

**CALL TO ORDER:**

President Miller calls to order the Village of East Dundee Committee of the Whole meeting at 6:00 p.m.

**ROLL CALL:**

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

Trustee Gorman arrived to the meeting at 6:03 p.m.

Also in attendance: Village Administrator Bob Skurla, Village Engineer Joe Heinz, Public Works Director Jim Kelly, Chief of Police Terry Mee, Village Attorney Jim Binninger, Deputy Village Administrator/Village Clerk Heather Maieritsch and Deputy Village Clerk/Administrative Asst. Katherine Holt.

**PUBLIC COMMENT (Agenda items only): None**

**OLD BUSINESS:**

**A. Jurisdictional Transfer of Penny Road**

Village Engineer Joe Heinz reported that the Village request for jurisdictional transfer of Penny Road is waiting on a response from Kane County at this time.

**NEW BUSINESS:**

Motion to move item N to follow item A by Skillicorn/Selep.

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

**A. Anvil Club Request for TIF Assistance**

Craig Zachrich, President of the Anvil Club, appeared before the board to request assistance for the Anvil Club. He stated that the club has been a key figure business in East Dundee for 60 years. He feels the club needs interior renovations to continue to be a viable business for the Village and is requesting TIF Fund assistance for these renovations. The club has produced one million dollars in sales tax revenue over the last ten years as well as \$200,000 in real estate tax revenue during this same time. The amount he has requested is \$300,000 in which \$150,000 cash would be provided up front and the remaining \$150,000 would be rebated over the next 5 years from TIF funds. In addition, Mr. Zachrich is requesting to participate in the Facade program for \$150,000. He stated that during the shutdown for the renovations, the club will experience a revenue deficit and would like the Village to help with that deficit. Trustee Gorman said that historically investments were based on the return. He says that this is a significant amount of money being asked for upfront. He would be more amenable to a plan that is based on the club's predicted increase and he would also like to see validation of the "but for" clause, that without assistance, the club would cease to exist. Trustee Lynam is concerned about the precedent that might be set if the Village provides the full financial assistance that is being requested. He also said that the current facade program offers a grant not to exceed \$75,000 and the club is requesting for double this. Village Administrator Bob Skurla said the Anvil Club is the core of the downtown. If it closes, he asks what the price would be to replace the venue versus the value of keeping and upgrading so it could attract more businesses to the area. He stated that the Anvil Club would like their renovations to occur during the Meier Street construction which will begin late October. Tom Roeser, President of Otto, Inc., addressed the Board stating that there are two anchors in town, Diamond Jim's and the Anvil Club. He said both are struggling and that the Anvil club will go out of business without the help from the Village. He said if that

happens, he does not have the faith to further invest and that building will be an eyesore for a very long time. The Board directed Bob Skurla to work with the Anvil Club on a plan for the requests.

#### **N. Ordinance Approving Development Agreement for Van's Frozen Custard**

Bob Skurla stated that the plan for Van's façade grant had previously been approved and this was now for the interior work reimbursement for 30% of the cost of renovations up to \$65,000. Van's had worked on their interior last year and have now begun to work on the exterior. This is their final redevelopment agreement to be adopted. Consensus is to move forward with the agreement.

#### **B. Dundee Crown Homecoming Parade Street Closure Request**

President Miller advised that the Dundee Crown homecoming parade is to take place on Sunday, September 15<sup>th</sup> and the Village Board of West Dundee has requested that Rt. 72 be closed during this time. Trustee Skillicorn stated that Algonquin closes one side of their bridge for the parades they host. He asked Police Chief Terry Mee if it is possible we could do something like this. Chief Mee replied that there is too much liability to do this and feels it is just too dangerous. He is opposed to any additional closures of Rt. 72 beyond the historical parades that take place each year for Dickens in Dundee and Memorial Day. He said that our roadways are not constructed for this type of traffic and it's not safe to put all that traffic onto the small streets. The traffic will be pushed into the middle of the Heritage Festival events. He has suggested to the parade organizers to look at alternative routes. Many of the trustees agreed that it is an advantage to have the parade end in East Dundee, bringing more people over to this side of the festival. They also agreed that there needs to be a discussion with West Dundee on an alternative parade route going forward. Chief Mee and Trustee Wood agreed to meet with West Dundee to discuss future routes.

#### **C. Emergency Public Works Centrifuge Repairs**

Public Works Director Jim Kelly stated that the Village has two centrifuges that run full time. When one goes down, we are running on just one. This is why there is urgency for the repair, which will cost \$48,398. He spoke with the finance director and was advised that these funds can be taken from TIF funds since the centrifuge services the entire community. Finance Director Linda Blackerby advised that \$100,000 is put in contingency for equipment replacement for water and sewer. This repair money will come from this contingency fund and 40% will be charged to the TIFs because that is their portion of use of the system.

#### **D. Mid Cycle Road Patching Program**

Village Engineer Joe Heinz requested authorization to proceed with bidding out for the Mid Cycle Road Patching Program. The project is scheduled to start August 29<sup>th</sup> and end in late October. There are 3300 square yards of patching that is being proposed. Consensus is to proceed with the bidding process.

#### **E. Police Department Renovation and F. Line of Credit for Police Department Renovation**

Village Administrator Bob Skurla presented a revised proposal from Dewberry. The police facility total project budget is \$3 million and is still being worked on to bring this amount down. It does provide for LEED certification and for a \$400,000 LEED grant. A budget will be worked out for the Village Hall renovation in November or December. He also provided an updated cash flow analysis that included the Village Hall, Police Department, downtown infrastructure, the Anvil Club and outstanding TIF and BDD commitments. The proposed \$2.25 million U.S. Bank line of credit is available until September 11 with a fixed rate of 1.85%. He asks for the Board's approval of the \$3 million budget so we can move forward

with the next steps of the contract with Dewberry. President Miller stated that the renovations for the Police Department are essential and are fifty years overdue. The current facility is a health and safety issue to the police officers and the residents. Trustee Skillicorn feels the renovations are too expensive and suggested that East Dundee outsource their prisoners to one of the neighboring towns with overnight jail facilities. President Miller said by doing this, it would come at a cost. Police Chief Mee said he had already looked into this with a couple of towns and they do not have the labor or the facilities to do so. Bob Skurla advised that when a new facility was being looked at five years ago, they were looking at a bond that would be a direct hit to taxpayers. With the proposed plan, two state of the art facilities would be built without being a burden on the taxpayers. Trustee Gorman stated that maybe we don't need \$2.25 million and instead only need \$1.25 million. He asked the finance director to pull some number based on a lower line of credit and advise what the impact would be.

#### **G. Ordinance for Tattoo Parlor Zoning**

Village Administrator Bob Skurla advised that the current code considers a tattoo parlor a nuisance, but the Supreme Court has ruled that it is a legitimate business. He suggested that the Village provide for tattoo parlors, but locate them into a more restricted zoning area. Current legislation has them listed for M-2 zoning. There has been a recent request by a tattoo parlor to locate to East Dundee. In order to amend the zoning code, a public hearing would need to be held and the issue will go before the Planning and Zoning Commission. The Board expressed mixed feelings about allowing a tattoo parlor downtown and the image it could bring. Village Attorney Jim Binninger suggested that the Board pass a moratorium on making provisions for allowing tattoo parlors until they have had enough time to discuss where they feel these establishments would best fit. Consensus of the Board is to put a moratorium in place to authorize a hearing process.

#### **H. Ordinance Prohibiting Nuisance Feeding**

Police Chief Mee said that feeding wildlife attracts feral cats and coyotes. It is also against the law to feed deer in this state. He said the Ordinance is to educate the public and not meant to be punitive. Consensus is to move forward with the Ordinance.

#### **I. Ordinance on Encroachment of Streets**

Bob Skurla said that temporary encroachments are enforced by the police department, such as block parties. Permanent encroachments are enforced by the building department, such as fences, steps and walls. Consensus is to move forward with the Ordinance.

#### **J. Ordinance Amending the Business License Regulations**

Deputy Village Administrator/Village Clerk Heather Maieritsch advised that the mandatory business license fee will most likely be \$50, which is comparable to West Dundee's fee. Trustee Skillicorn feels that mandatory licensing is another form of tax. The Village Attorney advised that it is not a form of tax. Consensus is to move forward with the Ordinance.

#### **K. Ordinance Amending Administrative Adjudication**

Trustee Lynam asked Police Chief Mee if the process to contest red light camera violations is working well for the police department. Police Chief Mee replied that it is absolutely working. He said that at the present time it is a parallel process and that the current process for red light cameras and impounds would remain in place. This adjudication process would be a parallel process and in time, the two processes would be merged together. He said we would save the cost of a stenographer by recording the hearings

using the audio recorder. Village Attorney Jim Binninger stated that this is the same process as going to court and the public is entitled to legal representation. It's more efficient to handle as an adjudication hearing. Serious offenses will still go to court. President Miller said the structure for fines, fee structures, violations and ordinances have not changed. The only change is that a hearing is being allowed. Consensus is to move forward with the Ordinance.

#### **L. Ordinance for Excessive Idling**

Trustee Lynam stated that there is currently a state ordinance that allows municipalities to bring control locally. Consensus is to move forward with the Ordinance.

#### **M. Ordinance Approving Redevelopment Agreement for Pampered Pets**

Bob Skurla stated that before their annexation into East Dundee, Pampered Pets and the Village planned to work together so that once they were annexed, they could ease into their first tax bill. Their taxes rose from \$7000 a year to \$28,000 based on the assessor's increase. Pampered Pets was annexed on June 30, 2012 and occupied the property approximately a couple months after. He presented a payment schedule for the redevelopment costs which shall not exceed the noted percentages of incremental real estate taxes generated from Pampered Pets through the year 2035. The Interest Costs are not to exceed thirty percent (30%) of the interest paid per annum. Consensus is to move forward with the Ordinance.

#### **O. Police Department Staffing Levels**

Trustee Skillicorn wanted to discuss the balance between full time and part time police officers. Police Chief Mee stated that the budget allows for twelve full time officers and seven part time officers. The budget also allows for three Sergeants. Currently two of those positions are filled with the one vacancy being filled in the coming months. Skillicorn asked if the Commission's decision is binding for this promotion of Sergeant. Chief Mee replied that it is binding in that the Commission has deemed this person suitable for the promotion. Skillicorn asked if it would be possible to have more part time officers and scale back on the full time positions. Chief Mee replied that there currently is an effective balance and there cannot be part time officers in a supervisory position. He said you cannot rely on your part timers to fulfill the same level of responsibility of the full timers and they take longer to obtain certifications and have limited flexibility because they have other jobs. Part time officers cannot exceed their maximum number of hours allowed per year. He stated that four years ago, four full time officers were lost due to retirement. A year later, one of those slots were filled and this past year another vacancy was filled. So the department is still down two positions and functioning fine. Skillicorn feels that the number of full time positions versus the part time positions is a policy that should be discussed by the Board.

#### **PUBLIC COMMENT (Non Agenda Items):**

A member of the audience stated that a friend of hers that lives adjacent to River Haven is very happy that a fence was put up to prevent the foot traffic that had become an issue.

#### **EXECUTIVE SESSION: None**

Motion to adjourn the Committee of the Whole Meeting at 8:35 pm by Gorman/Skillicorn.

Roll: Ayes – 6 – Trustees Lynam, Selep, Skillicorn, Gorman, Wood and President Miller. Nays – 0.

Absent – 1 – Trustee Ruffulo. Motion carries, meeting adjourns.

Respectfully Submitted,

Katherine Holt

Attest: Katherine Holt  
Deputy Village Clerk, Katherine Holt

By: L. Miller  
Village President, Lael Miller