

Cary Park District
Board of Commissioners
Committee of the Whole Meeting
October 10, 2019
7:00 PM
Community Center
255 Briargate Road
Cary, IL

Minutes

Board Members Present: Victor, Stanko, Renner, and Frangiamore.

Staff Present: Jones, Kelly, Rogus, Hughes, Krueger, Raica, and Lee.

Guests Present: Brian Dawson, Resident
 Michael Murphy, Resident

President Frangiamore called the meeting to order at 7:00 PM.

The Pledge of Allegiance was recited.

Frangiamore asked if there were any matters from the Public, Commissioners, and Staff.

Jones provided an update on the Lions Park Sanitary Line Remediation Project. Staff and Hey and Associates are working through some items with those who have submitted a proposal to complete the work. At the meeting on October 24 it is the hope of staff to present a recommended contractor proposal to complete the work to the Board.

Renner asked if the proposals were for different options to complete the work. Jones stated that the contractors were given the option of quoting a cost using a directional bore or a jack/bore method to complete the work.

Stanko asked for an update about the water line leak at Kaper Park. Raica stated that H.R. Stewart performed the work to fix this item by placing a new line and abandoning the existing line. The area of the leak was determined to be under the building and rather than tearing up the floor and the building to locate and fix the leak, it made more sense to simply abandon the existing water line and replace it with a new rerouted water line. After the work was done and water pressure restored, staff reviewed the water meter and there is no longer a leak. Work remaining include concrete sidewalk replacement and restoration of the disturbed areas due to new water line run.

The minutes from the September 12, 2019 Committee of the Whole meeting were presented for approval.

Renner moved to approve the minutes. Second by Victor.

Stanko directed the other Commissioners to page 7, the last paragraph of the September 12, 2019 minutes. He stated that at that point in the meeting he passed out a chart showing the pros and cons of building a facility at Cary-Grove Park or Hoffman Park. There was no mention of it in the minutes. He asked that this be noted in the minutes and the chart he passed out be added to the minutes as an attachment.

Renner withdrew his motion, and Victor withdrew her second.

Frangiamore stated that Comprehensive Master Plan was spelled wrong on page 7 and asked for it to be corrected.

Stanko moved to approve the minutes as amended. Second by Victor.

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

The first Direction item discussed was the 2019 Tax Levy Estimate.

Krueger explained that the 2019 proposed levy request was being presented. Previously, during discussion in August the Board directed staff to develop a levy request to capture both CPI and new growth. Krueger stated she has been working with the Algonquin township assessor as well. A reassessment was done this year and is required to be done by law every four years. The rate setting EAV of \$615 million was decreased by \$9 million to \$606 million as a result of the re-assessment. The assessor is estimating an 8% increase in the revised EAV, which estimates the EAV will be \$654 million for 2019. Krueger presented various options for the levy request, using models with a 4% decrease based on the assessor's initial estimate of what the EAV would be as well as a 1% increase from the township estimate. She stated that the goal is to maximize funds in the corporate fund as it is the most flexible fund of the Park District. With respect to the other funds such as audit, liability, paving/lighting and other, staff is able to project fairly close to what funding levels will be needed to cover those areas. Krueger stated that the assessor's office is estimating new growth at slightly over \$1 million as well. Krueger highlighted the combination of items into the recommended levy request that met the direction of the Board. She reported that the proposed levy request does not exceed 5% of the previous year's tax extension. If the levy request exceeds 5% there are additional legal requirement that would need to be met. Understanding this, she stated that if the Board was comfortable with this levy request, the only action needed by the Board tonight would be to publicly state at the next Board meeting that the levy request will not exceed 5% of the previous year's extension. Krueger stated that the levy ordinance would be brought to the Board for consideration at the Committee of the Whole meeting in November.

Additionally, Krueger spoke with counsel at Ancel Glink to review the proposed levy request and they were comfortable with the levy request as proposed. Krueger asked if there were any questions, and there were none. The Board thanked Krueger for her presentation of the information.

Victor moved to recommend the President of the Board of Commissioners announce at the October 24, 2019 Board Meeting that the District estimates the 2019 Tax Levy will not exceed 105% of the previous year's tax extension. Second by Stanko.

Roll Call: Yes – Stanko, Renner, Victor, and Frangiamore. No – None. Motion carried.

The next Direction item discussed was the General Obligation Limited Tax Park Bonds, Series 2019B.

Jones explained at this time each year staff appears before the Board for direction to conduct a competitive sale for the issuance of the general obligation limited tax park bonds.

Krueger stated the annual roll over bond is capped by CPI which equates to approximately \$14,000 in additional bond proceeds. Krueger then explained that since these funds are used to pay existing debt, no public hearings are required. She stated staff is looking for direction from the Board to hold a competitive sale to issue bonds.

Stanko asked about abatement ordinances and the sale of the bonds. Stanko stated that he remembers that at this time each year the Park District approves abatement ordinances. Krueger stated that yes, the Park District considers and approves abatement ordinances each year at this time. She stated that those abatement ordinance are associated with other debt issues of the Park District where there is a need to abate back up levy. The annual rollover bond is not one of the debt issues associated with an abatement ordinance.

Stanko moved to recommend Board approval of conducting a competitive sale for the issuance of the General Obligation. Limited Tax Park Bonds, Series 2019B. Second by Renner.

Roll Call: Yes – Renner, Victor, Stanko, and Frangiamore. No – None. Motion carried.

The next Direction Item discussed was newly developed, Policy 3-019, Post-Issuance Compliance Matters and Record Keeping Policy.

Jones explained that the items noted in this new policy are things already occurring within the Park District, but were never placed in the policy format of the Park District. The language in the policy was provided by Chapman and Cutler the Park District's bond counsel.

Krueger explained that in 2013, the City of Detroit, Michigan filed bankruptcy. This was the largest municipal bankruptcy filing in US history by debt. Prior to that, the oversight from the Municipal Securities Rulemaking Board (MSRB) and other agencies related to Post-Issuance Compliance were more relaxed. Those investors holding City of Detroit bonds were greatly impacted. As a result, more stringent rules were put in place.

Staff looked to Government Financial Officers Association (GFOA) best practices and IRS publication 4079 for guidance. Both sources recommend that agencies who issue tax exempt bonds adopt a formal policy. Park District staff already take many steps to insure the Park District is in compliance with regulations pertaining to post issuance compliance with respect to tax exempt bonds. Understanding the need for a formal policy, staff prepared a policy using language provided by Chapman & Cutler. The policy documents what staff is currently doing to stay in compliance with the requirements of post-issuance compliance.

Frangiamore asked about the annual financial review noted in the policy and if it will be done internally or externally. Krueger stated a majority of the annual review will be done internally, but she will reach out to Chapman and Cutler if there are questions.

Stanko stated the last sentence of the policy statement doesn't distinguish what "the Bonds" are. On page 2 of the committee memo, 3rd paragraph down, it talks about bonds and in the final sentence it indicates "the Bonds" with a capital B. He doesn't know what the difference between Bond (with a capital B) and bond (with a lower case b) are. Stanko asked for clarification on the difference, if there is any. Jones explained that the Policy itself is referencing Tax Exempt Bonds of the District collectively. Stanko requested that staff ask Chapman and Cutler to better define "the Bond." Jones stated that this would be done and a follow up on this item be brought to the Board's attention at the Board meeting.

Victor moved to recommend to the Board of Commissioners Policy 3-019, Post-Issuance Compliance Matters and Record Keeping Policy. Second by Stanko.

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

The next Direction Item discussed was Ordinance O-2019-20-05.

Jones stated this is another financial record keeping requirement associated with debt. He stated that as the dollars are spent from the debt certificate issued for the purchase and renovation of the Early Child Learning Center, ordinances will need to be passed to identify the different work contracts to show how the money was spent.

Krueger explained that the ordinance authorizes the treasurer to make payments from the proceeds of the debt certificate issued for the project. Not all debt certificate proceeds will be used for all expenditures of the project as some funding was identified to come from existing resources of the Park District. The ordinance presented tonight covers the two contracts already identified and/or paid out for the project, the purchase of the building paid to the previous owner and Lamp Inc.'s Construction Management services associated with the renovation.

Krueger explained that in July the Board adopted Ordinance O-2019-20-04, an Ordinance authorizing and providing for an Installment Purchase Agreement for the purpose of paying the cost of purchasing real or personal property, or both, in and for the Cary Park District, McHenry County, Illinois, and for the issue of \$920,000 Debt Certificates, Series 2019A. She reviewed Section 10 of the ordinance and stated that Chapman and Cutler has provided the Park District with an ordinance to be approved by the Board to identify current or future work contracts to the Park District's Installment Purchase Agreement. As additional work contracts become necessary due to the new Early Learning Child Center, staff will draft subsequent ordinances for Board approval to stay in compliance with Section 10 of Ordinance O-2019-20-04.

Renner asked if the Board would have to approve individual sub-contractors for the project in addition to the general contractor. Jones stated that the bid is divided into individual trade packages such as painting, flooring and general carpentry and each individual trade contractor will submit their own bill directly to the Park District. Lamp, Inc. serves as Construction Manager and is not responsible for payments to the sub-contractors.

Stanko asked if items listed in the ordinance will only include work contracts that will be taken out of the \$920,000 debt issuance. Krueger stated that if work on the center is paid from the borrowed money it will be in an ordinance, but if it the work is to be funded for out of the existing funds of the Park District, it will be presented to Board for approval as directed by policy.

Stanko moved to recommend approval of Ordinance O-2019-20-05, an ordinance identifying work contracts to an Installment Purchase Agreement heretofore entered into by the Cary Park District, McHenry, Illinois. Second by Renner.

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

The next Direction Item discussed was the Direction to Bid – Early Learning Center Renovation Project.

Kelly provided the Board with key dates for the renovation of 100 Cary-Algonquin Rd. On Tuesday of this week another interior finishes meeting took place between staff and Williams Architects. Staff is hoping to have the bid released by October 25 with the bid openings on November 18. The work on the interior will begin in January with an anticipated completion date in early May so things can be set for summer camp. There is room in the timeframe to shift things back if this time line is too aggressive, but the goal is to keep moving forward. Raica has already done a lot of work with the fence, playground, and sidewalk designs.

Renner asked when the Board will be presented with what will be going out to bid. Kelly stated that she could have something available at the October 24 meeting. He asked for an itemized list to see what work is going to be done at the facility. Kelly stated she would provide the list to the Board.

Renner moved to direct the Executive Director to let the bid for the Early Childhood Learning Center renovation project and bring the results of the process before the Board of Commissioners for final consideration. Second by Victor.

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

The first Discussion Item was the Carl and Claire Marie Sands Main Street Prairie Nature Preserve Vegetation Enhancement & Management Plan.

Jones explained back in June of 2018 the Board accepted a long term site advancement plan for Sands Main Street Prairie that Hey and Associates put together highlighting tasks to be completed on a year by year basis. The report and information being reviewed this evening falls in line with one of the tasks in the 2018 advancement plan focusing on vegetation enhancement and management for the site.

Rogus reviewed the scope of work to be completed in the vegetation and enhancement plan as identified in the Hey and Associates site advancement plan. Tasks included gathering GIS based data collection, identifying threatened and endangered vegetation species, a drain tile study and a Phase 1 archeological survey. All these items were to be included in a narrative report with vegetative base maps. Rogus stated that he and Raica met with three different companies about the project, and Applied Ecological Services was chosen to perform the work at the site.

Rogus discussed how the Applied Ecological Services draft plan was composed, and detailed how many site visits were conducted by AES staff. Rogus provided pictures of different types of plants in the prairie, both native and invasive. He then reviewed the archeological survey. This survey was recommended by Hey and Associates in the original site advancement plan because the site may have been culturally significant with native settlers. He noted that the archeological survey completed in May 2019 did not confirm this to be the case.

Rogus detailed staff recommended changes to the timeline of the vegetation enhancement and management plan. Originally the Hey and Associates site advancement plan suggested 5 years would be sufficient time to complete the work on site. During the data collection process with Applied Ecological Services staff realized more time would be needed to accomplish all goals outlined. Staff changed the timeline of the project to 10 years. Staff wants to make sure the management plan is done right so native plants thrive at the site. Rogus also reviewed a map of the site organized by year highlighting when work will begin in certain areas.

Raica added he would like to have the plan accepted by the Board in case grants opportunities come up since formal Board acceptance will help with a successful grant application. He explained that the end goal for staff is to open up the space as much as possible so prescribed burns are the main form of maintenance for the site when the plan is completed.

Victor asked if there were any programs offered for the children at the prairie, and Raica stated volunteer programs have been done in the past, by Commissioner Stanko and others. He stated a lot of work has been done to make the prairie more sustainable for public use.

Frangiamore asked what the long term cost would be for the maintenance plan. Rogus explained that some items would be contracted to outside vendors in the future, but a lot of the work is being done and will continue to be done internally. There are multiple qualified contractors capable of doing the work outlined in the plan if it is needed.

Stanko stated that discussion needs to be held in the future of naming the site as a park. Then the components can be viewed by the public. Stanko explained that on conservation week moving forward a prairie walk could be done to make the public more aware of what is there since it is extremely rare.

Victor stated that there needs to be an effort to create more awareness of this site to the public.

Stanko stated that he wants to make sure previous survey work completed by himself and others was provided to the contractor. Rogus and Raica confirmed that this had been done.

Stanko explained he has concerns with areas Year 1, 2, 9, and 10 for management purposes on the reference map provided by Rogus. To the left of Year 2 is Year 7 and he is concerned that the Year 7 area has been cleared twice in the past, but it keeps growing back. There are three places where the prairie buttercup and other rare plants are on the site, and he is concerned that the area with the rare plants are being overgrown by Year 7 area. He doesn't think it should wait that long, and is concerned about encroaching on the buttercup sites. He also thinks the Years 1 and 2 sections should be switched. He wants to make sure the gravel hill prairie is protected.

Stanko stated another thing to look at is that some invasive plants are more damaging than others, so removal of those invasive species should be separated from the restoration process itself. He doesn't want to wait until year 6 to start. Raica stated scouting for invasive species is done on a yearly basis over the entire site.

Stanko stated he would like to see an additional map included in the plan showing the end goal for the site.

Stanko then explained items in Years 9 and 10 will have to be tackled and approved from the nature preserve commission with a buffer zone where a bike trail can be put. He stated that he believes this is an important thing to note in the plan now. People using the park without destroying it is important for long term sustainability. Potential bike trails could connect to another bike trail behind Patriot Meadows and then make other connections beyond that in Lyons Ridge to the Decker Park Trail.

Stanko stated that originally it was intended at the site that to the west of the parking lot would be for people and trails, and the area to the East of the parking lot would remain without trails and reserved for wildlife habitat. He wants areas 3, 4, and 5 to be separated and staggered to reduce impact to rare ground nesting birds. By allowing some sections to recover while allowing others to remain undisturbed will protect vital habitat to sustain ground nesting bird populations.

Jones stated that the comments of Commissioners discussed this evening will be revisited with Applied Ecological Services and a final version of the plan would be brought before the Board for final acceptance in November.

At 8:42 PM, a motion was made by Stanko to enter Closed Session for the purpose of Selection of Person to Fill a Public Office (5 ILCS 120/2 © (3)). Second by Renner.

Roll Call: Yes – Frangiamore, Renner, Stanko, Victor. No – None. Motion carried.

Frangiamore reconvened open session at 8:55 PM.

Frangiamore summarized Closed Session as follows: Discussion was held regarding the Selection of a Person to Fill a Public Office.

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

Motion by Frangiamore to adjourn. Second by Renner.

Voice vote: Yes – 4. No – None. Motion carried.

Meeting adjourned at 8:57 PM.

Daniel C. Jones, Secretary
Park District Board of Commissioners