

REGULAR BOARD MEETING
Via Video Conference
Pursuant to Governor Pritzker's Executive Order
to Social Distance to fight the spread of COVID-19

July 20, 2020 – 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 Cheryl Anderley, Dan Wilbrandt, Michelle Kembitzky, Pat Hanley and Andy Yuscka. Trustee Price arrived at 7:40 pm.

Also present were Village Manager Joseph Cavallaro, Police Chief Tony Gorski, Community Development Director Tim Scott, Public Works Director Eric Babcock and Fire Chief Lance Harris.

There was one (1) person in the audience. All attendance, including the audience, was remote via video conference.

III. PLEDGE OF ALLEGIENCE:

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

IV. APPROVAL OF AGENDA:

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

AYES: Trustees Wilbrandt, Kembitzky, Hanley, Yuscka and Anderley

NAYS: None

ABSENT: Trustee Price

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

VI. REPORTS AND QUESTIONS FROM TRUSTEES AND WORKING GROUPS:

There were no reports.

VII. STAFF REPORTS: There were no reports other than items on the Agenda.

VIII. QUESTIONS FROM THE AUDIENCE: There were none.

IX. CONSENT AGENDA:

A. Approval of Bill List: July 20, 2020

B. Approval of Minutes: July 13, 2020 Regular Board Meeting

Trustee Kembitzky asked about the overpayment for a resident on the Bill List of \$400. Manager Cavallaro said he would find out what the overpayment was for and get back to the Board.

Trustee Anderley requested that the amount of \$440,000 Mr. Surges is asking for 200 Washington Street be added to the minutes of July 13, 2020.

Trustee Anderley said that Director Scott described how the bollards work and asked that his name be added instead of Trustee Price.

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Yuscka to approve the Consent Agenda with the corrections. Upon roll call, motion was approved.

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

NAYS: None

X. RESOLUTIONS AND ORDINANCES:

A. Ordinance Amending Liquor License Classifications and Number of Licenses/License Fees

Trustee Hanley said that the Local Liquor Control Commission reviewed the existing liquor license classification provisions within the Municipal Code and a number of changes were identified that would better align the code with the current business environment. He added that this ordinance incorporates all of the above changes includes the addition of the Class M license classification for catering.

MOTION: Moved by Trustee Hanley and seconded by Trustee Yuscka to adopt an Ordinance Amending Title 3, Chapter 2, and Alcoholic Liquor Regulations of the Municipal Code of the Village of West Dundee, Amending License Classifications and Number of Licenses / License Fees and Video Gaming Renewals. Upon roll call, motion was approved.

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

NAYS: None

XI. UNFINISHED BUSINESS:

A. Recommendation to Cancel Heritage Fest 2020

Manager Cavallaro said there are a number of factors in considering any sort of Heritage Fest event this year including limitation of number of attendees, face covering requirements and, insurance implications. He said that he spoke with representatives from the Car Show, Craft Fair and restaurants, who said they would like to see the event continue, but that the existing environment and the Governor's orders have indicated that there are some significant hurdles in terms of facilitating any type of large gathering or event.

Manager Cavallaro said that Staff has reached out to Melissa Hernandez at the Northern Kane County Chamber of Commerce about the potential to attempt to coordinate the restaurants and potentially the businesses in terms of a collective or collaborative effort sometime in August or September. He added that the difficulty that both entities face is that we believe we can be supportive of these types of events, but cannot directly endorse or sponsor them.

A discussion took place about exploring and working with the Chamber as well as reaching out to the Mall to see if there would be interested in a craft show, as well as exploring the idea of a sidewalk sale. Manager Cavallaro and Trustee Price are going to contact Mall management.

MOTION: Moved to Trustee Hanley and seconded by Trustee Anderley to formally cancel Heritage Fest 2020 in accordance with the prohibition of large gatherings under the Restore Illinois Plan, and to seek opportunities to support local businesses through a business-led coordinated activity or activities. Upon roll call, motion was approved.

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

NAYS: None

XII. NEW BUSINESS:

A. Homeowner Appeal of a Planning and Zoning Commission Denial of a Variation

Trustee Price said that at the Planning & Zoning Commission Meeting of May 26, 2020, the members voted not to support the variation request.

Manager Cavallaro said that the previous homeowner had illegally converted his single-family home to a duplex which he rented out while residing in an illegally converted second floor apartment above the garage. He said that these property changes were put in without permits or approval.

Director Scott said the case was brought to administrative adjudication where the decision was to “non-suit without prejudice”, which allowed the homeowner to apply for a variation hearing before the Planning & Zoning Commission.

Director Scott said the overarching concern has been and remains that retention of the sanitary line and associated amenities essentially creates or leads to habitable, livable space. He added that according to Village code, an accessory structure may not be used for dwelling purposes, including for one’s family.

Mr. Ignoffo, homeowner of the property, said he has no intention of having anyone live there and would have no problem removing the shower and toilet and have the property open for inspections.

Mr. Ignoffo said he knew when he purchased the house that it would have to go back to a single family home, but for the second floor of the garage he wants to keep the sink up there and the kitchen area, so he could possibly use it as a home office.

Discussion took place regarding allowing water utilization, but disconnecting the sewer line, the need to retail the water line for the radiant heat which is in the contested area, delay enforcement of a decision for thirty days in order to review further, and consideration of annual inspections.

MOTION: Moved by Trustee Price and seconded by Trustee Anderley to affirm the Planning & Zoning Commission’s Denial of a Variation to Retain Plumbing-related Service to an Accessory Structure Beyond that which Provides Climate Conditioning of the Space. Upon roll call, motion was approved 5-1.

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

NAYS: Trustee Anderley

Trustee Yuscka left the meeting at 8:15 pm.

MOTION: Moved by Trustee Price and seconded by Trustee Anderley to direct staff to do research and bring back to the Board in 30 days and not enforce until research is presented.

Upon roll call, motion was approved 3-2.

AYES: Trustees Price, Anderley and Wilbrandt
NAYS: Trustees Hanley and Kembitzky
ABSENT: Trustee Yuscka

B. Oak View Lift Station Pump Repairs

Director Babcock said that after a long period of seal failures and electrical problems, Pump #1 at the Oak View Lift Station has had a complete operational failure. He added that this pump serves an important function in terms of sanitary pumping redundancy and he is requesting authorization to proceed with contractual repair service.

Director Babcock said contractual repair services include refurbishment of the pump to factory specifications and replacement of the impeller.

MOTION: Moved by Trustee Price and seconded by Trustee Kembitzky to authorize Public Works to conduct contractual repair of Pump #1 at the Oak View Lift Station at a cost of \$5,375. Upon roll call, motion was approved.

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

XIII. MISCELLANEOUS:

Trustee Wilbrandt asked when the Board Room would be open to having meetings and if not available to look at PSC#2 or other Village facilities where social distancing would be possible.

XIV. ADJOURNMENT:

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Hanley to adjourn the Regular Board Meeting. Upon roll call, motion was approved.

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

The Regular Board Meeting adjourned at 8:27 pm.

ATTEST:

Barbara Traver
Village Clerk

Christopher Nelson
Village President