

**REGULAR BOARD MEETING**  
**Village Hall, 102 S. Second Street**

**September 21, 2020 –7:30 pm**  
**Village of West Dundee**

**I. CALL TO ORDER:**

President Nelson called the Regular Board Meeting to order at 7:35 pm.

**II. ROLL CALL:**

Present were Village President Christopher Nelson, Trustees Cheryl Anderley, Dan Wilbrandt, Tom Price, Michelle Kembitzky and Andy Yuscka. Trustee Pat Hanley was absent.

Also present were Village Manager Joseph Cavallaro, Community Development Director Tim Scott and Police Chief Tony Gorski.

There was no 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 Price and seconded by Trustee Yuscka to approve the agenda, as presented. Upon roll call, motion was approved by voice vote.

**V. VILLAGE PRESIDENT'S REPORT:** There was no report.

**VI. REPORTS AND QUESTIONS FROM TRUSTEES AND WORKING GROUPS:**

There were no reports or questions.

**VII. STAFF REPORTS:** There were no staff reports.

**VIII. QUESTIONS FROM THE AUDIENCE:** There were none.

**IX. CONSENT AGENDA:**

**A. Approval of Bill List: September 21, 2020**

**B. Approval of Minutes: September 14, 2020 Regular Board Meeting**

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

**AYES:** Trustees Kembitzky, Yuscka, Anderley, Wilbrandt and Price.

**NAYS:** None

**ABSENT:** Trustee Hanley

**X. RESOLUTIONS AND ORDINANCES:**

**A. 104-106 West Main Street: Ordinance Approving a Redevelopment by and between the Village of West Dundee and Motl Properties LLC**

Trustee Kembitzky said the owners of 104-106 West Main Street have requested an economic incentive in the form of a grant to reimburse eligible expenses related to comprehensive façade restoration and complete interior rehabilitation of the building.

Trustee Kembitzky said that according to Village policy, maximum reimbursement is based on 25% of eligible expenses. She added that at the maximum reimbursement level of presumably eligible building owner-reported expenses, a total grant would have been \$88,699.25 with \$37,279.50 for façade and \$51,419.75 for code-related matters.

Trustee Kembitzky said it should be kept in mind that the investment program for the building wasn't reviewed by the Village in advance of the project and with that perspective, as well as other downtown projects, that the Finance Committee recommended \$50,000 for an economic incentive in the form of a grant.

A brief discussion was held regarding the threshold, the time frame for paying back, what happens to grants if the owner is no longer in business, tying the incentive into keeping the business viable and in town, and building improvements staying with the building.

Trustee Kembitzky also called attention to paragraphs in the Ordinance which need to be corrected, the changing of the word to "had" rather than "has" and the county should be Kane, not Lake.

Trustee Wilbrandt suggested looking into future development grants and to develop some kind of standard for TIF agreements.

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Price to Approve an Ordinance Approving a Redevelopment Agreement by and between the Village of West Dundee and Motl Properties LLC to Provide a Grant for an Amount not-to exceed \$50,000 as corrected. Upon roll call, the motion was approved

**AYES:** Trustees Kembitzky, Yuscka, Anderley, Wilbrandt and Price.

**NAYS:** None

**ABSENT:** Trustee Hanley

#### **B. Ordinance Annexing 14.6 Acres of Vacant Land East of Randall Road**

Trustee Price said this Ordinance clears up the boundaries and amends the Village's corporate borders by annexing 14.6 acres of vacant land (consisting of wetlands) that extend north and east from the northeast corner of Main Street/Route 72 and Randall Road.

Manager Cavallaro said that the uneconomic parcel was essentially donated to Kane County for storm water management and open space.

The Board recommended that future requests on the remaining property to come in totally as one piece, rather than piece by piece.

**MOTION:** Moved by Trustee Price and seconded by Trustee Yuscka to approve an Ordinance Annexing 14.6 Acres of Vacant Land East of Randall Road to the Village of West Dundee. Upon roll call, motion was approved.

**AYES:** Trustees Price, Kembitzky, Yuscka, Anderley and Wilbrandt

**NAYS:** None

**ABSENT:** Trustee Hanley

**C. Ordinance Amending Municipal Code to add 6-1-11-A-19: No Jumping From or Swimming Near Village Supported Structures**

Trustee Wilbrandt said this Ordinance is in response to the possibility of diving or jumping from structures, such as bridges, trees or piers into the Fox River which can be very hazardous due to various water depths, sudden drop offs, fast moving currents, hidden underwater obstacles, rocks, tree roots and other debris.

Police Chief Gorski said a Village Ordinance restricting such activity along, with appropriate signage posted at potential attractive sights, such as South End Park Footbridge, would be a substantial preventative measure to curtail this dangerous trend.

**MOTION:** Moved by Trustee Wilbrandt and seconded by Trustee Anderley to approve an Ordinance amending Title 6, Chapter 1, Offenses against Public Peace, Safety and Morals, Subsection 6-1-11 Disorderly Conduct/Loitering of the West Dundee Municipal Code be amended to add element 19 of the offenses, which shall read as follows:

19. Dives, jumps, bungee jumps, or base jumps into the Fox River from, and/or swims within 100 feet of, any Village supported bridge, building, tree, structure or property. This section shall not prohibit any person from diving or jumping from any bridge, building, tree, structure or property into the Fox River for purposes of saving life, property or to perform maintenance activities authorized by Federal, State or Village governmental authorities. Upon roll call, motion was approved.

**AYES:** Trustees Wilbrandt, Kembitzky, Price, Yuscka and Anderley

**NAYS:** None

**ABSENT:** Trustee Hanley

**XI. NEW BUSINESS:**

**A. Deferral of Economic Incentive Loan Payment and Liquor License Fee Payments**

Trustee Kembitzky said the Village receives loan payments from four West Dundee businesses, which were approved under economic incentive loan programs.

She added that authorization was formally sought from the Board to extend these loan payment deferrals for an additional 2 months, through August 2020, and further extended by the Board through September 2020.

Trustee Kembitzky said in light of the ongoing concerns and situations and the Village's desire to help these impacted businesses, it is recommended that the Village extend development loan forbearance through December 2020 and extend loan repayment schedules by the number of months during which payments haven't been made.

Manager Cavallaro said that the collection of monthly installment payments would resume in January 2021.

Trustee Kembitzky said that, in a continuing effort to assist our local businesses, staff has recommended that we break outstanding liquor license payments into 2 installments, if the individual business owner so desires. Half of their license fee would be due and payable by October 31, 2020 and the remaining half due by December 31, 2020, which should allow for some additional cash flow assistance to these businesses, if needed.

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Yuscka to authorize (1) forbearance of economic incentive loan payments through December 2020, with monthly installment payments reinstated, due and payable beginning in January 2021 and (2) the remaining outstanding 2020-2021 Liquor License fees to be broken down into two installments at the license holder's request, with equal installments due and payable by October 31, 2020 and December 31, 2020. Upon roll call, motion was approved.

**AYES:** Trustees Kembitzky, Price, Yuscka, Anderley and Wilbrandt  
**NAYS:** None  
**ABSENT:** Trustee Hanley

**B. IT Upgrades to Improve Remote Access Capabilities**

Trustee Kembitzky said that in terms of remote accessibility, upgrading of the principal laptop and remote connection devices is deemed a priority and necessity. She added that these costs are eligible for CARES Act funding reimbursement and the basic proposal is to facilitate purchase of 10 laptops and docking stations for the department heads and IT staff at a cost of \$16,357.

Manager Cavallaro said that in addition, the Village Board's tablets have also reached their end of life and don't facilitate remote meeting capabilities as well as a Windows based device would. He said the recommendation is to purchase Microsoft Surface tablets as the replacement devices.

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Anderley to authorize the purchase of IT equipment upgrades in an amount not to exceed \$28,954. Upon roll call, motion was approved.

**AYES:** Trustees Kembitzky, Yuscka, Anderley, Wilbrandt and Price  
**NAYS:** None  
**ABSENT:** Trustee Hanley

**XII. EXECUTIVE SESSION:**

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

**MOTION:** Moved by Trustee Yuscka and seconded by Trustee Anderley to recess to Executive Session. Upon roll call, motion was approved.

**AYES:** Trustees Yuscka, Anderley, Wilbrandt, Kembitzky and Price  
**NAYS:** None  
**ABSENT:** Trustee Hanley

The Regular Board Meeting resumed at 8:04 pm.

**XIII. MISCELLANEOUS / FUTURE AGENDA ITEMS:**

Trustee Kembitzky inquired about the status with IT and East Dundee. Manager Cavallaro said the contract is up at the end of the month.

Trustee Yuscka inquired about any updates from the State regarding Halloween Trick or Treating. Manager Cavallaro said a discussion and any updates will be on the October 5<sup>th</sup> Meeting Agenda.

**XIV. ADJOURNMENT:**

**MOTION:** Moved by Trustee Kemitzky and seconded by Trustee Price to adjourn the Regular Board Meeting. Upon roll call, motion was approved unanimously.

The Regular Board Meeting adjourned at 8:10 pm.

**ATTEST:**

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Barbara Traver  
Village Clerk

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Christopher Nelson  
Village President

**VILLAGE BOARD EXECUTIVE SESSION**  
**102 S. Second Street – Village Hall**

**September 21, 2020**  
**Village of West Dundee**

President Nelson called the Executive Session to order at 8:00 pm.

Present were Trustees Cheryl Anderley, Dan Wilbrandt, Michelle Kembitzky, Tom Price and Andy Yuscka. Trustee Pat Hanley was absent.

Also present were Village Manager Joseph Cavallaro, Community Development Director Tim Scott and Police Chief Tony Gorski.

Discussion was held and direction was given regarding potential land acquisition.

**MOTION:** Moved by Trustee Yuscka and seconded by Trustee Price to adjourn the Executive Session and to resume the Regular Board Meeting. Upon roll call, motion was approved.

**AYES:** Trustees Yuscka, Anderley, Wilbrandt, Kembitzky and Price

**NAYS:** None

**ABSENT:** Trustee Hanley

The Executive Session adjourned at 8:05 pm.

**ATTEST:**

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Barbara Traver  
Village Clerk

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Christopher Nelson  
Village President