

CALL TO ORDER:

President Bartels calls to order the Village of East Dundee Regular Board meeting at 7:00 pm.

ROLL CALL:

Trustees Ruffulo, Lynam, Cichowski, Miller, VanOstenbridge, Gorman and President Bartels.

Also in attendance are Village Manager Frank Koehler, Village Attorney Russell Hartigan, Chief of Police Terry Mee, Public Works Director / Deputy Village Administrator T.J. Moore, Economic Consultant Bob Skurla, Finance Director Nick Cinquegrani and Village Engineer Joe Heinz and Village Clerk Jennifer Rehberg.

PLEDGE OF ALLEGIANCE: Recited.

CONSENT AGENDA-CONSIDERATION OF AN "OMNIBUS VOTE":

N/A

Illinois Municipalities may adopt by a single roll call vote of the Village Board and Village President a group of assorted ordinances, resolution, motions and orders by an "Omnibus Vote". The "Omnibus Vote" shall be taken following the unanimous consent by the President and Board as to the items to be included. Any Trustee or the President may request that any item not be included in that vote.

PUBLIC PARTICIPATION: None

REPORTS: VILLAGE ADMINISTRATION AND STAFF:

Village Administrator – Reminded everyone of the Kane County Chamber of Commerce event on Wednesday from 5:00-7:00 at the Anvil Club.

Village Attorney – Attorney Hartigan mentioned the Freedom of Information Act changes that go into effect on January 1st. We need to figure out who the Village contact person will be. Hartigan and Koehler have spoken about this issue. The changes put a big burden on municipalities. Hartigan noted there is a list of seminars hosted by Lisa Madigan, which will take place in Elgin, Chicago, DesPlaines and Crystal Lake. He will scan the list and forward it to the Trustees.

Village President - President Bartels stated there were 2 items that came up during the Liquor Commission meeting tonight. The Commission granted a Class E License to Games On Sports Bar & Grille, which is taking over the Abanazz location. They are hoping to open the first week in December. They will eventually open a family restaurant where Puzzle Dust was located. Secondly, the manager of the Citgo station spoke to the Commission about the Liquor Ordinance regarding signage. The ordinance says they cannot display specific products and prices. He went to see the Polar Dome soccer dome and was very impressed with the improvements. It is very nice and clean. There is an Indiana team who uses it as their home field. Moore mentioned there is an open invitation to check it out. Koehler mentioned there is a 5% amusement tax per admission ticket. Trustee Ruffulo asked if the fire department was OK with the upgrades. Chief Mee stated they have a 30-day occupancy permit to upgrade the alarm system.

Director of Public Works – T.J. Moore stated 99% drawings are taking place tonight for the new well and treatment process and they are ready to go out to bid. He also explained ion exchange process.

Chief of Police – Chief Mee mentioned the indoor soccer league at the Polar Dome has been moving along without incidents or problems.

Village Engineer – None

Village Trustees:

Trustee Ruffulo – None

Trustee Cichowski – Cichowski mentioned the Tree Lighting Ceremony on Dec. 4th, 6:00 at the Depot. He asked Administrator Koehler about any grocery store updates. Koehler noted they have been working to attract a retailer, but most likely it will be an independent grocer. Bob Skurla listed some names of grocery store chains they have had discussions and noted they are constantly working on finding a store for the Village. They are also looking at alternative uses for the Dominicks building, possibly a service provider. Cichowski noted Dickens in Dundee is the weekend of the 4th and 5th. The parade is at 10:00 on Saturday, the 5th.

Trustee Gorman – None

Trustee Lynam – Lynam noted they had Finance Committee Meeting and had discussion of the Tax Levy and year-to-date financials. They also discussed the issue regarding water shut offs and well financing. He noted all of these issues need further discussion and the minutes will go out this week.

Trustee Miller – None

Trustee VanOstenbridge – None

OLD BUSINESS –

A. Ordinance Establishing a Special Service Area No. 5 for the Rock Road Business Park and the levy of a Special Tax Therefore in the Village of East Dundee, IL

Motion to approve an Ordinance (09-33) Establishing a Special Service Area No. 5 for the Rock Road Business Park and the levy of a Special Tax Therefore in the Village of East Dundee, IL by Miller/VanOstenbridge.

Discussion: President Bartels noted that Rock Road was entirely controlled by Plote. The minimum amount collected from those who are part of the SSA is \$1,000 per year. Bartels asked if the maintenance would be more than \$1,000 for these areas. If this money isn't used, how can the money be abated back. Administrator Koehler noted the Village can always amend legislation and the county requires the SSAs are in place. Public Works Director Moore suggests we create a schedule for maintaining a certain amount of funds for different maintenance costs. Trustee Gorman asked if we are required by law to levy the monies to keep the SSA alive. Koehler stated no. Gorman suggests a nominal amount be assessed for future SSAs to avoid the hassle of returning the unused monies. Trustee Miller asked where the money goes back to if the money is not used. Koehler noted the county returns the money to those who paid. Roll: Ayes – 7 – Trustees Ruffulo, Gorman, Lynam, Miller, Cichowski, VanOstenbridge and President Bartels. Nays – 0. Motion carries.

B. Ordinance Establishing a Special Service Area No. 6 for the Northgate Manor, Unit 2 and the Levy of a Special Tax Therefore in the Village of East Dundee, IL

Motion to approve an Ordinance (09-34) Establishing a Special Service Area No. 6 for the Northgate Manor, Unit 2 and the Levy of a Special Tax Therefore in the Village of East Dundee, IL by Miller/Lynam.

Discussion: None

Roll: Ayes – 7 – Trustees Ruffulo, Gorman, Lynam, Miller, Cichowski, VanOstenbridge and President Bartels. Nays – 0. Motion carries.

NEW BUSINESS

A. Resolution Authorizing the Acceptance of Rock Road Business Park Improvements

Motion to approve Resolution (48-09) Authorizing the Acceptance of Rock Road Business Park Improvements by Miller/VanOstenbridge.

Discussion: Village Engineer Heinz noted the utilities have been installed and the roads have been paved. He is requesting that the improvements be sold to the Village. It would be a 15% - 15 month assurance bond for maintenance and after 15 months they would be the Village's utilities. President Bartels asked Heinz if he is satisfied with the work that was performed. Heinz also clarified the SSA in place is for the storm water.

Roll: Ayes - 7 - Trustees Ruffulo, Gorman, Lynam, Miller, Cichowski, VanOstenbridge and President Bartels. Nays - 0. Motion carries.

B. Receive and Place on file 2009 Tax Levy

Motion to Receive and Place on file 2009 Tax Levy by Lynam/VanOstenbridge.

Discussion: Village Administrator Koehler explained the 2009 Tax Levy and stated we are keeping the levy under 4.99%. Nick also noted the levy is just below 5% to eliminate the hassle of Public Hearings. He stated they should receive the final values from the county during the first quarter of 2010. Trustee Gorman clarified that the process does not allow putting in the exact amount. Historically they have put in 20% and abated back 18% or 19%. The Board knows we need approximately 1%. Gorman stated it is the intent of this Board to abide by the legislation and go to the 1% or whatever it turns out to be. Trustee Ruffulo clarified that we will not be breaking our pledge and that this is the same thing we do every year.

Roll: Ayes - 7 - Trustees Ruffulo, Gorman, Lynam, Miller, Cichowski, VanOstenbridge and President Bartels. Nays - 0. Motion carries.

C. Ordinance Amending Title XI, Business Regulations, Chapter 116, Alcoholic Beverages, Section 116.05, Licenses, (B) Number of Licenses to be Issued

Motion to approve an Ordinance (09-36) Amending Title XI, Business Regulations, Chapter 116, Alcoholic Beverages, Section 116.05, Licenses, (B) Number of Licenses to be Issued by Lynam/Miller.

Discussion: President Bartels stated the Liquor Commission recommended this Ordinance to create another B-4 License for Thornton's.

Roll: Ayes - 7 - Trustees Ruffulo, Gorman, Lynam, Miller, Cichowski, VanOstenbridge and President Bartels. Nays - 0. Motion carries.

D. A Resolution Approving Contract Change Order and Finalization of Water Well Solutions Contract

Motion to approve A Resolution (49-09) Approving Contract Change Order and Finalization of Water Well Solutions Contract by Miller, VanOstenbridge.

Discussion: President Bartels stated the Public Works Director Moore sent out a report to the Trustees explaining the contract. Trustee Lynam is not comfortable with the fact that they approved \$67,000 previously and received nothing for it. Moore stated the Village did receive 2 years. Trustee Ruffulo agreed with Lynam.

Roll: Ayes - 7 - Trustees Ruffulo, Gorman, Lynam, Miller, Cichowski, VanOstenbridge and President Bartels. Nays - 0. Motion carries.

E. A Resolution Authorizing the Execution of a Negotiated Agreement Between the International Union of Operating Engineers, Local 150 and the Village of East Dundee

Motion to approve A Resolution (50-09) Authorizing the Execution of a Negotiated Agreement Between the International Union of Operating Engineers, Local 150 and the Village of East Dundee by Miller/Ruffulo.

Discussion: President Bartels noted this was a topic of discussion at our last Executive Session. Village Administrator Koehler explained the details of the agreement, which is a 3-year agreement, retroactive this past year and expires in April of 2011. It includes a 4% wage enhancement for last fiscal year consistent with the other Village employees. There is no wage enhancement for the union employees for this year. There is a provision in the contract for a wage re-opener in 2010. Koehler thanked the negotiating parties for the productive negotiating sessions. Trustee Ruffulo asked if the retro pay will be disbursed by the end of 2009. Koehler noted they will work with the Finance Department to disburse the pay as soon as possible.

Roll: Ayes – 7 – Trustees Ruffulo, Gorman, Lynam, Miller, Cichowski, VanOstenbridge and President Bartels. Nays – 0. Motion carries.

F. Resolution Authorizing the Execution of a Grant of Drainage Easement Between the Dundee Township Park District, an Illinois Park District, and the Village of East Dundee

Motion to approve a Resolution (51-09) Authorizing the Execution of a Grant of Drainage Easement Between the Dundee Township Park District, an Illinois Park District, and The Village of East Dundee by Gorman/VanOstenbridge.

Discussion: President Bartels stated this will allow the Village to improve some drainage issues behind Lions Park. Public Works Director Moore stated there are 2 phases to this project. The immediate solution is currently budgeted and will alleviate the flooding for a small group of residents in that area. The long term phase is not funded and will eliminate street flooding for the entire neighborhood that is affected by the flooding. This easement will give the Village the rights and legal authority to execute the long term solution. Moore urged the Trustees to thank the Park District Board for their help with this. Trustee Lynam asked if Wendt or Howard will be torn up during the long term phase. Moore stated no. Lynam also asked what will happen to the results of phase one if the funds do not materialize for the long term solution. Village Engineer stated the long term solution is an extension of phase one and reaches a broader area. The work will begin at the corner of Wendt and Howard then moving towards the ball field. Roll: Ayes – 7 – Trustees Ruffulo, Gorman, Lynam, Miller, Cichowski, VanOstenbridge and President Bartels. Nays – 0. Motion carries.

G. Ordinance to Place Advisory Referendum on the Ballot at the Next Election in the Village of East Dundee, Illinois

Motion to approve Ordinance (09-35) to Place Advisory Referendum on the Ballot at the Next Election in the Village of East Dundee, Illinois by Miller/VanOstenbridge.

Discussion: Trustee Ruffulo feels we are going to have to spend money on this referendum and feels this will not pass anyways. Trustee Lynam agrees. Village Administrator Koehler noted that Advisory Referendums are at no cost. President Bartels feels we can all assume what the result may be but since it is a source of revenue, he feels it is important that the citizens weigh in. Lynam feels the residents need to be informed correctly. Trustee Gorman feels putting it on the ballot is not worth it and the most revenue to the Village per household is approximately \$60 per household. Gorman noted that there needs to be some wordage changes to the legislation. He also noted the wordage should read “should video gaming be ALLOWED in the Village of East Dundee”. Gorman feels there may be some cost if there are any controversies to this referendum. The election is on February 2nd. Bartels feels this is a source of revenue for the village and we should consider it. Trustee Ruffulo asked if we can put the facts of the video gaming on the Village’s website. If this is approved, it does not supersede the ordinance in place. Gorman asked if we can take it off the ballot if it dies in Springfield. Hartigan noted there is a timeline to do this through the County Clerk’s Office.

Roll: Ayes - 6 – Trustees Gorman, Lynam, Cichowski, Miller, VanOstenbridge and President Bartels. Nays – 1 – Trustee Ruffulo. Motion carries.

FINANCIAL REPORTS

A) Warrants List

Motion to accept Warrants List in the amount of \$366,090.36 by Miller/Lynam.

Roll: Ayes – 7 - Trustees Lynam, Gorman, Miller, Cichowski, Ruffulo, VanOstenbridge and President Bartels. Nays – 0. Motion carries.

EXECUTIVE SESSION:

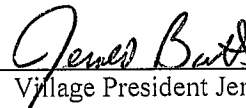
Motion to adjourn the Regular Village Board Meeting at 8:15 p.m. and Recess to Executive Session, closed to the public and media under the provisions of the Illinois Open Meetings Act, 5ILCS, 120/2, (2)(21), Discussion of Minutes, (C)(6), Pending Litigation, 2(C)(1), Personnel and 2(C)(5) Acquisition of Property by VanOstenbridge/Miller.

President Bartels noted the Board will not be returning to regular business after Executive Session.


Roll: Ayes – 7 - Trustees Lynam, Miller, Cichowski, Gorman, Ruffulo, VanOstenbridge and President Bartels. Nays – 0. Motion carries. Regular meeting adjourns. Motion carries.

Respectfully Submitted,

By:


Village President Jerald Bartels

Attest:


Village Clerk, Jennifer R. Rehberg