

REGULAR BOARD MEETING
Village Hall 7:30 PM

Village of West Dundee
November 1, 2010

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 Voss, Gillam, Price, Osth, Hanley and Yuscka. Also present were Village Manager Cavallaro, Village Attorney Brechin, Community Development Director Tymoszenko and eight (8) people in the audience.

III. PLEDGE OF ALLEGIENCE:

Trustee Hanley led the Board and the audience in the Pledge of Allegiance.

IV. APPROVAL OF AGENDA:

MOTION: Moved by Trustee Yuscka and seconded by Trustee Osth to approve the agenda with the addition of an Executive Session for the purpose of discussing probable or imminent litigation. Upon roll call, motion was approved unanimously.

V. VILLAGE PRESIDENTS REPORT:

President Keller announced there will be pumpkin pie in celebration of Trustee Price's birthday.

VI. REPORTS AND QUESTIONS FROM TRUSTEES:

Trustee Hanley asked if the low temperature would affect the layer of asphalt that was put down on Second Street.

Trustee Gillam commended Jill Harris on the successful Halloween Party that was held at Grafelman Park on Sunday, October 31st.

President Keller said this was the 2nd year for the Halloween Party and would like to see it continued next year as it was highly received by the residents and very well attended.

VII. VILLAGE STAFF REPORTS:

Manager Cavallaro said the Street and Infrastructure Program will wrap up by Friday with the vast majority being done this week.

Trustee Hanley mentioned that there is a piece of concrete just set in on the corner of First Street near the Costume shop. Manager Cavallaro said he would look at it.

Trustee Osth said that the Huntley Road walking path is almost complete, the plantings are planted and most of the rough grading is done.

Director Tymoszenko announced an Appearance Review Commission meeting for Tuesday, November 2nd. There are two items on the agenda: John's Mobil (sign) and a final review of the sign ordinance.

VIII. QUESTIONS FROM THE AUDIENCE:

Joe Motyl, 809 Royal Lane, addressed the Board about his concerns with the Animal Ordinance, specifically concerning chickens; including the impact and burden to the chicken owner or neighbor who would be adjacent to the coop; size limit and minimal amount of space for nesting quarters and strolling area; a provision that the coop be taken down if the owner decides not to have chickens; and the impact on the old portion of town where the imprint of the home and lots are small.

IX. CONSENT AGENDA:

- A. Manual Check: Police Dept. Remodel
- B. Bill List: November 2, 2010
- C. Approval of Minutes: October 18, 2010 Regular Board Meeting

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

X. RESOLUTIONS AND ORDINANCES:

A. Ordinance 10-22 Amending Zoning Regulations Prohibited Uses Animals

Trustee Osth said this is two (2) point situation: (1) approving the zoning ordinance and (2) giving direction by motion to staff to change or amend the animal control ordinance.

MOTION: Moved by Trustee Osth and seconded by Trustee Price to adopt an ordinance amending the Zoning Regulations Prohibited Uses in Residential Districts. Upon roll call, motion was approved.

Further discussion took place regarding amending the animal ordinance including the R5 restriction, which is self-regulating in the zoning ordinance, the distance from the property line (agreed to 10 feet from the property line or under no circumstances less than 15 feet from the nearest habitable dwelling whichever is greater), and the size of the coop, including coop space and outdoor strolling space (40 sq.ft. to no more than 100 sq.ft. which is the total space for the combined coop area).

MOTION: Moved by Trustee Osth and seconded by Trustee Price to direct staff to prepare an amendment to the animal control ordinance including items 1, 5 and 6 in Manager Cavallaro's memo of November 1, 2010. Upon roll call, motion was approved.

The draft ordinance with the recommended changes will be on the November 15, 2010 Regular Board Meeting agenda for final approval.

Village President Keller asked to amend the agenda to take New Business before the rest of the agenda.

XI. NEW BUSINESS:

A. Request for Improvement Dollars – Emmett's Tavern and Brewery

Trustee Hanley brought this item up for discussion which is a request from Emmett's Tavern and Brewery to have the bluestone ramp material removed at its entrance on Second Street and replaced with matching brick pavers for consistency with the new sidewalk material and to avoid

continuation of the problems with the bluestone material. He explained that twelve (12) years ago when Emmett's located here, a requirement was made as part of their original drawings for installation of the bluestone material in order to match the existing streetscape material and that Emmett's complied with this requirement.

Discussion was held as to whether or not the Village should use money to upgrade this, where the concrete band should be used, specifying that polymeric sand be used and giving of a reimbursement grant of \$5,100.

When asked how soon the work could be done, Andy Burns of Emmett's said the work can begin immediately.

MOTION: Moved by Trustee Hanley and seconded by Trustee Osth to set up a grant of \$5100 to pay for the replacement of the bluestone materials with matching brick pavers and upon completion to be disbursed to Emmett's. Upon roll call, motion was approved.

XII. RESOLUTIONS AND ORDINANCES (continued):

B. Ordinance 10-23 Amending Section 11-7-3, Criteria for Requiring a Contribution in Lieu of Park, School, Municipal and Library Sites (Land Cash Value)

Manager Cavallaro explained that this ordinance has been working for a number of years and would only apply to existing lots in town.

He further explained that the Village's impact fees are also tied to an appropriate current land value which is no different from the land cash formula. He said that the staff's recommendation, in order to adequately reflect this number, is to reset the fair market value number to the figure that was utilized back in 2000, at \$111,400 per acre, which reflects an approximate 40% decrease in land value. He told the Board that this change in land cash value is appropriate and recognizes the decrease that has occurred and will provide for a better reflection of the accurate value utilized in the impact fee formula.

Discussion took place as to why parks are different than school, municipal and library sites (sometimes less desirable areas, i.e. hillsides, wet lands) questions on acreage and the requirement for land contributions plus cash to develop the site. After further discussion, it was decided to table the ordinance. Manager Cavallaro said he would get Trustee Price the formula.

MOTION: Moved by Trustee Price and seconded by Trustee Gillam to table the ordinance until the next Regular Board Meeting. Upon roll call, motion was approved.

XIII. UNFINISHED BUSINESS:

A. WebQA Services Agreement for GovQA Electronic Economic Development Initiative

Director Tymoszenko presented this item for discussion which is an agreement for a new web based economic development initiative. She said that GovQA's services include creation and maintenance of the program as well as technical support for users. She further explained that the Service Agreement has been modified per the comments received at the Committee of the Whole Meeting and include updating the effective date, removing the indemnification section, a new provision to cap future fee increases after the expiration of the three year term (caps the annual increase to no more than 8% or to the cost of living increase for three years).

Discussion was held regarding the timing of the \$350 payment (the first month is to be available for the population for businesses), has there been any feedback from the business owners (no), where funding is coming from (paying out of General Fund marketing money), locked in increase not to exceed COLA, and monitoring policies (GovQA monitors input to control inappropriate materials).

MOTION: Moved by Trustee Osth and seconded by Trustee Price to approve WebQA Services Agreement for GovQA Services in accordance with contract plus addendum discussed tonight. Upon roll call, motion was approved.

XIV. EXECUTIVE SESSION:

MOTION: Moved by Trustee Voss and seconded by Trustee Yuscka to recess to Executive Session to discuss probable or imminent litigation. Upon roll call, motion was approved.

The Regular Board Meeting resumed at 9:28 pm.

XV. MISCELLANEOUS:

Trustee Price inquired about the e-mail regarding Piece-A-Cake Bakery and expressed some concerns about the business.

Discussion took place regarding the proposal from Drake Homes.

XVI. ADJOURNMENT:

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

The Regular Board Meeting adjourned at 9:40 pm.

ATTEST:

Barbara Traver
Village Clerk

Larry Keller
Village President

**REGULAR BOARD MEETING
EXECUTIVE SESSION**

**VILLAGE OF WEST DUNDEE
November 1, 2010**

President Keller called the Executive Session to order at 8:27 pm for the purpose of discussing probable and imminent litigation.

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

III. ADJOURNMENT:

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

The Executive Session adjourned at 9:27 pm.

ATTEST:

Barbara Traver
Village Clerk

Larry Keller
Village President