

Cary Park District
Board of Commissioners
Special Meeting
June 1, 2023
7:00 PM
Community Center
255 Briargate Rd.
Cary, Illinois

MINUTES

Call to Order

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

Roll Call

Upon roll call the following Commissioners answered present: Mr. Stanko, Mrs. Victor, Mrs. Carasso, and Mr. Renner.

Staff Present

Staff present: Dan Jones, Executive Director; Becky Horn, Administrative and Recreation Assistant; Sara Kelly, Deputy Director; Vicki Krueger, Director of Finance and Administration.

Guests Present

David Silverman, Ancel Glink

Matters from the Public, Commissioners and Staff

There were no matters from the Public.

Renner shared he marched in the Cary Memorial Day Parade and it was a very nice event.

There were no matters from Staff.

Action Items – Consider - Discussion/Direction, Joint Review Board Meeting, Proposed Village of Cary Central Cary Tax Increment Financing District (TIF District #3).

Jones stated the Village of Cary (VOC) has previously created two TIF Districts (1 and 2) and has been taking the steps necessary to create a new TIF District (TIF 3). He shared TIF 1 was established in May 1997 and dissolved on 2022, and TIF 2 was established in September 2006 and still active today. Jones stated TIF 3 would incorporate all of TIF 2, thereby closing it upon creation of TIF 3. If this occurs, Jones stated the Park District would receive a portion of the increment split to taxing bodies of the total that remains in the fund, which for the Park District would be about \$14,000. Jones reviewed the next steps the VOC will take in the process, which includes the Joint Review Board (JRB) meeting on June 7, a public hearing on July 18, and a projected meeting on August 15 where the ordinance to create TIF 3 will be considered. Jones highlighted the Park District role and responsibility as a member by statute of the JRB. He reiterated the goal of tonight's meeting is for the Board to determine the Park District's position related to TIF 3, which will be conveyed by either President Victor or Executive Director (ED) Jones at the JRB meeting. Jones noted staff did not prepare information related monetary tax losses the Park District may experience over the 23 years of the TIF, based on advice of the Park District attorney because those numbers would be purely speculative. Jones introduced David Silverman, Partner at

Ancel Glink, to help answer questions and provide more information on the TIF. Silverman briefly introduced himself, stating he typically does more work with TIFs on the municipal side, but overall has great experience with TIFs and is willing to provide as much assistance as he can to help the Board better understand the information involved. Silverman stated Park District's generally don't oppose TIF's since they don't typically impact a Park District's service ability to properties within the TIF boundary. He added School Districts typically have the most resistance to a TIF. Silverman briefly reviewed the possible outcomes of the JRB meeting, which would include a recommendation made by a vote of the JRB members "present and voting", which is then sent to the VOC Board of Trustees. He noted it is possible not all members of the JRB will attend the meeting, but the JRB must provide a recommendation to the VOC Board within 30 days of the meeting. He stated the meeting on June 7, 2023 could be continued if the JRB determines that more information is requested or desired prior to a vote.

Stanko started the discussion with a question regarding new development that requires additional storm water capacity, could that the increased capacity be forced onto the Park District, specifically in the area of Veteran's Park? Silverman responded it could not be forced onto the Park District without an agreement in place. He stated the VOC cannot create a problem on someone's property, they need to mitigate it. Silverman further stated if the Park District notices a problem on their property, it needs to provide proof to the VOC of the problem, then ask the VOC, in order to receive financial assistance for the costs from the appropriate budget lines within the TIF. Stanko asked if the baseball/softball fields at the Maplewood School property were to go away, could new fields be built on Park District property, and who would pay for that if that were to happen? Jones responded the VOC cannot build new fields on Park District property without permission/agreement and there is no answer to how much the Park District would have to pay. Silverman responded the Park District has the right to exclude as property owners and can simply say "no". He added if the Park District agreed to build the fields, TIF dollars cannot be exported outside of the TIF district, TIF dollars can only be used if an agreement is created and negotiated for relocation within the TIF district. Silverman stated that the VOC could negotiate with a developer to provide fees to offset the cost of building new fields elsewhere. Stanko shared he has done a lot of research on TIFs and provided each Commissioner with a copy of an article he read that he believed provided good information. He stated a lot of what he has read indicated TIFs have not been very successful. Stanko further stated there is not a great deal of encouraging information that this is going to be a win for everyone and doesn't seem beneficial for the Park District overall. Silverman responded he has seen many TIFs become successful, and that there are many articles to be found that speak to the success of TIF. Silverman strongly encouraged the representative from the Park District attending the JRB meeting to prepare as much information and questions as they can.

Renner asked if the TIF is approved and a property is demolished, thereby changing its value, whose tax burden would that be. Silverman responded the Park District would still receive the same base tax revenue. Renner felt confident the Park District will take on a lot of pressure to build new baseball/softball fields if the TIF is approved. Silverman stated the Park District and VOC could create an Intergovernmental Agreement (IGA) outside of the TIF stating the VOC would assist with some of the costs related to building the fields on Park District property, should the Park District choose to do so. Renner stated in his opinion, the benefits of the TIF outweigh the negatives, and is in favor of what the VOC is proposing.

Carasso asked about dollars being paid to taxing bodies up front to offset the impact to each. Silverman stated the VOC cannot enter into “one-off” agreements with individual taxing bodies, but can enter the same agreement with all taxing bodies. Carasso stated she had no other specific questions, just concerns about the pressure the Park District will receive from the community for the baseball/softball fields. Since this TIF is geared more towards commercial rather than residential, she is more in favor of the TIF. Carasso stated that she personally would love to spend more of her money in Cary and would like the opportunity to do so. She stated it could be a great thing and bring more money in a variety of ways into the Village, but also has reservations about it becoming a disaster, similar to the other two TIFs that were created. Silverman shared that if there is no investment within the first 7 years of the TIF, it must be closed out. He strongly encouraged the Park District to ask at the JRB meeting “what makes this TIF different than TIF 1 & 2?”

Victor asked for confirmation that if several of the members of the JRB are against the TIF, the VOC can still continue to move forward with the TIF. Silverman responded yes, the purpose of the JRB meeting is to provide a recommendation. He further stated if the JRB recommends denial of the proposed TIF, and after discussions and attempts at resolution of the JRB concerns within 30 days, it will require the VOC approval of the TIF with a 3/5ths super majority vote of the VOC Board. Victor asked when would be the appropriate time to bring up a possible IGA in regard to the baseball/softball fields. Silverman responded now, the Park District would want to have that answer ideally before casting their vote at the JRB meeting. Victor asked if it is appropriate to ask for the guarantee to waive impact fees. Silverman responded yes, that is something that can be brought up at the JRB meeting. Victor stated she is in favor of the TIF if the Park District and VOC can work out an IGA.

Silverman recommended the Board have the Executive Director rather than an elected member of the Board such as the President be the representative of the Park District on the JRB. The Board concurred with this recommendation. Silverman further recommended the Board not move forward with a motion related to its position on how Park District would vote at the JRB meeting. He stated there are more questions with answers from the VOC the Board should consider.

Jones asked for clarification from the Board on where the Park District currently stands and what will be brought forward to the VOC at the JRB meeting. Silverman suggested reaching out to the other members of the JRB to see where they stand and go into the meeting prepared with the appropriate information and questions. He also suggested sending a letter to the VOC and other JRB members prior to the meeting, listing the concerns the Park District has in regard to Veterans Park, baseball/softball fields relocation, impact fees, and IGA. The Board directed Jones to move forward with sending the letter out prior to the meeting, and the Board decided they have no vote at this time, until they receive more information and response back from the VOC.

Victor asked for a motion to adjourn.

Motion by Renner to adjourn. Second by Stanko

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

Meeting adjourned at 8:52 PM.

Approved

A handwritten signature in black ink, appearing to read "Daniel C. Jones".

Daniel C. Jones, Secretary
Park District Board of Commissioners