

Cary Park District
Board of Commissioners
Park & Recreation Operations Committee Meeting
October 11, 2007
Cary Community Center
255 Briargate Road
Cary, IL

Minutes

Committee Members Present: Harvey, Hill, Stanko
Staff Present: Glenn, Jones, Veto, Raica, Mayer, Rea
Guests: Dave Ruffalo, Real Estate Advisor for NICOR

The meeting was called to order at 7:03pm.

The Minutes from the September 13, 2007 Parks and Recreation Operations Committee meeting were presented for approval.

Stanko requested that the words “on placement of vault” following “He will go along with staff’s recommendation” in regard to the issue with NICOR.

Motion to accept minutes as amended by Stanko; second by Hill. All voting aye.

Under Direction Items, School District 26 Intergovernmental Agreement Amendment, CPD-SD26 for Use of Facilities was discussed. The change of AM Kindergarten ET from Deer Path School to Three Oaks School necessitated an alteration in the use agreement between the school district and the Park District.

The Committee recommended that the Board approve the Intergovernmental Agreement Amendment between the Cary Park District and Board of Education of Cary Community Consolidated School District 26 regarding the Cary Park District’s Extended Time and Kindergarten Extended Time programs pending School District 26 approval.

Motion by Stanko; second by Hill. All voting aye. Placed on consent agenda.

The next item handled was the request for easement at Jaycee Park by NICOR. Much supporting documentation was presented with drawings that outlined the exact location that the Park District had determined for the relocation of gas utility vaults from the west side of Silver Lake Road immediately north of Three Oaks Road.

The drawing showed the vaults relocated south of Three Oaks Road in the vicinity of Ann and Lloyd Streets. Jones explained the choice of this site.

Although a fee of \$5,000 was indicated as payment for the easement, Hill questioned whether a fee was involved with the use of a temporary easement during excavation.

Ruffalo said there usually is not.

Stanko had several comments regarding the draft agreement that was presented:

- Use of the work *non-exclusive* over the original *exclusive*;
- Indication of *perpetual* easement;
- The deletion of *any necessary facilities appurtenant hereto*;
- Requested an indemnification clause which does not appear in the draft;
- The fee offered did not seem adequate.

Ruffalo explained that all of these issues could be rectified with legal review. Stanko requested that the document return to staff to include the acceptability of the location, new terminology, and attorney review and that the document be brought back to the November 8 Committee meeting for further consideration before it goes to the full Board.

The matter was tabled to the November 8, 2007 OPS Committee meeting.

There was no need for closed session.

Motion to adjourn by Stanko; second by Hill. All voting aye.

Meeting adjourned at 7:50pm.