

CALL TO ORDER:

President O'Leary calls to order the Village of East Dundee Regular Board meeting at 7:07 pm

ROLL CALL:

Trustees Ruffulo, Carlini, Lynam, Cichowski, Mahony and President O'Leary.
Trustee Gorman is absent.

Also in attendance are Village Administrator Frank Koehler, Public Works Director T.J. Moore, Village Engineer Joe Heinz, and Village Attorney Russ Hartigan.

PLEDGE OF ALLEGIANCE: Recited

CONSENT AGENDA-CONSIDERATION OF AN "OMNIBUS VOTE":

Motion to establish an Omnibus Vote list including the Regular Board minutes dated 7/16/07, New Business items B, C, D, E, F, G, I, J, M, the Treasurer's Report and the Warrant's List by Carlini/Lynam.
Vote was unanimous – All in favor.

Motion to accept the Omnibus Vote list including the Regular Board minutes dated 7/16/07, New Business items (B) Ordinance 07-36: 2007 Prevailing Wage Rates, (C) Planning and Zoning Recommendation: Motion to receive PZ# 07-07-02, 310 N. River St., (D) Ordinance 07-37: 4th St. Parking Amendment, (E) Ordinance 07-38: Approving Special Use for 310 N. River St., (F) Planning and Zoning Recommendation: Motion to receive and place on file planning and zoning recommendation for the approval of residential units above 1st floor in the B-1 district without a special use, (G) Resolution 18-07: Disposal of Surplus Property, (I) Motion: to Extend Preliminary Plan Approval for the PAL Group for 60 days, (J) Resolution 19-07: Termination of AT&T Agreement, (M) Ordinance 07-39: Amending the Annual Fee Schedule for the Village of East Dundee, the June 2007 Treasurer's Report and the Warrant's List in the amount of \$279,969.84 by Carlini/Lynam.

Roll: 6 Ayes (Ruffulo, Carlini, Lynam, Cichowski, Mahony and President O'Leary), 0 Nays, Motion carries.

Motion to move up New Business item A by Carlini/Ruffulo.
Vote was unanimous – All in favor.

NEW BUSINESS:

A. Consideration: Re: Approval of PUD for PAR Riverhaven Subdivision

President O'Leary explains that PAR came to the Board with a presentation of 130 units, which was different than what the P & Z Commission requested. The previous board as well as the current board spent the last year looking at various issues and concerns with the development. President O'Leary states that they were able to get the sub division to R4 zoning and explains additional changes to the development. PAR has committed to the quality of the project and the architecture.

Engineer Heinz explains that the village has not received final engineering plans yet. He states that the developer will have to follow the Kane County Storm Water Ordinance, which is a restrictive ordinance to mandate that the property provide storm water detention; therefore the developer would restrict the flow off the site. He states that he is aware of the drainage issues and the residents concerns about water running onto their property. The developer will catch the storm water and put it into their pond.

President O'Leary states that it is the responsibility of the developer to ensure that running water will be maintained on their property. PAR may put drainage on the backside of the property only if there isn't any liability and have committed that they would do that if they can.

President O'Leary asks if there are any comments from the audience on this topic.

The following persons state their concerns with regards to the development, specifically storm water retention, water levels, runoff and the current standing water on Wendt Ave. It is also asked that the agreement ensure that the village is covered legally:

Fred Doederlein – 525 Reese Ave.

Doris Gardner – 424 Springcrest Rd.

DeLoris Doederlein – 525 Reese Ave.

Randy Johnson – 604 Wendt Ave.

Peter Ropinski – 610 Wendt Ave.

The following persons encourage the development:

Mary Carney – 158 Aberdeen Dr.

Debbie Pyznarski – Lincoln Property Companies (reads statement on behalf of her employer)

Former Trustee Paul VanOstenbridge –

Inquires about the amount of money spent on legal fees in the year that it has taken for this settlement and how much TIF monies have been lost. Also he inquires about the status of the property at routes 68 and 25.

Attorney Hartigan states that the fees were minimal, as the suit never got into the discovery process. He also ensures that the village will be covered in other legal agreements, but currently the judge is concerned if there is a settlement. He also assures the residents that if there were a violation of the agreement, the village would take action on behalf of the homeowners.

President O'Leary states that next week there will be a mailing to brokers and developers regarding the property at routes 68 and 25 as well as Dundee Crossing. They are trying to find the right anchor tenant and are also looking for better access on routes 68 and 25. Regarding the TIF monies lost, he feels that there are too many factors involved to give an estimate.

President O'Leary states that we need to approve the resolution for the Village President to sign a settlement agreement and a motion to approve preliminary plans with the adjustments that this Board has worked on regarding the settlement agreement.

Motion to approve settlement agreement with PAR with changes noted in this settlement and in the process go forward with the dismissal of the lawsuit by Ruffulo/Carlini.

Trustee Ruffulo states that he has been with this project from the beginning. He thanks the previous board, the current board, residents and staff for their work and input. He feels that this development sends a good message and will be good for the neighborhood and Riverhaven.

Roll: 6 Ayes (Ruffulo, Carlini, Lynam, Cichowski, Mahony and President O'Leary), 0 Nays, Motion carries.

PUBLIC PARTICIPATION/PERSONS TO BE HEARD FROM THE FLOOR: None

President O'Leary states that the COTW meeting on September 17th will be dedicated to open burning.

REPORTS OF VILLAGE OFFICIALS:

- **Village Administrator** – They are working on Dundee Crossing, doing mailings and working with property owners and potential developers. They are also looking at the downtown revitalization initiatives. Informs the board that Chief Mee is at a conference.
- **Village Attorney** – No Report.
- **Village President** – There will be a COTW meeting next Monday.

Village Trustees:

- **Trustee Ruffulo** – The last Community Events Committee meeting was cancelled. He is still moving forward with a Historical Committee.
- **Trustee Gorman** – Absent.
- **Trustee Carlini** – Recommends approving the telecommunication resolution, however, he asks that a letter be send to Quad Com asking for the reimbursement of funding that the village contributed. He also recommends passing an ordinance with regards to persons holding special parades. President O'Leary asks that this be put on the next COTW meeting agenda.
- **Trustee Lynam** – No Report.
- **Trustee Cichowski** – Invites the residents to Dinner in the Park this Friday from 6:30 – 7:30 pm at the Depot. Entertainment will begin at 7 pm.
- **Trustee Mahony** – No Report.

OLD BUSINESS: None

NEW BUSINESS:

H. Resolution: Extension of Dial A Ride Interim Agreement

Administrator Koehler states that this is a stopgap agreement with the legislature being unable to reach consensus on the budget for an intergovernmental agreement amongst the township and the villages involved to continue the Dial-A-Ride program. He states that our budgeted commitment is \$2,700.

Motion to accept Resolution 20-07: Extension of Dial A Ride Interim Agreement by Carlini/Mahony. Roll: 5 Ayes (Ruffulo, Carlini, Cichowski, Mahony and President O'Leary), 1 Nay (Lynam), Motion carries.

K. Resolution: Endorsing a Grant Application by Stephen Pickett for Telecommunications Infrastructure Maintenance

Motion to pass Resolution 21-07 endorsing the grant application by Stephen Pickett, Village President of Sleepy Hollow, for telecommunications infrastructure maintenance grant and that we follow it up with a letter from our village to ensure that we are not cheated out of revenue that was collected from all surcharges by Carlini/Ruffulo.

Vote was unanimous – All in favor.

Administrator Koehler and Chief Mee will draft a letter.

L. Discussion: Downtown TIF Eligibility Study

Administrator Koehler would like to instruct Vandewalle and Associates to move forward on a feasibility/eligibility study for the downtown area to ensure that it meets all the criteria by state law for the formation of a TIF district. The board is not creating any type of agreement with this request. President O'Leary asks for consensus and a roll call so this can be discussed at a COTW meeting.

Roll: 6 Ayes (Ruffulo, Carlini, Lynam, Cichowski, Mahony and President O'Leary)

N. 2007 East Dundee Street Program: Approval of the revised specs and authorization for signature.

Engineer Heinz states that back in April, the Board approved \$237,000 for the Street Program and water main replacement. The estimate and plans were sent to IDOT and the estimate has increased to \$238,187.80. He is just informing the board of the change in the estimate and is not expending money at this time.

Motion to approve Resolution 22-07 for the revised specs on the 2007 East Dundee Street Program and authorization of signature by Carlini/Ruffulo.

Roll: 6 Ayes (Ruffulo, Carlini, Lynam, Cichowski, Mahony and President O'Leary), 0 Nays, Motion carries.

EXECUTIVE SESSION: None

ADJOURNMENT:

Motion to adjourn the Regular Village Board Meeting by Carlini/Lynam at 8:02 pm.

Vote was unanimous – All in favor.

Respectfully Submitted,

Susan Norton

By: Michael Ruffulo
Village President Daniel O'Leary
Michael Ruffulo -
President Pro Tem

Attest: Susan Norton
Village Clerk Susan Norton