

CALL TO ORDER

President Miller calls to order the Village of East Dundee Regular Board Meeting at 6:00 pm.

ROLL CALL:

Trustees Lynam, Gorman, Selep, Wood, Skillicorn and President Miller. Trustee Ruffulo was absent.

Also in attendance Village Administrator Bob Skurla, Village Engineer Joe Heinz, Public Works Director Jim Kelly, Village Attorney Kathleen Field Orr, Deputy Village Administrator/Village Clerk Heather Maieritsch and Deputy Village Clerk/Administrative Asst. Katherine Holt.

PLEDGE OF ALLEGIANCE: Recited

PUBLIC COMMENT (Agenda Items only):

Craig Zachrich - The Anvil Club, 307 Meier Street, East Dundee, IL

Mr. Zachrich thanked the Board for listening to his request for assistance at last week's meeting. He also stated that he is starting up a membership drive for the Anvil Club following the suggestion of the Board and will be providing membership packets to each of the Board members.

Krystyna Magiera – Property Owner, 12 E. Main Street, East Dundee, IL

Mrs. Magiera said that she owns the building at 12 E. Main Street and that her tenant at Complete Bridal said closing the parking spaces adjacent to their store will hurt their business. She said there is no accessibility in the rear of the building.

CONSENT AGENDA-CONSIDERATION OF AN “OMNIBUS VOTE”:

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.

Motion to include items A, B, C, D, E, H & L on the consent Agenda and Table item K (Ordinance of the Village of East Dundee, Kane and Cook Counties, Illinois Prohibiting Certain Parking on the Property at 12 East Main Street) by Gorman/Skillicorn.

Roll: Ayes – 5 – Trustees Lynam, Wood, Selep, Skillicorn and Gorman. Nays – 0. Absent – 1 – Trustee Ruffulo. Motion carries.

- A. Motion to Approve the Regular Village Board Meeting Minutes Dated August 5, 2013**
- B. Resolution Approving a Request for Permit to Close State of Illinois Highway, State Route 72, From the Illinois Department of Transportation in Connection with the Dundee Crown Homecoming Parade**
- C. Ordinance of the Village of East Dundee, Kane and Cook Counties, Illinois Enacting a Moratorium on Tattooing Businesses**
- D. Ordinance of the Village of East Dundee, Illinois Amending the Regulation of Animals Within the Village Prohibiting Nuisance Feeding**
- E. Ordinance Amending the Village Code of Ordinances of the Village of East Dundee, Kane and Cook Counties, Illinois**
- H. Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois Adding the Offense of Excessive Idling to the Village's Traffic Code**
- L. Resolution Approving Use Agreement by AT&T Corp. Property to Provide Heritage Festival Parking**

Motion to approve Consent Agenda items A, B, C, D, E, H & L by Gorman/Wood.

Roll: Ayes – 5 – Trustees Lynam, Wood, Selep, Skillicorn and Gorman. Nays – 0. Absent – 1 – Trustee Ruffulo. Motion carries.

F. Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois Amending the Business License Regulations

Motion to approve an Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois Amending the Business License Regulations by Skillicorn/Lynam.

Discussion:

Village Attorney Kathleen Field Orr stated that the intent of a business license is to get the contact information of the contractor so if there are any questions or issues, the contractor could be located or called. Many of the trustees did not agree with the verbiage under section 110.2 Definitions, Place of Business, that reads “Unless a construction contractor has at least one permanent location within the village, a place of business includes a construction site located therein. Consensus is to remove this verbiage from the Ordinance.

Motion to amend the motion to approve an Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois Amending the Business License Regulations and remove the line of verbiage agreed upon by Skillicorn/Lynam.

Roll: Ayes – 4 – Trustees Lynam, Wood, Selep and Gorman. Nays – 1 – Trustee Skillicorn. Absent – 1 – Trustee Ruffulo. Motion carries.

G. Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois Amending Administrative Adjudication to Include Adjudication as an Enforcement Alternative for All Violations of the Code of the Village of East Dundee

Motion to approve an Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois Amending Administrative Adjudication to Include Adjudication as an Enforcement Alternative for All Violations of the Code of the Village of East Dundee by Lynam/Wood.

Discussion:

Trustee Skillicorn voiced his concerns regarding conflicts of interest and the use of hearsay. Village Attorney Kathleen Field Orr responded that the law requires that all parties be heard. She said the goal for administrative adjudication is compliance.

Roll: Ayes – 4 – Trustees Lynam, Wood, Selep and Gorman. Nays – 1 – Trustee Skillicorn. Absent – 1 – Trustee Ruffulo. Motion carries.

I. Ordinance Approving Redevelopment Agreement by and Between the Village of East Dundee, Illinois and Pampered Pets Services Resort & Spa, Inc., an Illinois Corporation

Motion to approve an Ordinance Approving Redevelopment Agreement by and Between the Village of East Dundee, Illinois and Pampered Pets Services Resort & Spa, Inc., an Illinois Corporation by Lynam/Skillicorn.

Discussion:

There was discussion clarifying the details of the redevelopment project costs payment schedule.

Roll: Ayes – 5 – Trustees Lynam, Wood, Selep, Skillicorn and Gorman. Nays – 0. Absent – 1 – Trustee Ruffulo. Motion carries.

J. Ordinance Approving Redevelopment Agreement for the East Dundee Downtown Redevelopment Project Area (16 East Main Street – Vans)

Motion to approve an Ordinance Approving Redevelopment Agreement for the East Dundee Downtown Redevelopment Project Area (16 East Main Street – Vans) by Lynam/Skillicorn.

Discussion:

There was a brief discussion on what the redevelopment project costs were and what they included.

OLD BUSINESS:

A. Ordinance Approving a Village Hall and Police Station Redevelopment Project and Authorizing a Line of Credit with U.S. Bank, N.A. in an Amount not to Exceed \$2,251,000

Motion to Approve an Ordinance Approving a Village Hall and Police Station Redevelopment Project and Authorizing a Line of Credit with U.S. Bank, N.A. in an Amount not to Exceed \$2,251,000 by Wood/Selep.

Discussion:

There were questions surrounding the terms of the loan due to discrepancies between the draft ordinance and the bank letter. The proposal is to take out a \$2.25M line of credit with U.S. Bank and use money generated from TIF funds to pay off the debt within five years at 1.85% interest. Using TIF funds to finance the remaining balance of the \$5 million project would avoid having to dip into Village reserves. Trustee Gorman questioned if the 1.85% rate would be fixed throughout a sixty month loan term. Bob Skurla offered to get the U.S. Bank representative on a conference call with the Board at the end of the meeting to confirm the proposed terms of the loan.

Motion to table this item for recess at the end of the meeting by Skillicorn/Lynam.

Roll: Ayes – 5 – Trustees Lynam, Wood, Selep, Skillicorn and Gorman. Nays – 0. Absent – 1 – Trustee Ruffulo. Motion carries.

B. Resolution of the Village of East Dundee, Cook and Kane Counties, Illinois, to Induce the Redevelopment of Certain Property Within a Tax Increment Financing Redevelopment Project Area (The Anvil Club)

Motion to approve a Resolution of the Village of East Dundee, Cook and Kane Counties, Illinois, to Induce the Redevelopment of Certain Property Within a Tax Increment Financing Redevelopment Project Area (The Anvil Club) by Lynam/Wood.

Discussion:

Village Administrator Bob Skurla advised that Meier Street will not be torn up until April instead of the initial plan in October or November, which is when the Anvil Club was going to begin their renovations. He stated that this will now allow the Anvil Club more time to engage with professionals and the Village more time to work out a plan for the request. So at this time, he proposed that an inducement resolution be adopted that says the Village is working on a redevelopment agreement with the Anvil Club and any expenses they occur from this point forward would be eligible under a TIF redevelopment agreement.

Roll: Ayes – 3 – Trustees Lynam, Wood and Selep. Nays – 1 – Trustee Gorman. Present – 1 – Trustee Skillicorn. Absent – 1 – Trustee Ruffulo. Motion carries.

NEW BUSINESS:

A. Resolution Accepting the Bid from A. Lamp Concrete Contractors, Inc. for Year 2013 Street Improvement Program and Authorizing the Village President to Execute a Contract with A. Lamp Concrete Contractors, Inc.

Motion to approve a Resolution Accepting the Bid from A. Lamp Concrete Contractors, Inc. for Year 2013 Street Improvement Program and Authorizing the Village President to Execute a Contract with A. Lamp Concrete Contractors, Inc. by Lynam/Wood.

Discussion:

Village Engineer Joe Heinz advised that bids were opened for the street program last Wednesday, with the lowest bid being \$330,722.69 from A. Lamp Concrete Contractors, Inc. This company was chosen last year as well for the street program and is IDOT pre-qualified. A small street section was added from Howard Court to Wendt Avenue which went over budget by \$10,000. He feels he can renegotiate some of the curb replacement work to bring the cost back into budget.

Roll: Ayes – 5 – Trustees Lynam, Wood, Selep, Skillicorn and Gorman. Nays – 0. Absent – 1 – Trustee Ruffulo. Motion carries.

FINANCIAL REPORTS:

A. Warrants List #1 \$272,474.88

B. Warrants List #2 \$85,701.65

The Warrants Lists were noted to the Village Board

Reports: VILLAGE TRUSTEES

Ruffulo: N/A

Gorman: None

Lynam: None

Selep: None

Wood: Trustee Wood gave an update on the Heritage Festival planning. She has a meeting this week with bar owners from Rosie O'Hares, Bandito Barneys and Diamond Jim's who want to participate in the festival. They will meet by the Depot to discuss how to divide the space.

Skillicorn: None

Reports: VILLAGE ADMINISTRATOR and STAFF

Village Administrator: Skurla stated that there will be discussion during the Committee of the Whole meeting in September regarding the façade grant policy. The Anvil Club building has frontages on three streets and the grant program allows for a maximum of two frontages. The Anvil Club asked if the Village would consider amending the policy for their unique situation. He also stated that a hearing will be held tomorrow on the lawsuit with Carpentersville regarding Walmart.

Village Attorney: Orr stated that the Walmart hearing tomorrow is a motion to dismiss by the Village of Carpentersville stating that there is no issue to argue since Walmart has not formally submitted a TIF application.

Village Engineer: None

Public Works Director: None

Village President: Miller stated that there will be a Fire Station ground breaking ceremony tomorrow at 2 p.m.

Chief of Police: None

Economic Development Consultant: Bergren reported River Haven has had their first fire due to human error.

Finance Director: None

PUBLIC COMMENT (Items Not on the Agenda): None

Motion to recess the Regular Board Meeting to contact the U.S. Bank Loan Representative via teleconference by Skillicorn/Wood.

Roll: Ayes – 5 – Trustees Lynam, Wood, Selep, Skillicorn and Gorman. Nays – 0. Absent – 1 – Trustee Ruffulo. Motion carries.

Reconvene the Regular Board Meeting at 7:34 pm.

ROLL CALL:

Trustees Lynam, Gorman, Selep, Wood, Skillicorn and President Miller. Trustee Ruffulo was absent.

Also in attendance via teleconference was Gary Quinn, Market President of commercial banking division at U.S. Bank.

Mr. Quinn stated that the 1.85% rate would be the fixed rate through the life of the sixty month loan. He also said that an undefined variable rate would also apply to the loan until construction or draw down is complete. If the entire loan is not drawn out, the bank would charge 25 basis points a year on the money that would remain. He will create and provide a formal offer letter detailing the proposed loan terms.

Trustee Gorman left the meeting at this point of the meeting due to another commitment.

Motion was amended to state the board's intent to approve the loan pending their review of the term sheet supplied by U.S. Bank at the next board meeting by Skillcorn/Wood.

Roll: Ayes – 4 – Trustees Lynam, Wood, Selep and President Miller. Nays – 1 – Skillicorn. Absent – 2 – Trustees Gorman and Ruffulo. Motion carries.

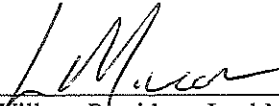
EXECUTIVE SESSION: Yes

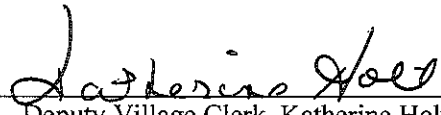
Motion to adjourn the Regular Village Board Meeting to Executive Session closed to the public and media under the provisions of the Illinois Open Meetings Act, 5ILCS, 120/2, (2) (21), Discussion of Minutes, (C) (6), Pending Litigation, 2 (C)(1), Personnel and 2 (C)(5) Acquisition of Property and 2 (C)(2) Police Pension by Lynam/Wood.

Roll: Ayes – 5 – Trustees Lynam, Wood, Selep, Skillicorn and President Miller. Nays – 0. Absent – 2 – Trustees Gorman and Ruffulo. Motion carries.

Respectfully submitted,

Katherine Holt

By: 
Village President, Lael Miller

Attest: 
Deputy Village Clerk, Katherine Holt