing, but disagreement remains on the legal documents, specifically on the new agreement presented by Orchard 2020 in March.

Steve Adams and Commissioner James described some of the terms of the original agreement, and the requests and considerations being made in the new agreement. Due to some of the comments, statements, and positions recently expressed, litigation is being considered. Steps are being taken in the event litigation is necessary. Outside counsel has been retained to draft a formal complaint. The objective is to continue working on the lakefront improvements so Orchard 2020 knows the park district is acting in good faith.

Commissioner James noted Orchard 2020 wants an agreement giving him total authority until a formal agreement is reached. He explained a 25ft temporary construction easement and a 10ft permanent maintenance easement has been offered along with a restrictive covenant for the remainder of Centennial that it should always remain a park. He stressed they are perfecting the park district's position under the exchange agreement and are still working in good faith to keep the process on track.

Steve Adams opined there is a legal case for specific performance in favor of the park district. He added a plan is in place to eliminate any opportunity for Orchard 2020 to terminate the agreement. The plan is currently under review by outside legal counsel. He said he is hopeful for a settlement versus actual litigation

The board asked questions and discussed strategies, including the pros and cons of litigation.

Consensus was reached by the board to continue to explore, and plan for the possibility of litigation, but agreed not to make the first move. Work will proceed on perfecting the property exchange agreement and the breakwater design, while discussions continue on the lakefront draft. The board also agreed it was not in their authority to give up control of any park district decision-making authority.

[redacted]

Steve Adams left the meeting and Executive Director Peterson was excused at 8:00 p.m.

[redacted]

Libby Baker left the meeting at 8: 12 p.m.

Executive Director Peterson rejoined the meeting at 8:21p.m.

[redacted]

A motion was made by Commissioner Lussen to return to open session at 8:28 p.m. Commissioner Claybrook seconded the motion. A roll call vote was taken.
Ayes: Archambault, Claybrook, Codo, James, Lussen, Rapp, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN

No action was taken during Closed Session.

[redacted]

John Peterson, Board Secretary

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: May 13, 2021 **TIME:** 6:52 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Rapp, and Seaman

MEMBERS ABSENT: Lussen

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5) and 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

[redacted]

[redacted]

A motion was made by Commissioner James to return to Open Session at 6:58 p.m. Commissioner Seaman seconded the motion. A roll call vote was taken.
Ayes: Archambault, Claybrook, Codo, James, Rapp, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

June 24, 2021
Date

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: May 13, 2021 **TIME:** 7:07 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen, Rapp, and Seaman

MEMBERS PRESENT VIA ZOOM: Commissioner Lussen

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

NON-MEMBERS IN ATTENDACE VIA ZOOM: Steve Adams, Park District legal counsel, Robbins Schwartz; James Figliulo, Rebecca Fournier, outside legal counsel, Figliulo - Silverman P.C.

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(11)

SUBJECT MATTER DISCUSSED
Attorney Steve Adams stated the board is in closed session under 2(c)(11), because the board believes litigation in relation to the exchange agreement is probable or imminent and the board is here to discuss the pros and cons of entering litigation and next steps.

Executive Director Peterson provided a timeline of the events of the last year, noting certain contingencies of the exchange agreement have now expired, and the board has some decisions to make to execute certain steps.

Commissioner James continued with an explanation of the most recent events. He explained the park district purposefully left consideration of lakefront improvements out of the exchange agreement noting that the design and permit timeline would be much longer than desirable to Orchard 2020, assuming their construction would start in the spring of 2021.

Shortly after discussions regarding the design of the break wall began, Orchard 2020 stated privacy and security were of paramount importance to them; proposing a masonry

wall extending 100' lakeward of the seawall with the elevation of the top of the wall at 596' MSL (17' above the normal water level of Lake Michigan) to which the park district responded it would never be permitted or approved.

While design discussions continued, on March 4, 2021, Orchard 2020's attorney delivered a proposed "Master Agreement" which contained many objectionable provisions and improperly linked the breakwater design discussions to the Exchange Agreement. The park district responded by separating the issues and negotiating in good faith until reaching an impasse. Orchard 2020 made multiple threats to terminate the Exchange Agreement.

At that point, Commissioner James said he called a two-week "time out" from negotiations, (during which time the park district interviewed and engaged outside counsel). The timeout was not well received by Orchard 2020, who continued to make threats of terminating the agreement. Design work never ceased and the parties arrived at consensus on the design. The park district also redrafted the contentious sections of the proposed agreement and delivered "final" drafts to Orchard 2020.

Commissioner James wrote Orchard 2020 a letter, telling him the park district has worked diligently on his behalf and the current design was the result of that work. Most importantly, Commissioner James' letter clearly stated the path to approval runs through the Army Corps and IDNR. The letter also said the park district can never cede control over decision-making authority and cannot grant restrictive covenants over the lakebed, as it is land it does not own.

Subsequently, the proposed designs for the lakefront improvements were sent to the IDNR and Army Corps, who recently responded with the Army Corps saying they are not supportive of the louvers, and the IDNR saying pedestrian access needs to be allowed.

Since then Director Kutulas has reached out to the Army Corps and IDNR to arrange a meeting, express the park district's commitment to this project and point out other similar projects along the lakefront.

[redacted]

[redacted]

[redacted]

Commissioner Seaman expressed his concern that several concessions have already been made and the process would not be quick. Commissioner James replied the attorneys were brought in to evaluate the strength of the park district's position, and added he believes it is the board's duty to send the 10-day notice.

[redacted]

Commissioner Seaman commented the legal process could take considerable time and cost substantial dollars at a time when WPD has considerable major and operating capital projects to fund. Commissioner Archambault replied if the park district does nothing, then it would have nothing.

[redacted]
Commissioner James responded as public servants board has an obligation to protect public interest.

Commissioner James noted there is also a public relations component and a consultant has been contacted to make sure the park district's interests are put forward properly.

[redacted]

Executive Director Peterson commented on the option of eminent domain, saying it would give the park district the opportunity to purchase the parcel.

[redacted]

Commissioner Archambault asked the board to share their opinion on how to proceed. He began by saying he would like to proceed with the 10-day notice, and file suit for performance if necessary.

Commissioner Claybrook expressed support to proceed with the 10-day notice, and file suit if necessary.

Commissioner Seaman commented that he would not like to proceed with the 10-day notice and lawsuit because of potential substantial financial impact. He stated WPD should proceed with the construction of the Centennial and Elder breakwaters and improve the beaches to the best of the district's financial ability."

Commissioner James expressed support to proceed with the 10-day notice, inform Orchard 2020 of the park district's plans, while continuing work on the breakwater.

Commissioner Lussen expressed agreement with proceeding with the 10-day notice and potential litigation.

Commissioner Codo expressed her agreement with proceeding with the 10-day notice with the idea the park district is perfecting its rights within the exchange agreement. She added she is not ready for litigation now, and expressed her concern about the finances related to eminent domain.

Commissioner Rapp expressed agreement with proceeding with the 10-day notice and shared her concern about eminent domain.

With the exception of Commissioner Seaman, the Board decided to proceed with filing the 10-day notice.

Mr. Figliulo said he is prepared to file by Monday and would contact Orchard 2020's attorney to make him aware of the notice.

Commissioner Claybrook suggested, and it was agreed, there should be some type of personal message to Orchard 2020 in advance of the notice.

[redacted]

A motion was made by Commissioner Claybrook to return to Open Session at 8:47 p.m. Commissioner Seaman seconded the motion. A roll call vote was taken.
Ayes: Archambault, Claybrook, Codo, James, Lussen, Rapp, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

June 24, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: May 27, 2021 **TIME:** 6:27 p.m.

PLACE OF MEETING: Administrative Office – Community Room

MEMBERS PRESENT: Commissioners Archambault, Claybrook, Codo, James, Lussen, Rapp, and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Colleen Root, Commissioner Elect, Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5) and 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED

Commissioner James provided a brief overview for the benefit of Commissioner Elect Root. He then noted Executive Director Peterson drafted a letter to Orchard 2020 stating the District's intentions. The letter was well received and a face-to-face meeting was held with the principal May 27. Commissioner James Executive Director Peterson explained the District does not want to litigate.

An agreement was reached to proceed on a unified front with the design plans as proposed to afford Orchard 2020 the two things wants the most: privacy and security. A meeting is scheduled with the Illinois Department of Natural Resources (IDNR), Army Corps of Engineers, Shabica & Associates, Orchard 2020's owner's representative and staff to review the plans and encourage approval.

The board discussed the District's options should the permit not receive approval or Orchard 2020 does not cooperate, and requested regular status updates.

Commissioner Codo requested the closed session minutes of the April 22, 2021 be amended to better reflect the consensus reached during that meeting, specifically the park district would not make the first move to litigate, and the park district cannot give up control of park district decisions.

[redacted]

A motion was made by Commissioner Codo to return to open session at 7:01 p.m. Commissioner Claybrook seconded the motion. A roll call vote was taken.
Ayes: Archambault, Claybrook, Codo, James, Lussen, Rapp, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]

John Peterson, Board Secretary

June 24, 2021
Date

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: June 24, 2021 **TIME:** 8:00 p.m.

PLACE OF MEETING: Winnetka Golf Club – Conference Room

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen, Root and Seaman

MEMBERS ABSENT: Cynthia Rapp

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6) and 5 ILCS 120/2 (c)(21)

SUBJECT MATTER DISCUSSED

[redacted]

Commissioner James explained the events of the past few weeks. Orchard 2020 did not give legal notice to terminate the agreement and therefore the park district did not issue a notice of default. Letters were exchanged between the park district and Orchard 2020. The park district sent a letter concerning permits to Orchard 2020 advising that the park district would be pursuing a permit. Commissioner James added the main issue now is dealing with the Army Corps and Illinois Department of Natural Resources.

Mr. James also reported a meeting was held June 10th with State Representative Gabel, Representative Gabel's chief of staff Christian Sorensen, and Senator Laura Fine at the lakefront. Costa Kutulas joined the meeting, Tricia Charbonneau, the owner's representative for Orchard 2020, also participated. Representative Gabel and Senator Fine

have agreed to sign letters in support of the project. A draft of the letter was shared with Orchard 2020 and Ms. Charbonneau to seek their input.

Mr. Sorenson, a former employee of the Metropolitan Water Reclamation District provided guidance on how best to approach the permit process.

Mr. Rintz is scheduled to meet with Senator Durbin and/or his staff in connection with the Village's stormwater project and will seek his advice as to the best way to proceed with a permit application.

Commissioner James noted Orchard 2020 is pursuing a lakefront improvement permit, and is proceeding with his plans as if the property exchange will go through, including the exchange parcel at the south end of Centennial Park.

Commissioner Root expressed concern about the amount of money spent since September 2019 on legal fees and consultants attributable to the property exchange, and inquired as to whether any of these plans and work can be salvaged if the transaction does not go through.

Commissioner Seaman inquired if there is an expectation to continue incurring monthly legal bills in excess of $15,000. Commissioner James replied probably not.

Commissioner Seaman also inquired about the public relations firm. Commissioner James replied there have been limited conversations with the firm but they are not actively engaged at this time.

Commissioner Root reiterated her request that no member of the board nor park district staff initiate any legal action without a meeting of the board and a vote. Assurances were so made by those present.

In response to a question from Commissioner Codo, Executive Director Peterson explained the letters from Senator Fine and Representative Gabel are on hold until further insight is received through contacts initiated by the Village of Winnetka.

Commissioner James stated he would like to take advice from permitting agencies and legislative contacts to ensure a successful outcome of the permit process.

Commissioner Root inquired if a date has been identified to end negotiations. Executive Director Peterson said no, but noted the board has the ability to decide at any time not to proceed any further. Commissioner Seaman acknowledged the difficulty in setting a firm date, and requested updates that are more frequent.

[redacted]

A motion was made by Commissioner Archambault to return to open session at 8:54 p.m. Commissioner Lussen seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]

John Peterson, Board Secretary

August 26, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: July 22, 2021 **TIME:** 7:59 p.m.

PLACE OF MEETING: Winnetka Golf Club – Conference Room

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen, and Rapp

MEMBERS ABSENT: Commissioners Root and Seaman

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6) and 5 ILCS 120/2 (c)(21)

SUBJECT MATTER DISCUSSED

Commissioner James reported the most recent meeting with Orchard 2020 and his team was very positive and collaborative. Orchard 2020 decided he would like to proceed with the permit to include the fence, as proposed. The jurisdictional limits of the U.S. Army Corps of Engineers versus the Illinois Department of Natural Resources ("IDNR") and public trust doctrine were discussed. It was explained that the public trust doctrine is administered by the IDNR, and there is a balancing test between public safety and public access within the document. Orchard 2020 has chosen the riskier, public safety path to permitting and is willing to work with the park district should the permit be rejected. The attorney for Orchard 2020 and Steve Adams, attorney for the park district, will collaborate on a legal brief to make the most persuasive case to have the plans approved as proposed.

Senator Fine has been informed of the chosen path. Efforts have been made to inform Chris Rintz as well.

Executive Director Peterson noted although the park district has been told on several occasions by individuals with extensive background that the permit should be submitted without the louvers, the process is moving forward with the path chosen by Orchard 2020.

Executive Director Peterson added there is support from Orchard 2020 should the application be rejected. There are two angles: ask for an agreement from the regulatory agencies to build the breakwaters without louvers, and then continue to work away at the

louvers; or, go back to the drawing board, which would delay the process, and risk additional erosion of shoreline and bluff.

Commissioner James stated there would be lobbying efforts and a permitting process, which could take seven to eight weeks.

[redacted]

A motion was made by Commissioner Codo to return to open session at 8:13 p.m. Commissioner Rapp seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

August 26, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: August 26, 2021 **TIME:** 9:18 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen, Rapp, Root and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1), 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6) and 5 ILCS 120/2 (c)(21)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

[redacted]

Commissioner James provided an update on the status of the property exchange and the permitting process. He reported on a recent meeting with Orchard 2020 and outside counsel, noting the park district is working with them collaboratively on a PowerPoint presentation to advance the permit process. No decisions have been made to engage lobbyists. Orchard 2020 has completed their own research and now has a better understanding of the regulatory authority, jurisdiction and permit process of the Army Corps of Engineers and Illinois Department of Natural Resources.

Commissioner James and Executive Director Peterson met with the neighbors to the north who could be potential donors. One neighbor already has filed an application to secure a permit for their own shoreline project. Working together, the neighbor could realize significant cost savings on land delivery and might donate to the Winnetka Parks Foundation. Commissioner James commented having a professional presentation will help when soliciting potential donors.

The board discussed and agreed to have a sample louver section fabricated to understand its visual impact.

Commissioner Root referenced a prior closed session discussion, saying she understood there was a collaborative legal effort to put together an amicus brief. Commissioner James clarified the document was the white paper he referenced earlier. Commissioner Root requested the white paper be distributed to the board.

[redacted]

A motion was made by Commissioner Archambault to return to open session at 9:42 p.m. Commissioner Lussen seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]

John Peterson, Board Secretary

October 21, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: September 9, 2021 **TIME:** 8:26 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Rapp, Root and Seaman

MEMBERS ABSENT: Commissioner Lussen

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1), 5 ILCS 120/2 (c)(5), and 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED

[redacted]

Executive Director Peterson distributed the confidential Boundary, Breakwater and Master agreements associated with the property exchange. Commissioner James noted the Master agreement was initiated by Orchard 2020 in March of 2021, and includes several questionable requests that are outside the boundaries of the property exchange agreement. He noted the other agreements were initiated by the park district after the Master agreement was received.

Commissioner James then reviewed the timeline and details of all discussions, meetings, and negotiations, since the park district entered the property exchange agreement. He explained there has been much collaboration on the design and he and Executive Director Peterson have been working hard, and in the best interest of the public.

Commissioner James requested the board read the agreements to make sure they are acceptable. Negotiations are ongoing.

Executive Director Peterson explained park district legal counsel is aware of the fence design, and is working in the best interest of the park district.

The board discussed the possibility of engaging a lobbyist to help secure the permit for Elder-Centennial. Commissioner James explained the practice of the Army Corps of Engineers and the Illinois Department of Natural Resources (IDNR) is to allow for public access. Commissioner James noted the representatives of the Army Corps and the IDNR told the park district to submit an application without the fence, and then install it afterwards. He added he does not feel it is the proper advice, and thinks they are trying to preserve a policy that is very gray, as noted by them looking the other way as other municipalities have installed fences.

Following discussion, there was board support for engaging a lobbyist, but felt it should be the responsibility of Orchard 2020.

Commissioner Root raised concerns with the property exchange process, saying the amount of work on the design would not have been done for anyone else. She questioned if the park district is in violation of its public duty, noting public money is being spent. In addition, she wants to be sure the design work is not just for the benefit of Orchard 2020.

Commissioners Codo and Seaman commented on the design work and associated costs, recognizing the design work was necessary regardless of Orchard 2020.

Commissioner Root also commented on the park district not having the property deed and questioned whether legal counsel was asked for an opinion on whether the park district is in violation of its public duty. Commissioner Root requested a written statement be prepared by park district legal counsel stating all negotiations are in full compliance with all state and federal regulations. Commissioner James reported legal counsel has been asked several times and the park district was reassured the law is being followed.

Commissioner Root requested a written report explaining the necessity for this type of louver design. Executive Director Peterson explained PDRMA was consulted. Sara Yager, legal counsel for PDRMA toured the site, and a statement will be issued to legal counsel explaining how the louver design manages the fall risk.

Commissioner Root asked for the statement to say the park district is in full compliance with state and federal law and its fiduciary duty in constructing the fence.

Commissioner James explained the proposed design provides a barrier to keep people from leaving the public beach and discourages climbing on the stone and prevents falling. He noted the aesthetics had been carefully considered to preserve views from the beach.

Commissioner Archambault stated because of all the efforts and negotiations, a better solution has been achieved. He also commented on the strong ethics of legal counsel and their ongoing involvement.

Commissioner James inquired if the board is committed to seeing this through, expressing concern there may be an active litigation strategy to undermine the property exchange.

Commissioner Root responded she is not aware of potential litigation. She stressed her concern that the exchange agreement is over a year old, the deed has not been received, and work is being done because it is demanded by a man who has not followed through on his part.

Commissioner James clarified the contract is pending and the park district will close when there is certainty of execution on the lakefront project, or the park district will go to court to compel Orchard 2020 to close.

Commissioner James further clarified Orchard 2020 understands if the permit is not approved, he will not get a second chance. He has agreed to work with the park district regardless because he understands a consolidated parcel is best for both parties.

Commissioner Seaman expressed interest in serving on the dog beach/dog park committee. He stated he wants to be sure the Elder-Centennial project moves forward because it is the right thing to do for the community.

Commissioner Root stated the community presumes the property exchange is complete, and feels there is miscommunication.

A motion was made by Commissioner Archambault to return to open session at 9:38 p.m. Commissioner Seaman seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

October 21, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: September 22, 2021 **TIME:** 8:16 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen, Rapp, Root and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1), 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6) and 5 ILCS 120/2 (c)(21)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

Commissioner James expressed concern about attempts to unravel the property exchange and impede the lakefront master plan. He referred to comments made by Commissioner Root during a recent meeting with Executive Director Peterson.

Commissioner Root responded, expressing again her concerns about the property exchange agreement. She gave her recollection of the meeting with Executive Director Peterson, noting her concern that although work is being done in good faith, it may not be in accordance with the park district's duty the public trust doctrine. Commissioner Root added she is not aware of any litigious activity and remains concerned about the amount of money being spent for the benefit of the neighbors, and not the entire community.

Commissioner James explained the board has been kept informed of all the requests and demands, and has discussed and agreed on what is reasonable. He continued saying good faith negotiations are ongoing. Commissioner James added there is a refined design to be proud of, and aesthetics have been carefully considered. He noted there is considerable

concession on the part of Orchard 2020; he agreed to put the steel wall just north of the property line, therefore effectively adding 35 feet of usable beachfront to the park district.

Commissioner Archambault concurred with Commissioner James noting every decision was discussed and decided on by the board during closed session meetings.

Commissioner Root expressed her concerns and Commissioner James clarified some of the terms and financial benefits of the property exchange agreement.

Commissioner Codo commented on completing this necessary work, and stressed the importance of working with the neighbors, as it is mutually beneficial.

Commissioner Seaman stated that by not investing in our lakefront, the board would not be fulfilling its duty to the community. He added he believes the board has worked fairly to represent the community and control costs.

Commissioner James stated the design plan that has evolved from this process is better, noting fall protection is needed, so there is a need for something to be installed.

Commissioner Root addressed the park district's safety concern, but noted nothing like this was at Lloyd.

Commissioner James clarified the design at Lloyd is different and does not create a vertical drop as a steel wall would.

Commissioner Root shared again her concern a fence is being built only because the donor wants it and nothing is in writing saying he will pay for the amenities that benefit him. Commissioner James reiterated his efforts to meet his fiduciary responsibilities to the community, and his efforts to find a creative solution to be proud of and meet the objectives of Orchard 2020.

Executive Director Peterson explained the design elements proposed for Elder-Centennial evolved from what was learned from Lloyd and are significantly better than the original desire of Orchard 2020 for a brick wall.

Commissioners Codo and Archambault expressed their comfort with the decisions made by the board thus far.

Commissioner Root stressed again her interest in having something on file, in the event someone comes forward to instigate litigation. Executive Director Peterson responded the statement is being prepared.

Commissioner James expressed his frustration with the idea people may think he is not working in the best interest of the public, or is violating the public trust doctrine. He expressed concern about remarks made by Commissioner Root's during her meeting with Executive Director Peterson.

Commissioner Root expressing her personal feelings and explained the purpose of her meeting with Executive Director Peterson.

Following discussion, Commissioner James requested members of the board inform him should they hear any talk of potential litigation.

Commissioner Root shared her requested edits to the closed session minutes of August 26, 2021. Office Associate Baker will review the audio recording. Revised minutes will be presented for approval at the October 21, 2021 regular board meeting.

[redacted]

A motion was made by Commissioner Seaman to return to open session at 9:29 p.m. Commissioner Lussen seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

October 21, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

CLOSED SESSION PART ONE
DATE: October 7, 2021 **TIME:** 6:02 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Rapp, Root and Seaman

MEMBERS ABSENT: Commissioner Lussen

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate; Steve Adams, Attorney, Robbins Schwartz

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6)

SUBJECT MATTER DISCUSSED
Steve Adams summarized the meetings and events of the last eight months related to the property exchange. He further explained Orchard 2020's request for additional privacy and security, and the ongoing breakwater design work. Additionally, he explained the subsequent agreements presented by Orchard 2020, and the park district's determination to keep the agreements separate.

Mr. Adams addressed Commissioner Root's concerns for the legality of what is being pursued. He noted public benefit would be derived from the proposed design plans; safety, fall protection, cost savings, ADA accessibility, and additional beach. Mr. Adams added the park district is not obligated to disclose the fact it has not closed on the property.

Mr. Adams agreed to write a legal opinion supporting the legality of the park districts' efforts towards completing the property exchange.

Commissioner James provided a status update on the permit process.

A motion was made by Commissioner Archambault to return to open session at 6:31 p.m. Commissioner Codo seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session Part One.

CLOSED SESSION PART TWO
DATE: October 7, 2021 **TIME:** 7:30 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Rapp, Root and Seaman

MEMBERS ABSENT: Commissioner Lussen

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

[redacted]

A motion was made by Commissioner Archambault to return to open session at 8:01 p.m. Commissioner Codo seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session Part Two.

[redacted]

John Peterson, Board Secretary

November 18, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: October 21, 2021 **TIME:** 7:30 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen, Rapp, Root

MEMBERS ABSENT: Commissioner Seaman

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1), 5 ILCS 120/2 (c)(5), 5 ILCS 120/2 (c)(6) and 5 ILCS 120/2 (c)(21)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

[redacted]

Commissioner James reported on a recent presentation made by staff to the Illinois Department of Natural Resources (IDNR) and the Army Corps of Engineers (ACOE). The focus of the presentation was on safety, access and dog use. During a follow up call with the ACOE, they made it clear the louvers are not part of their jurisdiction. The IDNR acknowledged it is a policy preference to provide access. Jim Casey of the IDNR gave no response to the reference of fences in other communities.

[redacted]

[redacted]

In response to a question from Commissioner Rapp, Executive Director Peterson explained the letter being prepared by legal counsel, as requested by Commissioner Root is almost complete.

Commissioner Root inquired on the status of the ancillary agreements. Commissioner James and Executive Director Peterson replied there is no update.

A motion was made by Commissioner Archambault to return to open session at 7:56 p.m. Commissioner Codo seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

November 18, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: November 4, 2021 **TIME:** 9:04 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen Rapp, Root and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1), (5) and (6)

SUBJECT MATTER DISCUSSED

[redacted]

A motion was made by Commissioner Archambault to return to open session at 9:07 p.m. Commissioner Codo seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]

John Peterson, Board Secretary

December 16, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: November 18, 2021 **TIME:** 7:18 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen, Rapp, Root, and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1), (5), (6)

SUBJECT MATTER DISCUSSED

[redacted]

Executive Director Peterson reported work continues with Shabica and Associates on the cover letter to be included with the lakefront permit application.

Regarding the outstanding agreements with Orchard 2020, Commissioner James reported the topic continues to be presented during regular meetings held with representatives of Orchard 2020. He also reported Orchard 2020's representatives have suggested postponing submittal of the permit until the December 14 onsite meeting with the IDNR, and they do not want to close on the property until the permit is approved. Commissioner James noted they are still cooperative.

The board shared and discussed their opinions about the current status of the agreements and property exchange. Following discussion, they concurred they could not wait until May 2022 to close on the property exchange as it is important to close the deal and adhere to the construction timeline.

The board discussed options to encourage Orchard 2020 to execute the property exchange and agreements. The board concurred it would be best to make a person appeal.

Commissioner James reported Director Kutulas fabricated a model louver and it can be viewed at the Parks Service Center.

Executive Director Peterson distributed the legal opinion from Robbins Schwartz, as requested by Commissioner Root.

Commissioner James reviewed the expenses related to the property exchange.

[redacted]

Commissioner Codo reported there is an opportunity to secure financing for the lakefront through Wintrust.

A motion was made by Commissioner Archambault to return to open session at 7:57 p.m. Commissioner Seaman seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

December 16, 2021
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: December 2, 2021 **TIME:** 6:32 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Codo, James, Lussen Rapp, Root and Seaman

MEMBERS ABSENT: Commissioner Archambault

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5) and (6)

SUBJECT MATTER DISCUSSED
Commissioner James reported weekly meetings with representatives of Orchard 2020 continue amicably. Representatives have been informed of the park board's discomfort moving forward without closing the exchange agreement and finalizing the other side agreements. The two groups are working harmoniously to finalize the permit application.

[redacted]

[redacted]

Commissioner Root inquired if any FOIA requests have been submitted regarding Elder + Centennial. Libby reported two requests specific to the dog beach have been received.

A motion was made by Commissioner Seaman to return to open session at 7:07 p.m. Commissioner Lussen seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman

Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

January 20, 2022
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: December 16, 2021 **TIME:** 7:10 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen, Rapp, Root, and Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director; Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c) (5), (6) and (21)

SUBJECT MATTER DISCUSSED

[redacted]

Commissioner James reported on the most recent phone meeting with Orchard 2020 and his representatives to prepare for the December 14, 2021 onsite meeting. The onsite meeting went well and representatives of the IDNR and ACOE expressed their gratitude for the efforts of the park district.

[redacted]

[redacted]

A motion was made by Commissioner Archambault to return to open session at 7:20 p.m. Commissioner Codo seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN

No action was taken during Closed Session.

[redacted]

John Peterson, Board Secretary

January 20, 2022

Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: January 6, 2022 **TIME:** 6:43 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, James, Rapp, Root, Seaman
Commissioners Codo and Lussen participated via phone.

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5), (6) and (11)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

Commissioner James provided an update on the permit process. He noted the Park District and representatives of Orchard 2020 continue to work collaboratively. He and Executive Director Peterson will contact Orchard 2020 soon for a face to face meeting to express the need to exchange properties while the permit is pending. Thus far Orchard 2020 has stated he would like to have the permit before he executes the exchange of properties.

Executive Director Peterson reported staff is preparing poster boards of the design work for the community to review during the open house sessions.

[redacted]

A motion was made by Commissioner Archambault to return to open session at 6:58 p.m. Commissioner Rapp seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

February 24, 2022
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: January 20, 2022 **TIME:** 7:15 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioner Codo

MEMBERS PRESENT VIA ZOOM: Commissioners Archambault, James, Lussen, Rapp, Root, Seaman

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE VIA ZOOM: John Peterson, Executive Director and Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5) and (6)

SUBJECT MATTER DISCUSSED

Commissioner James reported on the status of the permit application. A meeting is scheduled February 2 with Orchard 2020 to make it clear the park district is doing all it can to submit the application and insure it's success, as well as let him know the park district wishes to close the exchange as it is necessary prior to permit issuance.

In response to a question from Commissioner Seaman, Commissioner James explained a lobbyist has been engaged who is being compensated by Orchard 2020.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

A motion was made by Commissioner Archambault to return to open session at 7:39 p.m. Commissioner James seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

February 24, 2022
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: February 10, 2022 - **TIME:** 7:46 p.m.

PLACE OF MEETING: Administrative Office – electronic participation via Zoom

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Rapp, Root, Seaman

MEMBERS ABSENT: Commissioner Lussen

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(5) and (6)

SUBJECT MATTER DISCUSSED

Commissioner James gave an overview of recent meetings and events related to the property exchange. He reported he received a comprehensive report prepared by a coastal engineering firm supporting the purpose and benefits of the baffles. The permit is expected to be filed within the next week.

At the request of the IDNR, Orchard 2020 will be a co-permittee as the proposed improvements extend to his property.

Commissioner Root expressed concern that as we continue to delay in seeking title to the property, we continue to lose negotiating leverage, and, there are still issues with the ancillary agreements.

Commissioner James explained Orchard 2020 was recently told the Board is becoming impatient with the delay in closing the property exchange and finalizing the agreements.

[redacted]

[redacted]

A motion was made by Commissioner Archambault to return to open session at 7:59 p.m. Commissioner Rapp seconded the motion. A roll call vote was taken.

Ayes: Archambault, Codo, James, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

May 26, 2022
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: February 24, 2022 **TIME:** 8:26 p.m.

PLACE OF MEETING: Administrative Office - electronic participation via Zoom

MEMBERS PRESENT VIA ZOOM: Commissioners Archambault, James, Lussen, Rapp, Root

MEMBERS ABSENT: Commissioner Seaman

NON-MEMBERS IN ATTENDANCE VIA ZOOM: John Peterson, Executive Director and Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1), (5) and (6)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

Commissioner James reported the permit application has been submitted. He gave an update on recent meetings with Orchard 2020. The request for closing continues to be stressed.

Executive Director Peterson added the neighbor to the north has offered financial support and will talk with others to garner additional financial support. A meeting will be scheduled with the neighbor to the south for consideration of financial support.

Commissioner Root expressed her opinion the District needs to have title to the property before continuing to expend funding on this project, and if terms cannot be reached between the parties by next Tuesday's weekly meeting the District needs to move forward with a plan B.

Commissioner James explained the planned north and south groins are entirely on District property and could be constructed without the property exchange; only the center "T" could not be completed. He stressed his feeling the property exchange will close.

[redacted]

A motion was made by Commissioner Codo to return to open session at 9:09 p.m. Commissioner Rapp seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

May 26, 2022
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: March 10, 2022 **TIME:** 7:43 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, James, Lussen, Rapp, Root, Seaman Commissioner Codo participated via phone.

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1),(5) and (6)

SUBJECT MATTER DISCUSSED

[redacted]

Commissioner James acknowledged the Board's frustration related to the ongoing negotiations with Orchard 2020. He reviewed his efforts over the last year, and those of legal counsel and Executive Director Peterson. Commissioner James reiterated Orchard 2020 is well aware of the Board's position.

In response to Commissioner James' remarks concerning the advice of the IDNR for the permit application, Commissioner Root commented the IDNR likely realizes the design is a precedent setting event, and if they approve it here they will be forced to approve it elsewhere.

Commissioner Root stated beach access is a huge issue for many people and is concerned the community will be upset we are not providing that opportunity.

The Board discussed various aspects of the plan design, along with available options should the permit be denied or if the property exchange does not get completed.

Commissioner Root expressed the need to publish the plan design so the public can see it.

A motion was made by Commissioner Root to return to open session at 8:35 p.m. Commissioner Rapp seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

May 26, 2022
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: March 24, 2022 **TIME:** 7:47 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Codo, James, Lussen, Rapp, Root, Seaman

MEMBERS ABSENT: Commissioner Archambault

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1), (5) and (6)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

[redacted]

Commissioner James provided an update about the ongoing negotiations with Orchard 2020. He once again noted regardless of the property exchange agreement, the time and effort put forth will not be wasted as the Park District can still proceed with the plan, minus the center "T".

Commissioner James expressed his main concern is Orchard 2020 will ask for further concessions through the supplemental agreements.

Discussion continued about the property exchange and the open permit application. Commissioner Root stated she feels the Park District has an absolute duty to be transparent to the public, adding they need to know one of the reasons construction is delayed is because the Park District does not have a concluded deal.

Commissioner James stated his negotiating tactic is the response from the IDNR review letter asking for an update on the status of the exchange. He added he is seeking a jointly prepared statement that reaffirms the contract.

Commissioner Root said she feels Commissioner James has a duty as a fiduciary to the taxpayers of this village to be honest with the regulators, and tell them the exchange has not yet occurred. He replied the IDNR is well aware.

Following a discussion about a comment received from resident Allen Welch during the open meeting, addressing beach access to public beach lands, Commissioner James referenced the IDNR's guidelines on public access, and expressed his opinion that it is the Park District's responsibility to protect the public.

With reference to the Centennial Elder Lane beach design with planters and baffles, Commissioner Root stated the same guidelines say a structure, including its height, should be comparable to adjacent structures in the area, and structures within 1000 feet of the project area should be considered adjacent She added the design to provide privacy to Orchard is unique, has not been done anywhere else, and is being done for one purpose which is to provide Orchard security and privacy.

Commissioner Root requested a regulatory response to whether or not the IDNR will release the permit without a deed

Commissioner Rapp expressed concern about the supplemental agreements and the position of the Park District.

Commissioner Seaman expressed his support of the ongoing negotiations, and frustration with the ongoing debate.

Commissioner James stated he would have legal counsel prepare a resolution so the public will be made aware of the actions taken and the facts related to the property exchange.

A motion was made by Commissioner Codo to return to open session at 8:53 p.m. Commissioner Lussen seconded the motion. A roll call vote was taken.
Ayes: Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]
John Peterson, Board Secretary

May 26, 2022
Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: April 14, 2022 **TIME:** 8:03 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Archambault, Codo, James, Lussen, Rapp, Root, Seaman.

MEMBERS ABSENT: None

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director and Libby Baker, Office Associate

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1),(5) and (6)

SUBJECT MATTER DISCUSSED

[redacted]

[redacted]

[redacted]

Commissioner James provided an update on recent interactions with Orchard 2020 and the permit application process. He referenced the boundary and lakefront agreements and

explained how they were developed from the "master" agreement created by and received from Orchard 2020 in March 2021.

The board discussed various strategies for proceeding, with or without the exchange agreement, including a resolution of findings and facts and the possible need for an easement agreement.

When asked by Commissioner James, the board did not express support for either a boundary wall or lakefront improvement agreement. Commissioner James suggested it would be appropriate to continue negotiating an easement agreement.

Commissioner Archambault asked for clarification about the permit as it applies to the property exchange. Commissioner James explained the permit application was written such that neither party can obtain a permit without the property exchange. He noted it was written in a way that suggests the permit "as requested", which gives the park district the ability to amend the permit should the property exchange not be finalized.

Commissioner Root requested prior review of any new or revised agreements.

Commissioners Rapp and Seaman expressed frustration with the contents and title of the agreement they received earlier in the week. Commissioner James explained the agreement evolved from the original "master" agreement, and was not meant to imply the park district agrees with the content.

Commissioner Root inquired if Steve Adams has ever been asked if the park district is bound by the path of negotiation taken over the last year, and any promises possible made during those discussions. Executive Director Peterson agreed to speak with Steve on this matter.

Following discussion, Commissioner James stated it is important for the board to make a final determination about what is best for this community.

A motion was made by Commissioner Root to return to open session at 9:02 p.m. Commissioner Archambault seconded the motion. A roll call vote was taken.
Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN
No action was taken during Closed Session.

[redacted]

John Peterson, Board Secretary

May 26, 2022

Date Approved

MINUTES OF CLOSED MEETING
WINNETKA PARK DISTRICT

DATE: April 28, 2022 **TIME:** 7:15 p.m.

PLACE OF MEETING: Administrative Office

MEMBERS PRESENT: Commissioners Codo, James, Lussen, Rapp, Root, Seaman.

MEMBERS ABSENT: Commissioner Archambault

NON-MEMBERS IN ATTENDANCE: John Peterson, Executive Director

APPLICABLE STATUTORY SECTIONS: 5 ILCS 120/2 (c)(1),(5) and (6)

SUBJECT MATTER DISCUSSED

Commissioner James reviewed recent board discussions related to the permit application process and property exchange, and provided an update about ongoing events including the following:

- Permit replies have been received by the Army Corps and IDNR, and the public comment period is now open.
- Documents are posted on the website.
- Open houses are scheduled.
- Confirmed the board's May 14 discussion of, and lack of support for the boundary wall agreement.
- Confirmed the board's May 14 discussion of, and lack of support for the lakefront improvement agreement.
- Presented the board with a draft easement agreement to which the board seemed to support; seeking to modify the agreement to include a three foot easement parallel to the Sheridan Road right-of-way.
- Easement has been discussed with the Village.

Commissioner James then explained Orchard 2020 will be notified in the next week that the park board does not support the supplemental agreements. Commissioner Root suggested Orchard 2020 also be informed there are at least two board members and many members of the community who are not in support of the design. Commissioner Codo added the board should not speak on behalf of the community as they will likely speak for themselves.

- A resolution is being drafted to document and articulate the steps taken to arrive at the plan, with the purpose to guard against any potential third party litigation and demonstrate to Orchard 2020 that it is not unanimous.

Commissioner Root expressed her concern with resolution, explaining she is convinced the applications and plans should have been disclosed to the board before they were filed and voted on by the board. She added she is not in support of retroactively recreating what should have originally occurred. She believes what has been filed is an extreme accommodation to a special interest and feels the board had a fiduciary responsibility to withdraw the applications because of the way they were handled.

Commissioner Codo commented on the way the process has been handled noting everything had been fluid and now there is some concrete information.

Commissioner James added the design has not changed since it was considered last fall. He explained the design is no different than what other communities have erected on their beaches except for aesthetically.

- Work will continue with the Village to adopt a zoning text amendment to create parks and open space zoning to give the park district better control and argument to obtain a special use permit for the reuse of 261 Sheridan.

[redacted]

A motion was made by Commissioner Codo to return to open session at 7:59 p.m. Commissioner Rapp seconded the motion. A roll call vote was taken.
Ayes: Codo, James, Lussen, Rapp, Root, Seaman
Nays: None
Motion carried

RECORD OF ANY VOTE TAKEN

No action was taken during Closed Session.

[redacted]

John Peterson, Board Secretary

May 26, 2022

Date Approved