Village of East Dundee
PRESIDENT AND BOARD OF TRUSTEES
Special Meeting
Monday, October 27, 2014
06:00 PM

Call to Order

Roll Call

Public Comment: Agenda items only - Please keep comments to 5 minutes or less

Consent Agenda
Illinois Municipalities may adopt by a single roll call vote of the Village Board and Village President a group of assorted ordinances, resolutions, 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.

Old Business

New Business

A. Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois, Amending the Traffic Code for the Village by Prohibiting Trucks from Idling Near Residential Properties During Certain Hours
B. Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois, Amending the Rules of Order and Procedure by Adding "Amendments to the Agenda" to the Order of Business
C. Resolution of the Village of East Dundee, Cook and Kane Counties, Illinois, to Award a Contract to Bury Utility Lines to Ray's Electrical & Boring Service
D. Resolution of the Village of East Dundee, Cook and Kane Counties, Illinois, to Induce the Development of Certain Property Within a Tax Increment Financing Redevelopment Project Area and a Commercial Business District
E. New Police Hires

Financial Reports

Reports: Village President

Reports: Village Trustees

Reports: Village Administrator

Reports: Village Attorney

Reports: Village Engineer

Reports: Chief of Police

Reports: Director of Public Works

Reports: Building Official

Reports: Marketing Director

Reports: Economic Development Consultant

Public Comment - Please keep comments to 5 minutes or less

Executive Session
Recess to Executive Session 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.

Adjournment

Ordinance No. _____

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING THE TRAFFIC CODE FOR THE VILLAGE BY PROHIBITING TRUCKS FROM IDLING NEAR RESIDENTIAL PROPERTIES DURING CERTAIN HOURS

WHEREAS, the Village of East Dundee, Cook and Kane Counties, Illinois (the "Village") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, the Village desires to prohibit truck engine idling near residential areas before 7:00 a.m. and after 10:00 p.m. to protect the public health and welfare, and the environment by reducing noise, emissions and conserving fuel.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

Section 1: The above recitals are incorporated herein and made a part of this Ordinance.

Section 2: That Title VII, Chapter 70 of the Code of the Village of East Dundee is hereby amended by adding Section 70.11 to read as follows:

"**§ 70.11 MOTOR TRUCK IDLING RESTRICTIONS**

(A) *Definitions*. For the purposes of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MOTOR TRUCK. Every motor vehicle used or maintained primarily for the transportation of property and having a maximum registered gross weight on registration in excess of 10,000 pounds, excluding recreational vehicles, emergency governmental vehicles, up to one-ton pickups, tow trucks, buses and city franchised vehicles.

TRUCK TRACTOR. Any motor vehicle used or designed for use with a semi-trailer for carrying, conveying, or moving over the highways any freight, property, article or thing, and having a combined weight of vehicle and maximum load to be carried thereon of more than 10,000 pounds.

(B) *Motor truck idling prohibited.* It shall be unlawful for a person that operates a motor truck or truck tractor in the Village to cause or allow the motor truck or truck tractor, when it is parked within 500 feet of a residential property, to idle before 7:00 a.m. and after 10:00 p.m.

(C) *Signage*. The Public Works Director is hereby authorized and directed to erect and maintain specialized no idling traffic signs in order to give notice of this regulation."

Section 3: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed by the Village President and the Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, this _____ day of _____, A.D. 2014, pursuant to a roll call vote, as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me, as Village President of the Village of East Dundee, Cook and Kane Counties, Illinois, this _____ day of _____, A.D. 2014.

_____
Village President

Attest:

_____
Village Clerk

Published in pamphlet form:

_____, 2014

LAW OFFICE
KATHLEEN FIELD ORR & ASSOCIATES
53 WEST JACKSON BLVD.
SUITE 964
CHICAGO, ILLINOIS 60604
(312)382-2113
(312)382-2127 facsimile

KATHLEEN FIELD ORR
kfo@kfoassoc.com

BETHANY S. NYSTROM
bsn@kfoassoc.com

ATTORNEY-CLIENT CONFIDENTIAL COMMUNICATION

MEMORANDUM

To: The Village President and Board of Trustees, Village of East Dundee

From: Bethany Nystrom
Kathleen Field Orr & Associates

Date: October 22, 2014

Subject: Voting on Ordinance to Amend the Rules of Order and Procedure

Our office has prepared an Ordinance to amend the Village's Rules of Order and Procedure by adding "Amendments to the agenda" to the Order of Business, which is contained in Section 30.13 of the Village Code.

Pursuant to Section 30.17 of the Code, the Rules of Order and Procedure must be amended by an affirmative vote of five members of the Village Board.

If you have any questions about the foregoing, please do not hesitate to contact our office.

Ordinance No. _____

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING THE RULES OF ORDER AND PROCEDURE BY ADDING "AMENDMENTS TO THE AGENDA" TO THE ORDER OF BUSINESS

WHEREAS, the Village of East Dundee, Cook and Kane Counties, Illinois (the "Village") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

Section 1: The above recitals are incorporated herein and made a part of this Ordinance.

Section 2: That Chapter 30 of the Code of the Village of East Dundee is hereby amended by deleting Section 30.13 in its entirety and replacing said Section with the following in its stead:

"**§ 30.13 ORDER OF BUSINESS**.

At every meeting of the Board of Trustees, the order of business shall be as follows:

(A) Call to order;

(B) Roll call;

(C) Pledge of Allegiance;

(D) Public comment on agenda items only;

(E) Amendments to the agenda;

(F) Consent agenda:

(1) Contains all routine items such as, but not limited to:
   (a) Approval of past minutes;
   (b) Approval of claims;
   (c) Annual standard type resolutions;
   (d) Department reports;
   (e) Treasurer's report; and,
   (f) Others.

(2) The following rule applies to the consent agenda:

(a) Any member of the Village Board may, by request, have any item removed from the consent agenda. That item would be discussed immediately after approval of the remaining items.
(b) The remaining items are approved by motion.

(G) Correspondence;

(H) Bid awards, all competitive bid awards that require Village Board approval;

(I) Old business, this section of the agenda includes items previously discussed at a Board meeting;

(J) New business, this section of the agenda includes all items of a general nature, including resolutions and ordinances being put before the Board for the first time;

(K) Reports:

(1) Village President;
(2) Trustee/Committee;
(3) Village Administrator;
(4) Village Attorney;
(5) Village Engineer;
(6) Chief of Police;
(7) Director of Public Works;
(8) Building Official;
(9) Finance Director;
(10) Economic Development Director; and,
(11) Marketing Director.

(L) Executive session, this section may be held only after a vote of the Village Board and only for those reasons outlined and contained in the Open Meetings Act;

(M) Miscellaneous/announcements, such as next meeting of the Board;

(N) Public Comment on other than agenda items; and,

(O) Adjournment."

Section 3: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed by the Village President and the Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, this _____ day of _____, A.D. 2014, pursuant to a roll call vote, as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me, as Village President of the Village of East Dundee, Cook and Kane Counties, Illinois, this _____ day of _____, A.D. 2014.

_____
Village President

Attest:

_____
Village Clerk

Published in pamphlet form:

_____, 2014

LAW OFFICE
KATHLEEN FIELD ORR & ASSOCIATES
53 WEST JACKSON BLVD.
SUITE 964
CHICAGO, ILLINOIS 60604
(312)382-2113
(312)382-2127 facsimile

KATHLEEN FIELD ORR
kfo@kfoassoc.com

BETHANY S. NYSTROM
bsn@kfoassoc.com

ATTORNEY-CLIENT CONFIDENTIAL COMMUNICATION

MEMORANDUM

To: The Village President and Board of Trustees, Village of East Dundee

From: Bethany Nystrom
Kathleen Field Orr & Associates

Date: October 22, 2014

Subject: Voting on Resolution to Award a Contract to Ray's Electrical Service

Our office has prepared a Resolution to award a contract to bury the utility lines on Third Street to Ray's Electrical & Boring Service and to waive the bidding requirements.

Pursuant to Section 34.01(B) of the Village Code, the Board of Trustees may waive the bidding requirements by a vote of two-thirds of all members of the Board of Trustees.

If you have any questions about the foregoing, please do not hesitate to contact our office.

Resolution No. _____

A RESOLUTION OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, TO AWARD A CONTRACT TO BURY UTILITY LINES TO RAY'S ELECTRICAL & BORING SERVICE

WHEREAS, the Village of East Dundee, Cook and Kane Counties, Illinois (the "Village") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, in order to provide reconnection services for the properties that a new transformer will energize, the Village must bury the utility lines located on Third Street in the Village; and,

WHEREAS, the Village has received a quote from Ray's Electrical & Boring Service for the burial of the utility lines; and,

WHEREAS, it has been determined that in order to proceed prior to the onset of winter, it is in the best interests of the Village that the contract for the burial of the utility lines be awarded to Ray's Electrical & Boring Service and that the bidding requirements be waived pursuant to Section 34.01(B) of the Code of the Village of East Dundee.

NOW THEREFORE, BE IT RESOLVED, by the President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

Section 1: The foregoing preambles are hereby adopted as if fully restated herein.

Section 2: That the bidding requirements are waived pursuant to Section 34.01(B) of the Code of the Village of East Dundee and the contract for the burial of the utility lines on Third Street is awarded to Ray's Electrical & Boring Service in an approximate amount of $122,712.21 and the Village President and Village Clerk are hereby authorized to execute the *Estimate*, attached hereto and made a part hereof by reference as Exhibit A, on behalf of the Village.

Section 3: That this resolution shall be in full force and effect from and after its passage and approval according to law, and waiving the bidding requirements by a two-thirds vote of the members of the Village Board of Trustees.

PASSED this ____ day of _____, 2014, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this _____day of _____, 2014

_____
Lael Miller, Village President

Attest: _____
Heather Maieritsch, Village Clerk

MEMORANDUM

TO: ROBERT SKURLA, VILLAGE ADMINISTRATOR

FROM: JIM KELLY, DIRECTOR OF PUBLIC WORKS & BUILDING JK

SUBJECT: REMOVAL OF AERIAL LINES ON THIRD STREET AND HILL STREET

DATE: 10/20/2014

CC: LINDA BLACKERBY, FINANCE DIRECTOR, TREASURER

Bob,

Recently, we discovered that the proposed location for a transformer (we do not need an easement agreement) which will eventually provide underground electrical along with other low voltage wiring, will be located in the Village Right Of Way. To accomplish this future work, the lines on Third Street will be buried. During a meeting with ComEd last week, they informed us that the village will incur the costs to bury all lines and eventually provide reconnection services for all properties that this transformer will energize. These businesses include The Anvil Club, 319 Meier (green building owned by Tom Roeser) Diamond Jim's, Reinke property, future Village Hall, New Police Facility and possibly several residences on the 100 block of Barrington Avenue.

Attached is a proposal from Ray's Electrical Service for this time sensitive work. I am recommending we move forward with this work as a "sole source" provider. This is a necessary phase one project combining several locations and the burial of all piping to insure the correct sizing and connections for our properties, including the relocation of the Hill Street lift station.

Ray's Electrical has provided accurate and precision directional boring as well as having a good working relationship with ComEd. Weather is of course a concern and ComEd has agreed to place the transformer the week of November17th provided the boring has been completed.

RAY'S ELECTRICAL & BORING SERVICE
37W904 US HIGHWAY 20
ELGIN, IL 60124

(847)214-2944
ray@rayselectrical.com

ESTIMATE

ADDRESS
Village of East Dundee
120 Barrington Avenue
East Dundee, Il 60118

ESTIMATE NO. 1070
DATE 10/17/2014
EXPIRATION DATE

ACTIVITY	QTY	RATE	AMOUNT
Re: THE VILLAGE OF EAST DUNDEE - The aerial removal of utility cables for future expansion for underground utilities			
Directional Boring Installation of underground raceway for ComEd and ATT Utility Companies. Preparation for the removal of aerial cables and utility poles along Hill Street and 3rd Street. 300' of single 3" conduit- Hill Street 300' of double 4" conduit- 3rd Street 120' of double 3" Com Ed -3rd St 120' of single 4" ATT- 3rd St 330' of double 3" Com Ed- 3rd St 330' of single 4" Att- 3rd St	1	122,712.21	122,712.21
Services Excavate and Install CA6 Sub-Base and ComEd required C5293A Transformer Pad; (8) 3.5" concrete filled per utility companies spec and guidelines.			
Services Sawcut, Removal and Haul off of spoils to be discarded by the city of east Dundee pertaining to area above underground creek; We have included concrete encasement of approximately 80 linear feet.			

Thank you for the opportunity to service your Electrical needs.

ACTIVITY	QTY	RATE	AMOUNT

Notes:

1. Any additional work will be marked up as an extra.
2. All concrete/asphalt openings are $250.00 each if applicable.
3. All 4" cores are $250.00 each if applicable.
4. Spoils required to be removed will be by other.
5. Any landscape restoration will be paid by other.
6. This Bid is based on soil containing clay or black dirt; rock, concrete or any unforeseen obstructions will be marked up as an extra.
7. Permits and Fees will be by other.
8. Any additional pot holes located in asphalt, concrete or like areas will be marked as an extra at a rate of $250.00 each additional pot hole if applicable. Concrete pour and finishing will be by other.
9. This estimate does not include frost like conditions.
10. Rays Electrical & Boring Service will not be responsible or held liable for any unmarked and/or private utilities.
11. Julie will be notified prior to starting any underground work.
12. This proposal is valid for 30 Days.
13. This Bid does not include cable.
14. The removal of cable and utility poles with be by Utility Companies not by Rays Electrical Service

TOTAL $122,712.21

Accepted By

Accepted Date

Thank you for the opportunity to service your Electrical needs.

Village Transformer on Third St.
Joseph Heinz
to:
'Jim Kelly'
10/15/2014 11:37 AM
Cc:
"'Tim Wilson'"
Hide Details
From: "Joseph Heinz" <jheinz@glheinzinc.com>
To: "'Jim Kelly'" <JKelly@eastdundee.net>,
Cc: "'Tim Wilson'" <TWilson@eastdundee.net>
Security:
To ensure privacy, images from remote sites were prevented from downloading. Show Images
History: This message has been forwarded.

2 Attachments

image001.gif image002.jpg

Jim,

From what I can gather, the easterly back of curb is approximately 12 feet from the easterly right-of-way line. The elevated concrete patio area is approximately 14.5 feet from the back of curb. I recommend that the depressed curb be removed and replaced with barrier curb in front of the proposed pad. The pad should be placed at least 2 feet behind the curb and protected with bollards. Please let me know if you have any other questions.

Regards,

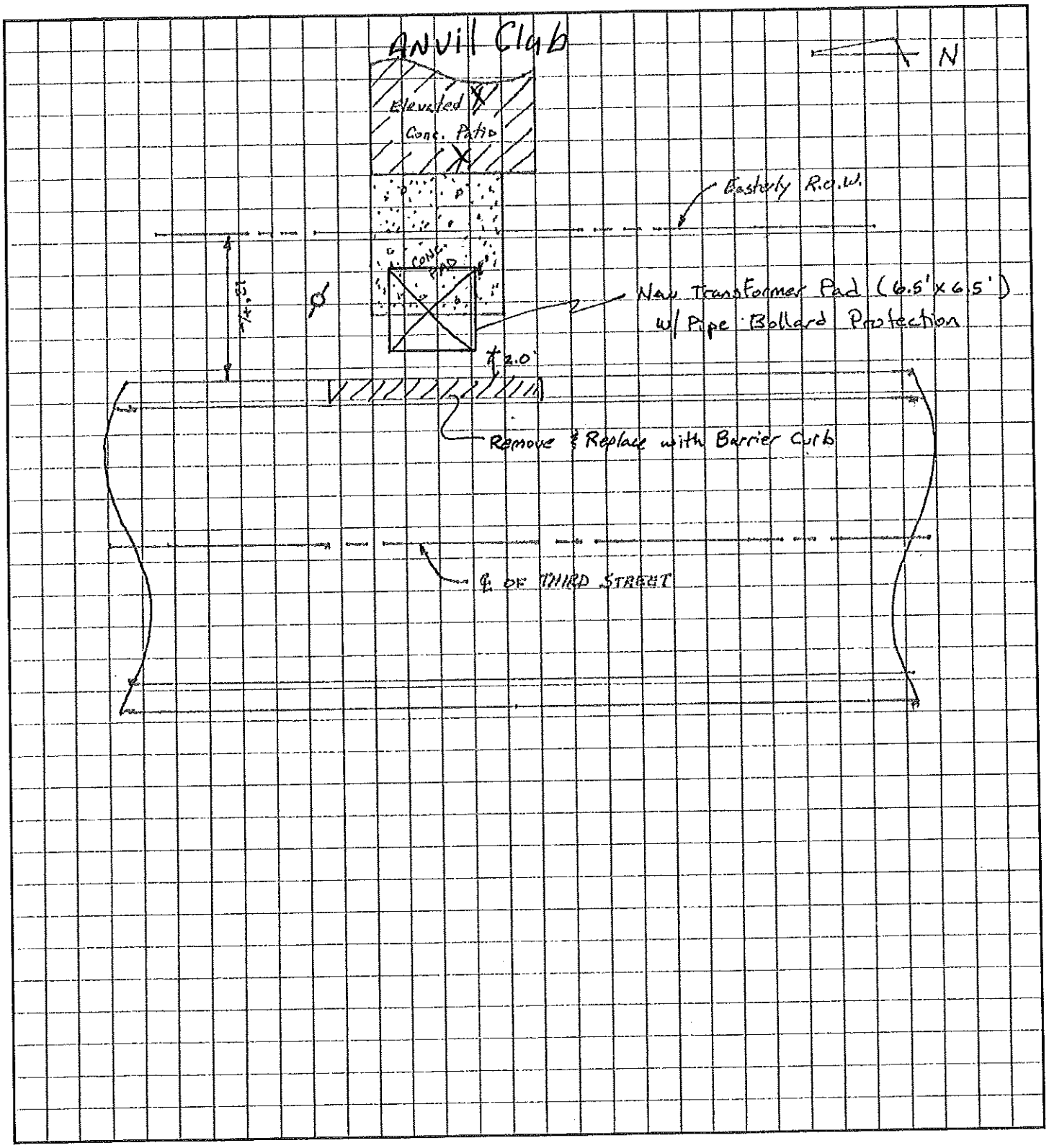
Joseph D. Heinz, P.E., P.L.S.

Gerald L. Heinz & Associates, Inc.
Consulting Engineers & Land Surveyors

206 North River Street
East Dundee, Illinois 60118
Phone: 847.426.4535
Fax: 847.426.4584

Gerald L. Heinz & Associates, Inc.

Job: ED - 1974
Sheet No: 1 of 1
Calculated By: JDH Date: 10/16/14
Checked By: Date:
Scale: 1" = 10'



Resolution No. _____

A RESOLUTION OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, TO INDUCE THE DEVELOPMENT OF CERTAIN PROPERTY WITHIN A TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA AND A COMMERCIAL BUSINESS DISTRICT

WHEREAS, the Village of East Dundee is a home rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and,

WHEREAS, the President and Board of Trustees (the "*Corporate Authorities*") of the Village of East Dundee, Cook and Kane Counties, Illinois (the "*Village*"), on September 16, 2006, pursuant to Ordinance Nos. 06-40, 06-41 and 06-42, approved a Redevelopment Project Plan and Eligibility Report for an area designated as the Route 25 and Route 72 Tax Increment Redevelopment Project Area (the "*Project Area*"), and adopted tax increment financing for the payment and financing of redevelopment project costs incurred within the Project Area, pursuant to the *Tax Increment Allocation Redevelopment Act*, 65 ILCS 5/11-74.4-1 *et seq*., (the "*TIF Act*"); and,

WHEREAS, pursuant to the Business District Development and Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.3-1 *et seq*., as from time to time amended (the "*BDD Act*") the Corporate Authorities are empowered to undertake the development and redevelopment of business districts within its municipal limits which are in need of revitalization if such business districts are deemed to be "blighted," as defined in the BDD Act; and,

WHEREAS, pursuant to the BDD Act, on September 28, 2009, the Corporate Authorities, after public hearings, passed Ordinance No. 09-30 designating the Route 25 and Route 72 Business District (the "*BD District*") which was amended by Ordinance No. 11-19 on April 11, 2011, to include that certain commercial district as described therein and imposed a retailers occupation tax and service occupation tax in the amount of one-half of one percent

(1/2%) on all commercial operations within the boundaries of this commercial district to pay costs incurred in connection with the planning, execution and implementation of the Route 25 and Route 72 Development Plan as amended on April 11, 2011 (the "*BD Plan*"); and,

WHEREAS, the Village has been approached by Rich E. Heidner of Barrington Hills, Illinois (the "*Developer*"), who proposes to acquire and develop certain property located at the northwest corner of Illinois Route 72 and Christina Drive (the "*Subject Property*") to include a 16,5

00 square foot fuel center and an 8,950 square foot multi-tenant retail center to be located within the Project Area and the BD District, as amended; and,

WHEREAS, the Developer has also informed the Village that the ability to undertake the Project on the Subject Property may require financial assistance from the Village for certain improvements that would be incurred in connection with the acquisition and development, which costs would constitute "*Redevelopment Project Costs*" as such term is defined in the TIF Act and which costs would be in furtherance of the implementation of the BD Plan, as amended, for the BDD District, as amended; and,

WHEREAS, the Developer would like to incur certain costs in connection with the acquisition and development prior to the approval of ordinance authorizing the execution of a redevelopment agreement pertaining to the Subject Property with the Village; wherein reimbursement for such costs may be considered between the parties subject to certain terms and conditions; and,

WHEREAS, the Developer desires such costs related to the Project are able to qualify for consideration as redevelopment project costs that can be reimbursed to the extent such costs

constitute "*Redevelopment Project Costs*" as such term is defined in the TIF Act or such costs are in furtherance of the BD Plan, as amended; and,

WHEREAS, this Resolution is intended to allow the Developer to incur certain costs relating to the redevelopment of the Subject Property that may be considered "*Redevelopment Project Costs*" as such term is defined in the TIF Act or costs in furtherance of the implementation of the BD Plan, as amended, prior to approval of any ordinance authorizing the execution of a redevelopment agreement pertaining to the Subject Property with the Village, subject to the conditions set forth in Section 3 of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

Section 1. That the above recitals are incorporated herein and made a part hereof.

Section 2. That the Village Board may consider expenditures in connection with the acquisition and development of the Subject Property or costs in further of the implementation of the BD Plan, as amended, incurred prior to the approval and execution of a redevelopment agreement with the Developer to be expenditures that are eligible for reimbursement through the TIF Act or the BDD Act, provided that such costs constitute "redevelopment project costs" as defined by the TIF Act or the BDD Act; and, that the development of the Project is consistent with the redevelopment project and plan for the overall Project Area and BD District, as amended.

Section 3. That all undertakings of the Village set forth in this Resolution are specifically contingent upon the Village approving the execution of a redevelopment agreement with the Developer, which provides for the development of the Project in accordance with all applicable Village ordinances.

Section 4. That any financial assistance rendered to the Developer by the Village shall be contingent upon the authority, restrictions, terms and conditions imposed by the TIF Act and the BDD Act.

Section 5. That this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the President and the Village Board of Trustees of the Village of East Dundee, Illinois, this ____ day of _____, 2014.

AYES:_____

NAYS:_____

ABSENT:_____

APPROVED:

_____
Village President

Attest:

_____
Village Clerk