

REGULAR BOARD MEETING
Village Hall, 102 South Second Street

September 10, 2012 - 7:30 pm
Village of West Dundee

I. CALL TO ORDER:

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

II. ROLL CALL:

Present were Village President Larry Keller, Trustees Julie Voss, Becky Gillam, Tom Price, Norm Osth, Pat Hanley and Andy Yuscka.

Also present were Village Manager Joseph Cavallaro, Village Attorney John Brechin, Community Development Director Cathleen Tymoszenko, Public Works Director Rich Babica, Finance Director David Danielson, Water Superintendent Patrick Doyle and two (2) people in the audience.

III. PLEDGE OF ALLEGIANCE:

Trustee Price led the Board and those in attendance in the Pledge of Allegiance.

IV. APPROVAL OF AGENDA:

MOTION: Moved by Trustee Voss and seconded by Trustee Price to approve the agenda as presented. Upon roll call, motion was approved.

AYES: Trustees Voss, Gillam, Price, Osth, Hanley and Yuscka

NAYS: None

ABSENT: None

V. VILLAGE PRESIDENT'S REPORT:

President Keller proclaimed the month of September 2012 Texting Driving Awareness Month, and read the full proclamation for the benefit of those in attendance.

President Keller also advised that he attended the CMAQ Project Selection Committee Meeting on August 28, where updated project estimates were presented for approval.

VI. REPORTS AND QUESTIONS FROM TRUSTEES:

Trustee Voss reported on the Challenger Jamboree held on September 7 & 8 at Randall Oaks Park. She said the event was very well attended with a lot of volunteers, and was a positive experience for all participants.

Trustee Gillam reported on the final Earth Day event of the year, stating that roses were planted at the footbridge and other donated and divided plants were put in along the Riverwalk. She also reported on the landscaping at Public Safety Center #2, stating that the fire department staff assisted in putting in some new plants and that the landscape islands will be replanted next year.

VII. VILLAGE STAFF REPORTS:

Manager Cavallaro reminded the Board that Heritage Fest is this weekend.

VIII. QUESTIONS FROM THE AUDIENCE:

Mike Colucci, 1105 Thatcher Trail, inquired about the hydrogen sulfide odor present in the water service to his home, advising that the water department has been flushing hydrants near his residence, but that the problem persists and is an inconvenience for his household.

President Keller noted that hydrogen sulfide is typically an issue that arises during the warm weather months. Manager Cavallaro added it is an isolated issue and that the water does not pose a health risk, but does have an unpleasant odor. He further explained how the hydrogen sulfide gas exits the bedrock and enters the raw water supply, and advised that complaints regarding this odor have increased in the past 2 weeks.

Manager Cavallaro advised that an evaluation was undertaken to study the effectiveness of ozone treatment to mitigate the hydrogen sulfide issue. He went on to explain that the 2012-13 Fiscal Year Budget included ozone treatment as the only budgeted capital project. However, based on the closing of Best Buy and corresponding loss of sales tax revenue, the Board was forced to postpone and reevaluate the project in conjunction with the 6-month financial report in October.

President Keller thanked Mr. Colucci for his attendance and comments, stating that ozone treatment will be discussed in conjunction with Unfinished Business: Item A, Capital Projects and Economic Development Funding, should he wish to stay and hear the discussion. He added that the Board recognizes and wishes to solve the problem, if possible.

IX. CONSENT AGENDA:

- A. Approval of Debit Purchases: August 2012
- B. Approval of Bills: September 10, 2012
- C. Approval of Minutes: August 20, 2012 Regular Board Meeting
- D. Authorization for Professional Services Agreement with V3 - Routes 31 & 72 Intersection Topographical Survey Control

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

AYES: Trustees Yuscka, Voss, Gillam, Price, Osth and Hanley

NAYS: None

ABSENT: None

X. RESOLUTIONS AND ORDINANCES:

- A. **Resolution Enacting Policies and Procedures for Granting Benefits Under the Public Safety Employees Benefit Act (PSEBA) (Trustee Gillam)**

Trustee Gillam advised that home rule communities have the opportunity to establish procedures to review requests for benefits under the Public Safety Employees Benefit Act (PSEBA). Manager Cavallaro pointed to 3 amendments that were made to the original draft resolution.

The proposed policies and procedures were outlined. Discussion was held regarding whether a single party hearing officer or a 3-person committee should be utilized, and issues related to HIPAA / right to privacy in medical records and Open Meetings Act requirements.

It was established that a single hearing officer will review the application and make a recommendation to a 3-person committee for approval or denial. An internal appeals process will

allow an applicant to appeal the decision of the committee to the full Village Board, and if that is unsatisfactory to the applicant, an appeal can be made to the Circuit Court.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to approve a Resolution Enacting Policy and Procedure for Granting Benefits Under the Public Safety Employee Benefit Act (PSEBA). Upon roll call, motion was approved.

AYES: Trustees Yuscka, Voss, Gillam, Price, Osth and Hanley

NAYS: None

ABSENT: None

XI. UNFINISHED BUSINESS:

A. Capital Projects and Economic Development Funding (Trustee Hanley)

Trustee Hanley referred to Manager Cavallaro's memo dated September 6, 2012, which identifies 6 items identified as priority capital projects. He stated that these items must be evaluated based on cost and urgency to determine whether they can be achieved during this or future budget years.

Item 2: Ozone Treatment for the Randall Road Water Treatment Plant, and Item 6: Well No. 1 Rehabilitation, are closely related and were discussed in tandem. It was established that, of the 6 items noted rehabilitation of Well 1 is priority #1 and ozone treatment is priority #2.

Superintendent Doyle noted that Well 1 (located at South End Park) is two years past due on its maintenance schedule and that repairs are known to be needed. He added that Well 5 (located at the Public Works Facility) is back in service, which would allow Well 1 to be taken of service for maintenance/repair.

The extent of the maintenance/repairs to Well 1 will not be fully known until work begins. The estimated cost is in the range of \$75,000 to \$175,000. Authorization to enter into a contract with Layne Christensen Company to perform preventative maintenance on Well 1 has been requested and appears on this agenda under New Business. Director Babica advised that Layne Christensen can be mobilized within about 2 weeks of approval.

With respect to ozone treatment, it was noted that each of the 3 active wells access the same aquifer and all have some level of hydrogen sulfide. The ozone treatment is proposed to be installed at Well 6 (located at the Randall Road Water Treatment Plant), which has the highest level of hydrogen sulfide. Discussion was held regarding the benefits and complexities of ozone treatment, including some slight operational cost savings.

Trustee Hanley noted that this discussion does not include capital facilities improvements, equipment and vehicle replacements/purchases, streets and infrastructure program or tree planting, all of which are also underfunded. He noted that home values are linked to appeal of streets and infrastructure, and that homes with hydrogen sulfide issues are further affected.

The 4 remaining items were briefly discussed. It was determined that repair/repainting of the Spring Hill Water Tower (Item 3) can be delayed until the 2014 fiscal year, and that with the sequencing of the previously discussed water system repairs, this would project could be undertaken no sooner.

Funding for water system improvements was discussed. Manager Cavallaro noted that the Village of Carpentersville has imposed 2 year surcharge on water and sewer billings to fund capital projects.

Item 5: Public Safety Center #2 Roof Repairs, is the next item listed on the agenda. Item 4: Contribution to the Fox Performing Arts Center (FPAC) and/or demolition of the Ace Hardware Building is delayed pursuant to ongoing discussions with and fundraising by the FPAC organization. Item 1: First United Methodist Church Parsonage Preservation is slated for discussion in Executive Session.

Manager Cavallaro noted that a combined total \$3,200,000 is available in the Capital Projects and Community Development funds for one-time projects. He added that the streets and infrastructure program is estimated at \$1,000,000 annually and is in need of an ongoing sustainable funding source. Trustee Hanley noted that unknown emergent needs may develop.

Director Danielson noted that, based on the belt-tightening efforts that the Village has undertaken in the past few budget cycles, the Capital Projects fund balance is anticipated to be back to \$3,000,000, and the corporate fund balance back to \$2,000,000, by fiscal year 2014. He added that \$2,000,000 is about 3 months of regular expenditures for an organization of this size.

Item A under New Business was taken next to accommodate the requestor.

XII. NEW BUSINESS:

A. Economic Incentive Agreement Petco (Trustee Price)

Trustee Price noted that Petco had identified performance concerns at the West Dundee store location, and that in addition to concessions made by the landlord, staff is recommending a sales tax rebate in order to retain this national retailer at this location. He noted that the recommended rebate is 75% of the 1% home rule sales tax, up to a maximum of \$75,000 over a 5 year period.

It was noted that the original draft provided to the Village Board was amended and distributed pursuant to comments received from Petco's legal department.

Director Tymoszenko introduced Mr. Howard Weiner, representative for the property owner, West Dundee, LLC.

Manager Cavallaro noted participation by Petco and the landlord play an important role in this economic incentive recommendation; Petco has already invested a like amount in improvements to the store and property and the landlord has provided considerable rent reductions.

Director Tymoszenko noted that this retention and improvement effort is in keeping with other corridor commercial improvements, including the new LA Fitness and renovations of Red Lobster (complete) and Olive Garden (pending).

Trustee Hanley noted that if Petco vacates this location during the term of the agreement, they will have to repay all sales tax rebate dollars back to the Village.

MOTION: Moved by Trustee Price and seconded by Trustee Osth to enter into an Economic Incentive Agreement with Petco as identified and amended. Upon roll call, motion was approved.

AYES: Trustees Price, Osth, Hanley, Yuscka, Voss and Gillam
NAYS: None
ABSENT: None

XI. UNFINISHED BUSINESS (continued):

A. Public Safety Center #2 Roof Repairs (Trustee Yuscka)

Trustee Yuscka cited the report and proposal from Building Consultants, Ltd, noting that the cost of repairs is unknown. The cost as provided in the professional services proposal is \$19,500, for preparation of construction documents and bid specifications, as well as construction monitoring.

Manager Cavallaro noted that an engineer's estimate for the cost of repairs will also be provided within this scope, which will aid in the determination of whether to pursue cost participation by the original contractor or architect, or to pursue an insurance claim.

Trustee Osth inquired whether the repairs will be completed before winter, and what interim mitigation efforts will be undertaken if not to avoid additional damage or mold growth. Manager Cavallaro stated that the timeline will depend on whether or not a formal bid process is required.

Trustee Price asked about the number of site visits included in the Building Consultants contract and the cost of \$1,600 for additional site visits. He noted that \$1,600 is high and asked that this fee structure be revisited.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to authorize a contract with Building Consultants, Ltd. for professional services in an amount not to exceed \$19,500, and to revisit the fee structure for additional site visits. Upon roll call, motion was approved.

AYES: Trustees Yuscka, Voss, Gillam, Price, Osth and Hanley

NAYS: None

ABSENT: None

XII. NEW BUSINESS (continued):

B. Approval- Well #1 Preventative Maintenance, Layne Christensen (Trustee Price)

This item was discussed in conjunction with Unfinished Business Item A: Capital Projects and Economic Development Funding.

Director Babica noted that competitive bidding for this project must be waived.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Voss to approve the proposal from Layne Christensen Company to inspect and perform preventative maintenance for Well #1 at an estimated cost of \$75,000 and to waive competitive bidding. Upon roll call, motion was approved.

AYES: Trustees Yuscka, Voss, Gillam, Price, Osth and Hanley

NAYS: None

ABSENT: None

C. Authorization to Solicit Proposals- 2012 Tree Replacement Program (Trustee Yuscka)

Trustee Yuscka outlined the two options: 1) Select and purchase the trees directly and then bid only the installation, or 2) Bid out for both tree purchase and planting as one contract. The first option is recommended.

Manager Cavallaro noted that selecting and purchasing the trees directly is beneficial in terms of obtaining both the best stock and the best price. This approach requires additional staff time, but was very successful last year; Even with the severe drought, only one new tree died naturally.

Manager Cavallaro noted that the Grand Pointe Single-Family Homeowners Association has expressed an interest in participating in the 50/50 program utilizing Letter of Credit funds to replace approximately 80 Ash trees in the subdivision. A formal request and proposal for this use of LOC funds is expected in the coming week.

Based on last year's per tree cost, the \$15,000 budgeted for the 2012 parkway tree replacement program would provide for about 75 trees purchased and installed. There are currently 460 locations on the replacement list. 250 trees have been removed this year, with more slated for removal. The policy is to replace one tree per address until every address on the waiting list has at least one replacement tree installed.

Director Babica noted that more positive interest has been expressed in the 50/50 program recently and that if a significant number of residents participate at 50% that increases the total number of trees that can be replaced.

Trustee Hanley suggested that the 50/50 replacements in the Grand Pointe subdivision be funded in addition to the original \$15,000 budget for the program. It was estimated that an additional \$10,000 would be needed for these 50/50 replacements, for a total of \$25,000.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Voss to direct staff to continue the 50/50 Cost Sharing Program, and to solicit proposals to conduct the 2012 Tree Replacement Program and present this information to the Board for consideration at a future Board Meeting. Upon roll call, motion was approved.

AYES: Trustees Yuscka, Voss, Gillam, Price, Osth and Hanley

NAYS: None

ABSENT: None

D. Oakview Corporate Park Water Main Extension (Trustee Yuscka)

Trustee Yuscka advised that the water main serving Oakview Corporate Park will need to be extended based on a new user/new building construction being added to the campus.

Manager Cavallaro noted that Opus will be responsible for the construction, but that the annexation agreement provides for cost sharing. The total estimated project cost is \$232,000, with the Village's obligation estimated at \$106,000. The \$55,000 tap on fee for the new MaxZone building will be applied to this project, bringing the Village's cost down to \$51,000.

Trustee Osth asked what Fund these dollars would be paid from. Manager Cavallaro noted that the improvements are not required immediately, but must be completed by the occupancy of the next development after MaxZone or by December 31, 2013, whichever comes first. This improvement will be added to the Capital Projects list for funding next fiscal year.

It was noted that the Village will also need to secure easements for the section of the water main extension that crosses the Dundee Middle School property.

Director Babica added that the discussion of the water main extension requirement came to the forefront relative to fire flow concerns.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Voss to acknowledge and agree on behalf of the Village that (1.) the improvements are subject to recapture, (2.) that the Village will secure easements and participate in the cost of installation across the Middle School and (3.) that the secondary water connection to the Oakview Corporate Park will be constructed and completed at the earlier of either the occupancy of the next Oakview Corporate Park development or by no later than December 31, 2013. Upon roll call, motion was approved.

AYES: Trustees Yuscka, Voss, Gillam, Price, Osth and Hanley
NAYS: None
ABSENT: None

XI. EXECUTIVE SESSION:

A. Section 2(c)(5) of Open Meetings Act: Land Acquisition

MOTION: Moved by Trustee Gillam and seconded by Trustee Voss to recess to Executive Session for the purpose of discussing land acquisition, as authorized by Section 2(c)(5) of the Open Meetings Act.

AYES: Trustees Voss, Gillam, Price, Osth, Hanley and Yuscka
NAYS: None
ABSENT: None

The Regular Board Meeting resumed at 10:10 pm.

XII. MISCELLANEOUS:

Trustees Hanley and Osth expressed concern regarding the clean up and placement of signs at the former Ace Hardware building by the Fox Performing Arts Center organization. Director Tymoszenko expressed concern that this presentation is counterproductive to marketing of the former Clearwater Theater.

Discussion was held regarding some of the financial aspects of the FPAC proposal. Manager Cavallaro stated that the second Resolution supporting the concept will be ready for Board consideration in October and added that the FPAC will have a booth at Heritage Fest to promote the concept.

XIII. ADJOURNMENT:

MOTION: Moved by Trustee Gillam and seconded by Trustee Voss to adjourn the Regular Board Meeting. Motion passed unanimously by voice vote.

The Regular Board Meeting adjourned at 8:48 pm.

ATTEST:

Kim Tibbetts
Deputy Village Clerk

Larry Keller
Village President

EXECUTIVE SESSION
Village Hall, 102 South Second Street

September 10, 2012
Village of West Dundee

President Keller called the Executive Session to order at 9:41 pm for the purpose of discussing land acquisition, as authorized by Section 2(c)(5) of the Open Meetings Act.

Present were Village President Larry Keller, Trustees Julie Voss, Becky Gillam, Tom Price, Norm Osth, Pat Hanley and Andy Yuscka.

Also present were Village Manager Joseph Cavallaro, Village Attorney John Brechin, Community Development Director Cathleen Tymoszenko and Finance Director David Danielson.

Discussion took place regarding land acquisition in reference to a specific property located in West Dundee.

MOTION: Moved by Trustee Voss and seconded by Trustee Osth to adjourn from Executive Session. Upon roll call, motion was approved.

AYES: Trustees Voss, Gillam, Price, Osth, Hanley and Yuscka

NAYS: None

ABSENT: None

The Executive Session adjourned at 10:10 pm.

ATTEST:

Kim Tibbetts
Deputy Village Clerk

Larry Keller
Village President