

REGULAR BOARD MEETING
Village Hall 7:30 PM

Village of West Dundee
Monday, September 12, 2011

I. CALL TO ORDER:

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

II. ROLL CALL:

Present were President Keller, Trustees Gillam, Price, Hanley and Yuscka. Trustee Osth and Trustee Voss were absent. (Trustee Voss arrived at 7:50 pm.) Also present were Village Manager Cavallaro, Village Attorney Brechin, Finance Director Danielson and twenty-one (21) persons in the audience.

III. PLEDGE OF ALLEGIENCE:

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

IV. APPROVAL OF AGENDA:

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

AYES: Trustees Gillam, Price, Hanley and Yuscka.

NAYS: None

ABSENT: Trustees Voss and Osth

V. VILLAGE PRESIDENTS REPORT:

President Keller attended the Kane County Road Impact Fee meeting last week.

He also reported that he, along with Chief Buhrmann, attended the 9/11 Memorial held in Carpentersville where 400-500 people were in attendance.

President Keller also reminded the Board that Heritage Fest will be held this weekend.

VI. REPORTS AND QUESTIONS FROM TRUSTEES: There were none.

VII. VILLAGE STAFF REPORTS:

Manager Cavallaro informed the Board that the Local Liquor Commission met and suspended Clearwater's liquor and business license indefinitely as the State has informed us that Clearwater has not had a State license since March 2010. He also said no one from Clearwater appeared at the hearing of the Local Liquor Commission held earlier this evening.

Director Babica said the Village received a check for \$22,596 from IEMA as compensation from the blizzard of February 2011.

Director Babica said he has received 31 replies so far, from the 150 letters that were sent for the tree replacement program, including positive responses for the 50/50 program.

Attorney Brechin reported on Public Act 097-0579, which amends the FOIA act. He said the changes have to do with the "recurrent requester" (a person who has submitted to the same public

body a minimum of 50 requests for records, a minimum of 15 requests for records within a 30 day period, or a minimum of 7 requests for records within a 7-day period) has now been changed to read that a public body shall respond to a request from a recurrent requester within 21 business days. He went on to explain the fees to be charged which the public body may require the person to pay in full before copying the requested documents and the time period the public body has to notify the requester.

Attorney Brechin explained Public Act 097-0504 which amends the Open Meetings Act. He said that each elected or appointed member of a public body must successfully complete the electronic training curriculum developed and administered by the Public Access Counselor within one year after the effective date of this amendatory act.

VIII. QUESTIONS FROM THE AUDIENCE: There were none.

IX. CONSENT AGENDA:

- A. Bill List: 9/12/11
- B. Debit Purchases: August 2011
- C. Approval of Minutes: Aug. 29 2011 Regular Board Meeting
- D. Intergovernmental Agreement: Sharing of Mechanic
- E. Residential Façade Loan: Delaere Residence 210 S. First

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

AYES: Trustees Gillam, Price, Hanley and Yuscka

NAYS: None

ABSENT: Trustees Voss and Osth

Trustee Voss arrived at 7:50 pm.

X. NEW BUSINESS:

A. Approval – 2006 Vermeer SC252 Tree Stump Grinder

Trustee Yuscka presented this item to the Board for discussion in which he said that Public Works has been renting a stump grinder for a rental fee of \$800 per week. He said that usually about 40 stumps per year are removed, but because of the emerald ash borer infestation, staff has removed over 158 parkway trees. He explained that staff can remove about 35 stumps per week and that it would cost over \$4000 in rental costs to continue to rent a stump grinder.

He said that the other option was to have Homer Tree Care remove tree stumps and that would cost around \$7,609.

Director Babica said to purchase a stump grinder for use by the Public Works staff would constitute a one time capital expenditure as opposed to an annual budget allocation. He also said that expendable items, such as fuel and grinder teeth are also additional costs when renting the unit.

Director Babica explained the advantages and disadvantages between a tractor mounted and a trailer unit stump grinder. He also said that new units cost upwards of \$15,000 and that a used stump grinder from Vermeer Midwest would cost \$8,800. He said that the unit's cost does

exceed the budgeted amount of \$5000, but he is confident that this additional \$3800 can be accommodated.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Hanley to authorize the purchase of a 2006 Vermeer SC252 Stump Grinder from Vermeer Midwest, Inc. of Aurora, IL in an amount not to exceed \$8,800. Upon roll called, motion was approved.

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

NAYS: None

ABSENT: Trustee Osth

B. Zoning Request - 117 Oregon Discussion

Trustee Price introduced this item for discussion explaining that the Planning and Zoning Commission denied the request submitted by Charles Denofrio of 117 Oregon for a change in the zoning of his property.

Community Development Director Tymoszenko explained the reasons for staff's recommendation for the rezoning request and provided findings in support of the rezoning because the site is well suited for RB zoning, the Comprehensive Plan goals support mixed use development in the subarea, and the proposed plan serves to further historic preservation, economic development and place making goals for the downtown area.

She added that the building is presently in a turn key form to support this business (a coffee house) without great capital outlay. She said that opponents of the rezoning are concerned that a "waterfall" effect will result and other rezoning requests will follow further eroding the residential district, as well as a mushrooming effect that will develop into a more intrusive use.

A brief discussion took place regarding operation hours, having an appropriate business or zoning license, and if RB zoning was granted would it revert to R3 if the property were sold. (Zoning goes with the land, so it would not revert).

Mr. Denofrio, 117 Oregon gave the background on the home and how it has been restored. He also spoke of the developing relationship he has had with the Measuring Cup and the desire to bring the business to West Dundee.

Arlene Botta, owner of the Measuring Cup, and her staff gave their business backgrounds and explained their desire to put a successful business in West Dundee. She said there would be no build out, that the food would be cooked in East Dundee and transferred to 117 Oregon in a catering van. Both she and Mr. Denofrio envision a coffee house with limited seating, a formal parlor which would serve as a lounge area and hours would be 7am-2pm.

Public comment followed:

Jay Guevara, 212 S. 2nd Street opposes this zoning request. He explained reasons why he bought his home, his fear of increased traffic, noise and infringement upon the privacy of the residents as well as the safety of children who live and play in this area.

Carl Pietrazewski, 218 S. 2nd Street, said the rezoning the neighborhood changes the character of the residential area and can potentially open a Pandora's box. He reiterated that the Planning and Zoning Commission voted no on the proposal.

Larry Wilbrandt, 218 Oregon voiced his opposition to the rezoning of the land at 117 Oregon, saying transitional zoning is a risk. He said there is a full plate with the downtown which has a 25% vacancy rate.

Daniel Wilbrandt, 202 Oregon, Pam Tonge, 217 Oregon, Bernadette Stoker, 219 So. 3rd Street, Dear Wiebenga, 424 So. 2nd Street, Joy Myslo, 404 So. 5th Street, and Guy Gross, 209 So. 2nd Street also voiced opposition to the rezoning of this property citing issues of parking, crowds, infringement on the residential neighborhood, traffic, risks for the children and general negative impact.

Pam Griffin, 304 So. 3rd Street is in support of a coffee house at 117 Oregon.

Discussion took place among the Trustees regarding the reuse, whether or not it is the appropriate location, home businesses, issue of location as it is on the south side of Oregon, whether or not the uniqueness warrants the opportunity for this property, site issues, parking issues, not supported by the surrounding homeowners, and the influx of e-mails to the Trustees in opposition to the rezoning of this property.

Manager Cavallaro said he will place this item on the first Board meeting in October for formal action by the Board.

XII. EXECUTIVE SESSION

MOTION: Moved by Trustee Voss and seconded by Trustee Yuscka to recess to Executive Session to discuss land acquisition. Upon roll call, motion was approved.

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

NAYS: None

ABSENT: Trustee Osth

The Regular Board Meeting resumed at 10:08 pm.

XIII. MISCELLANEOUS: There was none.

XIV. ADJOURNMENT:

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

The Regular Board Meeting adjourned at 10:12 pm.

ATTEST:

Barbara Traver
Village Clerk

Larry Keller
Village President

**REGULAR BOARD MEETING
EXECUTIVE SESSION**

**Village of West Dundee
Monday, September 12, 2011**

President Keller called the Executive Session to order at 9:20 pm for the purpose of discussing land acquisition.

Present were President Keller, Trustees Voss, Gillam, Price, Hanley and Yuscka. Also present were Village Manager Cavallaro, Village Attorney Brechin and Community Development Director Tymoszenko.

Discussion took place regarding land acquisition.

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

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

NAYS: None

ABSENT: Trustee Osth

The Executive Session adjourned at 10:08 pm.

ATTEST:

Barbara Traver
Village Clerk

Larry Keller
Village President