

REGULAR BOARD MEETING
Village Hall, 102 South Second Street

March 16, 2015 - 7:30 pm
Village of West Dundee

I. CALL TO ORDER:

President Nelson called the Regular Board Meeting to order at 7:30 pm.

II. ROLL CALL:

Present were Village President Christopher Nelson, Trustees Billy Pflanz, Dan Wilbrandt, Michelle Kembitzky, Tom Price, Pat Hanley and Andy Yuscka.

Also present were Village Manager Joseph Cavallaro, Finance Director David Danielson, Fire Chief Randy Freise, Police Chief Andrew Wieteska and Supervisor of Administrative Services Kevin Burke, Public Works Director Eric Babcock, Village Attorney John Brechin and ten (10) persons in the audience.

III. PLEDGE OF ALLEGIANCE:

Trustee Yuscka led those in attendance in the Pledge of Allegiance.

IV. APPROVAL OF AGENDA:

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Yuscka to approve the agenda as presented. Motion passed unanimously by voice vote.

V. VILLAGE PRESIDENT'S REPORT:

President Nelson stated that the Spa Bleu Grand Reopening on March 13 was very well attended.

He also directed the Board's attention to a Resolution on the Consent Agenda urging Governor Rauner and the State legislature to continue full funding of Local Government Distributive Funds. He stressed the importance of this continued shared funding to the budgets of local municipalities throughout Illinois.

VI. REPORTS AND QUESTIONS FROM TRUSTEES: None

VII. VILLAGE STAFF REPORTS:

Chief Freise advised that the new SCBA equipment was delivered today, and the Fire Department is working to ready them for service.

Deputy Clerk Tibbetts advised that the Village Board email address had been removed from the Village Newslist based on a series of soft bounces, but that a solution is being implemented to ensure the Board receives the community email blasts.

VIII. QUESTIONS FROM THE AUDIENCE:

Lisa Geisler and Wayne Schneider, 721 Lindsay Lane, addressed the Board regarding a previous discussion of their residential driveway permit for 402 S. Fifth Street. They stated that they received a letter from the Community Development Department and that the situation has not

been resolved. President Nelson asked Manager Cavallaro to review the situation and work toward a resolution.

IX. CONSENT AGENDA:

- A. Approval of Bill List: March 16, 2015
- B. Ratification of Debit Purchases: February, 2015
- C. Approval of Minutes - March 2, 2015 Regular Board Meeting
- D. Resolution Authorizing 2015 Memorial Day Parade
- E. Resolution Supporting Full Funding of Local Government Distributive Funds by the State of IL

In reference to the March 2, 2015 Regular Board Meeting Minutes, Trustee Kembitzky asked for clarification in regards to the 2 back-up plans for the water system both noted as serving the low zone. Manager Cavallaro advised that the high, medium and low zones would all be serviceable within both back-up plans.

MOTION: Moved by Trustee Price and seconded by Trustee Yuscka to approve the Consent Agenda as amended. Upon roll call, motion was approved.

AYES: Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kembitzky

NAYS: None

ABSENT: None

X. RESOLUTIONS AND ORDINANCE S:

A. Ordinance Revision - Animal Control (Chapter 3) (Trustee Wilbrandt)

Trustee Wilbrandt stated that the Police Department has recommended for discussion several revisions to the section of the municipal code governing Animal Control. The purpose of these revisions is both to maintain consistency with the Kane County code and address ongoing concerns in the community.

Discussion was held regarding the spay/neuter requirements, invisible fencing setback and nuisance feeding recommendations.

Mark Johnson, 216 S. First St., and Katie Delaere, 210 S. First St., addressed the Board regarding ongoing issues with nuisance feeding on an adjacent property on Oregon Avenue, which both the residents and staff have been attempting to resolve directly with the neighbor over an extended period of time. Ms. Delaere indicated a desire to see some squirrel proofing requirements for bird feeding activities. Mr. Johnson would like to see a quantity restriction included.

Trustee Pflanz suggested that language be added restricting the type of food that can be put out (i.e. bird seed as opposed to cat food). Trustee Wilbrandt requested that the definition of "nuisance" be clarified. Manager Cavallaro stated that language regarding nuisance feeding is intended to address dramatic situations such as the one on Oregon Avenue.

Discussion was held regarding the recommended spaying/neutering requirements. SAS Burke indicated that this has not been an issue within the community, but was included in terms of consistency with Kane County. Based on a straw poll, 2 Trustees are in favor of excluding this provision, 1 in favor of keeping it, 1 in favor of keeping it, but making changes and 2 that do not have a strong opinion either way.

A draft ordinance amending Animal Control provisions within the West Dundee Municipal Code will be presented at the next Regular Board Meeting for consideration.

XI. UNFINISHED BUSINESS:

A. Garage Sale Regulations - Community Feedback (Trustee Hanley)

Trustee Hanley stated that garage sale regulations have been under review based on reports of habitual and excessive sales undertaken at individual addresses last summer. A specific set of proposed guidelines were established through previous Board discussion, and resident feedback was sought. 20 responses were received: 12 opposed to the proposed guidelines (4 of which were in favor a permit approach), and 8 in favor of the proposed guidelines.

Trustee Hanley suggested that the allowable dates for garage sales as proposed be further restricted. President Nelson expressed a desire to address the concerns without additional regulations.

Trustee Pflanz suggested that the existing Online Service Request System be utilized for residents to report garage sales, which can then be verified by staff, in order to allow the Village to track the number of garage sales undertaken at particular addresses without a permit requirement.

Discussion was held regarding how many garage sales per address should be allowed in a 12-month period. Manager Cavallaro noted that the existing code provides a limit of no more than 3 garage sales per address per year.

Jamie Tibbetts, 508 Liberty Street, stated his opposition to the proposed guidelines, and asked what types of complaints have been received. Trustee Hanley stated that the constant flow of vehicles and numbers of customers have been the primary complaints.

After additional discussion, the consensus of the Board was to maintain the current regulations as is, with direction to the staff to include an article in the next Newsletter recommending use of the Online Service Request System for residents to report garage sales as a means of verifying the number of sales held at any given address.

President Nelson asked that New Business, Item A: Concept Plan - Senior Residences, Gardner Development, 969 W Main, be taken next.

XII. NEW BUSINESS:

A. Concept Plan - Senior Residences, Gardner Development, 969 W Main (Trustee Price)

Trustee Price advised that Gardner Development has approached the Village with a proposal for an 85-unit apartment facility specifically for senior residences, on the vacant parcel east of the former Best Buy store and south of Chili's, adjacent to Village Quarter Road.

Mr. Tom Brantley, Regional Development Manager for Gardner Development presented the proposed development and provided background information regarding Gardner Development. Gardner would be developer, owner and operator of the facility. As Gardner is seeking Federal, State and/or County assistance in terms of specific grant funding and tax credit programs, the property would bound to land use restrictions related to the age or residents (55+), the income of

residents in relation to rental fees (rent equaling not more than 30% of income), and the length of time for which the facility must operate under these criteria (30 years).

The facility will operate as independent living for seniors, and as such no meals or on-site medical care will be provided. Mr. Brantley stated that the site is highly desirable for this clientele, as it is integrated into the community, in a tranquil setting, with easy access to shopping and amenities.

Mr. Brantley provided details and answered questions, including with respect to the proposed layout, architecture, building height, parking and facility upkeep or future renovation schedule. Discussion was held regarding the lack of covered parking. The building is proposed at 59 feet and 4 stories in height, which will require variance approval.

The Board expressed interest and support for the development proposal at the designated location.

MOTION: Moved by Trustee Price and seconded by Trustee Yuscka to authorize the Village staff to submit letters of acknowledgement regarding the conceptual senior housing development proposed by Gardner Development, as a required for a State funding assistance request.

AYES: Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kemitzky
NAYS: None

The concept will be recommended to the Planning and Zoning Commission for review.

XI. UNFINISHED BUSINESS (Continued):

B. FY 2015-16 Budget Discussion Continuation (Trustee Kemitzky)

Director Danielson continued the presentation of the Fiscal Year 2015-16 budget document as prepared.

Water and Sewer Funds (Fund 2): A 2% increase in water and sewer rates have been budgeted to account for continued increases in the expenses directly associated with providing these services. \$90,000 has been budgeted for capital maintenance and improvement projects, for which priority recommendations will be provided in conjunction with Public Works Director Babcock.

Motor Fuel Tax Fund (Fund 3): Director Danielson explained that the per capita State distribution will decrease by approximately 2% this fiscal year. \$175,000 is anticipated to be received this year, plus approximately \$10,000 annual adjustment for high volume counties. \$175,000 is being transferred to the General Fund to help fund Streets Department operations and \$100,000 of existing balance is being transferred to the Capital Projects Fund to help fund Huntley Road Phase II Engineering, leaving a projected fund balance of \$200,000 at year end.

Capital Projects Fund (Fund 4): The Capital Projects Fund shows a balance of \$1.83-million. \$500,000 has been set aside within the fund as reserve, bringing the beginning available cash balance to \$1.33-million.

The primary revenue generator for the Capital Projects Fund is the 1% Home Rule Sales Tax put in place in 1991, budgeted at \$1.4-million for this fiscal year. Revenues also include transfers from the General Fund, Motor Fuel Tax Fund, and Community Development Fund, and reimbursements from the State of Illinois and Carpentersville related to the Huntley Road Phase II Engineering.

Debt Service obligations for previously funded capital projects totaling \$1,768,590 are being transferred to the Debt Service Fund. Capital Projects Fund balance will be drawn down by \$250,000 to meet the \$800,000 program target for annual capital improvements and equipment replacements. Budgeted capital improvement projects include: Water main extension to Oakview Corporate Park, Spring Hill Mall Water Tower Painting, Huntley Road Phase II Engineering, replacement of aging vehicles and equipment, Angle Tarn Water Plant roof replacement, and committed dollars set-aside for the FY2016/17 Street and Infrastructure program.

Community Development Fund (Fund 5): The Community Development Fund shows a balance of \$528,000. \$250,000 has been set aside within the fund as reserve, bringing the beginning available cash balance to \$278,000.

The primary revenue generator for the Community Development Fund is a half-percent Home Rule Sales Tax increase put in place in 2005 to fund Public Safety Center 2 operations, budgeted at \$700,000. \$545,000 of these dollars are again being transferred to the General Fund for this purpose. \$213,000 is being transferred to the Capital Projects Fund as a reimbursement for debt issuance pertaining to downtown property acquisition.

The Community Development Fund also accounts for revenues and expenditures related to rental properties and community events, as well as economic incentive funds, are derived from this fund. A worksheet outlining approved and contemplated economic incentives was provided and reviewed.

Debt Service (Fund 6): Transfers for repayment of the 2007 and 2010 bond issues originate from this fund. Director Danielson noted that refinancing of the 2010 note will be discussed later this fiscal year. This fund is merely an imprest fund, and no balances are maintained within it.

TIF #2 (Fund 7): Director Danielson stated that this Tax Increment Fund was set up for the Village to be repaid over a 23-year period (now in year 8) for a \$4,000,000 investment in the Spring Hill Gateway commercial area. Fund balance at year end is projected at \$375,000. These funds are not allocated for expenditure within the 2015/16 budget.

SSA #4 (Fund C): This Special Service Area provides funding for the maintenance of wetlands and natural areas within the Carrington Reserve subdivision, funded through a property tax line item on the tax bills of subdivision property owners. \$35,000 will be collected this fiscal year and \$32,500 in expenditures are anticipated.

The 2015/16 budget presentation is now concluded. A Public Hearing will be scheduled for the April 6 Board Meeting, and the budget can be adopted at either the April 6 or April 20 Board Meeting.

XI. EXECUTIVE SESSION:

A. Section 2(c)(2) of the IL Open Meetings Act: Land Acquisition

MOTION: Moved by Trustee Hanley and seconded by Trustee Kembitzky to recess to Executive Session for the purpose of discussing Collective Bargaining pursuant to Section 2(c)(2) of the Open Meetings Act. Upon roll call, motion was approved unanimously.

The Regular Board Meeting was recessed at 9:40 pm. The Regular Board Meeting resumed at 9:52 pm.

XII. MISCELLANEOUS:

President Nelson inquired about the next Village Newsletter. Manager Cavallaro noted that if a printed/mailed Newsletter is desired, it would have to be after the start of the new fiscal year.

Trustee Price asked about the St. Patrick's Day fireworks. Manager Cavallaro advised that the fireworks set up met the requirements and just one noise complaint was received. It was noted that the Big Wheel Race seemed significantly safer this year with the addition of an inflated bumper at the finish line.

Trustee Hanley asked when park restrooms would be open for the season.

Trustee Wilbrandt noted that Bootleggers has appeared busy since its recent opening, and that positive reviews have been reported.

President Nelson advised that the next 10-for-10 event would be held in early April.

Trustee Kembitzky commented that parking has been a problem at the property on the southeast corner of Routes 31 & 72 since the opening of Papa Johns.

XIII. ITEMS SCHEDULED FOR FUTURE MEETING DATE:

- Ordinance Amending Animal Control Regulations - April 6, 2015 Board Meeting.
- FY 2015/16 Budget - Public Hearing on April 6, adoption on April 6 or April 20.

XIV. ADJOURNMENT:

MOTION: Moved by Trustee Hanley and seconded by Trustee Pflanz to adjourn the Regular Board Meeting. Motion was unanimous.

The Regular Board meeting adjourned at 10:03 pm.

ATTEST:

Kim Tibbetts
Deputy Village Clerk

Christopher Nelson
Village President

EXECUTIVE SESSION
Village Hall, 102 S. Second Street

March 16, 2015
Village of West Dundee

President Nelson called the Executive Session to order at 9:41 pm for the purpose of discussing Collective Bargaining pursuant to Section 2(c)(2) of the Open Meetings Act.

Present were President Nelson, Trustees Pflanz, Wilbrandt, Kembitzky, Price, Hanley and Yuscka. Also present were Village Manager Cavallaro, Village Attorney Brechin and Finance Director Danielson.

Discussion was held regarding collective bargaining proceedings with IAFF Local 4882.

MOTION: Moved by Trustee Pflanz and seconded by Trustee Kembitzky to adjourn the Executive Session. Upon roll call, motion was unanimous.

The Executive Session adjourned at 9:52 pm.

ATTEST:

Kim Tibbetts
Deputy Village Clerk

Christopher Nelson
Village President