I. CALL TO ORDER

President Renner called the meeting to order at 7:02 PM.

II. ROLL CALL

Upon roll call the following Commissioners answered present:
Mr. Emma, Mr. Stanko, Mr. Krueger, and Mr. Renner.

Commissioner absent: Mr. Harvey

Staff

Staff present: Dan Jones, Executive Director, Claire Glenn, Director of Finance and Administration; David Raica, Director of Planning and Development; Katie Hughes, Director of Communications and Marketing; Sara Kelly, Superintendent of Recreation; Ben Rea, Superintendent of Park Maintenance.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance to the Flag was recited.

IV. MATTERS FROM THE PUBLIC

None.

V. ITEMS FROM COMMISSIONERS

None.

VI. CONSENT AGENDA

President Renner asked if there were any items to be removed from the Consent Agenda. No one asked for anything to be removed.

Roll call vote: Yes - Krueger, Emma, Stanko, Renner. No - None. Motion carried.

**BUSINESS ITEMS**

**VII.A. Any Items Removed From Consent Agenda**

None.

**VII.B. Action Items**

**VII.B.1. Consider – Direction to Bid the Lions Park Access Trail Project.**

Jones presented the Lions Park Access Trail project and highlighted the previous discussion of the project from the Operations Committee meeting on September 12. One issue still remains to be solved and it pertains to the County storm water review and where the trail that will cross an existing drainage swale. Raica has met with the county storm division and the County requested a covenant over this area as their preference for issuing a permit. Jones had Scott Puma, attorney for the Park District, review this request and provide his comments. Jones summarized Puma’s response that he (Puma) felt the request was frivolous and that other ways of satisfying the request could be achieved perhaps with a plat of easement. Raica commented that the option of a plat of easement has been brought up during his meeting with the County and their response had been that it could be considered but would require more time to review.

Jones informed that Board that staff would still like to see the Board grant permission to bid the project but that they may add a caveat to their action pertaining to the County matter. Jones highlighted that the final Opinion of Probable Cost for the project was $116,000 and that only $112,000 was budgeted. Jones pointed out that the numbers were favorable in the last very recent bidding, for the Community Center parking lot, so there is a chance that actual bid numbers will be less than the budget.

The request to go to bid at this time, even with this seeming problem existing, became the issue of discussion. If a spring bid is requested, the cost could be affected. Any added negotiations will take time.

Renner broke the project into two parts, the project itself and the County issue and asked if any Board member had issue with the project. Krueger asked if the parking space upgrades required by the Americans with Disabilities Act were included in the budget and Raica informed him that it did. It was noted by Krueger that these were not included as part of the original budget and was one of the reasons for the OPC being higher than the budget. Another question of the Board concerned whether the trail property is in the Village of Cary and what the Village’s authority is over the storm water. Raica and Renner both responded that the swale area being discussed falls under the County’s jurisdiction, the location was not an issue. Renner commented that the issue of one governmental body requiring something like a covenant from another unit of government is becoming a real problem that should be looked at. Renner stated that the Park District should not be covered (restrictive covenant) by another unit of government. Krueger
commented that he would never approve a covenant in any form. Renner summarized the discussion that no Board members had an issue with the project, but the County matter was an item that needed to be taken care of prior to bidding the project.

*Stanko moved that the Park District Board of Commissioners direct the Executive Director and staff to bid the Lions Park Access Trail. Second by Krueger.*

Roll call vote: Yes - Emma, Stanko, Krueger, Renner. No - None. Motion carried.

**VII.C. Discussion Items**

**VII.C.1. Update – Retaining Wall Repair Project – Foxford Hills Golf Club.**

Jones presented the progress on repairs of the retaining wall as a result of the rainstorm on June 26, 2013. The repair will be completed with Lamp Inc. (construction management) and Highland Engineering (structural engineer) involved and PDRMA (Park District Risk Management Agency) covering the cost of the repair to the wall. Jones reported that PDRMA would not cover any modifications or changes to the overland flow area to the pond. Jones asked the Board if they were comfortable with the current approach to repair the wall and not tackle the overland flow changes. The Board expressed they were comfortable with the approach.

A schedule presented for the repair begins 10/02/2013 with completion expected 11/08/2013. Countryside Landscaping will be the contractor for the project since they have a specialty in retaining wall construction.

Jones informed the Board that there was no final action required of them on this project. The repair is estimated at this time to cost less than $20,000 but once the wall is opened up, the scope of the project could increase. Jones reported that he contacted Attorney Puma regarding this and how this project should be handled if it exceeded $20,000. Attorney Puma’s opinion is that this repair is “emergency in nature” and based upon what can be seen and deduced currently from a review of the project, the current cost estimates are reasonable based upon what is known. Because of this he (Puma) was comfortable with the approach being taken to repair the wall.

Jones will keep the Board apprised of the progress. The Village of Cary may inspect the project from time to time as well.

**VIII. Executive Director Report**

Jones and Raica provided an update on the ongoing project of the repaving of the Community Center parking lot and the portion of Briargate Road that runs in front of the Center. Raica reported that the project is running on schedule.

Glenn provided an update on the upcoming Bond sale. Glenn reported that the deadline has passed for a petition to require a referendum for the bond sale has passed and reminded the Board of the Special Board Meeting on Thursday, October 3, 2013 at 6:30 PM to review the bids received for the issue. Glenn also reported the Park District received an AA rating from Standard and Poors for the bond issue.
Jones reported recent concerns regarding the process of field distribution for sports teams. This is an area that should undergo some review in order to provide equity and accountability to all groups.

Jones provided some background on the users of Park District field spaces. The matter that has pushed this issue to the forefront at this time is in the area of soccer. Time frames and priority issues have surfaced in giving the Cary Soccer Association (the largest field user) the opportunity to choose field time first and then provide options to other user groups who desire to use the spaces. The delay in CSA finalizing their usage has left other soccer organizations waiting to schedule their field time. Jones commented on the obligation to CSA for all the cooperative projects and provision of a high quality soccer program in Cary, but their numbers are shrinking and other groups are providing a similar service.

Jones provided a quick review of past policy that had been put in place by the Board and some of the challenges that came in working with the groups and adhering to the policy. In the past, some of the sports groups did not comply with scheduling rules, background checks for coaches, and other Cary Park District guidelines. It was decided by the Board in 2008 at the recommendation of staff to rescind the existing Affiliate Policy but continue written agreements amongst common user groups.

Jones requested some Board input on this matter. Jones posed a few questions for the Board to consider: Should the Board develop a new policy on this issue? What should the Board's role be in the relationships with these groups, approve agreements or review requests? How should past practices and relationships be considered going forward?

President Renner directed the matter to the Operations Committee meeting for discussion on October 10, 2013.

**IX. Closed Session**

Stanko moved to enter Closed Session for Review of Closed Session Minutes (5 ILCS 120/2 © (21) and Sale or Lease of Land (5 ILCS 120/2 © (6). Second by Emma.

Roll call vote: Yes - Emma, Stanko, Krueger, Renner. No - None. Motion carried.

Meeting moved to Closed Session at 7:58 PM.

**X. Closed Session Summary**

Open Session reconvened at 8:25 PM.

Renner summarized Closed Session as follows: the minutes of April 25, 2013 were reviewed and approved and the Board completed its Semi Annual Review of Closed Session minutes.
As a result of the Board’s Semi Annual Review of Closed Session minutes, President Renner announced that the following minutes were determined to be released:

October 12, 1995                          October 24, 2002                          September 27, 2007
February 8, 1996                           November 21, 2002                        October 25, 2007
October 23, 1997                           March 6, 2003                            July 24, 2008
August 10, 1999                            March 25, 2004                           April 25, 2013
August 26, 1999                            April 22, 2004
September 9, 1999                         June 23, 2005
October 28, 1999                          December 15, 2005
April 4, 2000                              July 27, 2006
May 25, 2000                               August 24, 2006
February 26, 2001                         September 28, 2006
May 24, 2001                                May 24, 2007
September 26, 2002                         August 23, 2007

There was no other action taken as a result of Closed Session.

XI. Adjournment

Motion to adjourn by Krueger; second by Stanko.

Voice vote:  4-0. All voting yes. Motion carried.

Meeting adjourned at 8:29 PM.