

REGULAR BOARD MEETING
Village Hall, 102 S. 2nd Street

September 13, 2021 – 7:30 pm
Village of West Dundee

I. CALL TO ORDER:

President Nelson called the Regular Board Meeting to order at 7:34 pm.

II. ROLL CALL:

Present were Village President Christopher Nelson, Trustees Cathy Haley, Cheryl Alopogianis, Cheryl Anderley and Dan Wilbrandt. Trustees Price and Yuscka were absent.

Also, present were Village Manager Joseph Cavallaro, Village Attorney Kathleen Field Orr, Community Development Director Timothy Scott, Finance Director David Danielson, Public Works Director Eric Babcock, and Deputy Village Clerk Kim Tibbetts.

There were six (6) people in the audience.

III. PLEDGE OF ALLEGIANCE:

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

IV. APPROVAL OF AGENDA:

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

AYES: Trustee Anderley, Wilbrandt, Haley and Alopogianis

NAYS: None

ABSENT: Trustees Price and Yuscka

V. VILLAGE PRESIDENT'S REPORT:

There were no additional reports other than items on the agenda.

VI. REPORTS AND QUESTIONS FROM TRUSTEES AND WORKING GROUPS:

Trustee Alopogianis stated that she attended the Beefaroo Ribbon Cutting on August 26, along with Trustee Anderley and Director Scott.

Trustee Wilbrandt advised that resident and bird enthusiasts have been meeting along South Second Street at dusk to view migratory Chimney Swifts that have selected the Village Hall chimney as their preferred roost. He was provided some literature regarding the birds, which will be provided to staff to be shared on the Village's Facebook page.

VII. STAFF REPORTS: There were none.

VIII. QUESTIONS FROM THE AUDIENCE: There were no questions.

IX. CONSENT AGENDA:

- A. Ratification of Bills: 08/31/2021
- B. Approval of Bill List: September 13, 2021
- C. Approval of Minutes: August 16, 2021 Special Board Meeting
- D. Approval of Minutes: August 16, 2021 Regular Board Meeting
- E. Kane Senior Council Financial Contribution

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

AYES: Trustees Haley, Alopogianis, Anderley, and Wilbrandt

NAYS: None

ABSENT: Trustees Price and Yuscka

X. RESOLUTIONS AND ORDINANCES:

- A. Ordinance Approving an Acknowledgement and Consent to the Assignment of a Development Agreement by and between the Village of West Dundee and Westbrook at Canterfield, LLC (Trustee Price)**

This item was tabled, to be revisited at the next Regular Board Meeting.

- B. Ordinance - Third Amendment to the Development Agreement, as Amended, by and between the Village of West Dundee and Westbrook at Canterfield, LLC (Trustee Price)**

This item was tabled, to be revisited at the next Regular Board Meeting.

- C. Ordinance Amending Title 8, Chapter 1 - Restoration of Water Tower after Deterioration Caused by Third Parties (Trustee Yuscka)**

Director Babcock noted that the proposed Ordinance is intended to provide a procedure by which the Village's water tower assets can be properly restored following damage caused by equipment owned and operated by third parties that has been placed on the tower pursuant to lease agreements with the Village.

He noted that enforcing necessary equipment removals to facilitate tower painting have been very challenging. The bid process for the Spring Hill Mall tower painting will begin soon, with the goal for work to begin in the spring of 2022. The proposed ordinance would establish timelines, responsibility, and other important details regarding third party damage, that were not contemplated when the first leases were established in the early 1990s.

MOTION: Moved by Trustee Wilbrandt and seconded by Trustee Anderley to approve an Ordinance amending Title 8, Chapter 1 of the West Dundee Municipal Code of Ordinances by adding Section 8-1-21 (Restoration of Water Tower after Rust, Corrosion, Deterioration, Paint Coating System Delamination or Failure Caused by Third Parties). Upon roll call, motion was approved.

AYES: Trustees Wilbrandt, Haley, Alopogianis and Anderley

NAYS: None

ABSENT: Trustees Price and Yuscka

D. Resolution to Induce Development within a TIF Redevelopment Project Area – 200 Washington Street (Trustee Haley)

Trustee Haley advised that the proposed Resolution acknowledges the basic premise of the development proposal submitted by Surges and Associates for the 200 Washington Street and acknowledges that the project will require financial assistance from the Village through TIF funds.

The Resolution would allow the developer to incur certain reimbursable, TIF eligible costs in connection with the project, such as architectural and concept planning, prior to the adoption of an ordinance authorizing a Development Agreement or formal approval of the redevelopment plan.

MOTION: Moved by Trustee Haley and seconded by Trustee Alopogianis to approve a Resolution to induce the development of surplus property located at 200 Washington Street, within a Tax Increment Financing Redevelopment Project Area. Upon roll call, **motion failed** by a vote of 3-2.

Per Attorney Orr, approval requires a majority vote of the full Board, i.e. a minimum of four affirmative votes. Therefore, the motion fails.

AYES: Trustees Haley, Alopogianis and President Nelson
NAYS: Trustees Anderley and Wilbrandt
ABSENT: Trustees Price and Yuscka

XI. NEW BUSINESS:

A. 1st Quarter Financial Report (Trustee Haley)

Trustee Haley provided an overview of the 1st Quarter Financial Report as prepared by Director Danielson, including revenues and expenditures, sales tax, income tax, pension fund reporting.

President Nelson asked if the American Rescue Plan Act (ARPA) funds are reflected. Director Danielson noted that they are not yet accounted for in the current fiscal year. Manager Cavallaro added that the Coronavirus Aid, Relief, and Economic Security Act (CARES) funds received last year are reflected in the starting balance for this fiscal year.

B. 509 West Main Street: Consideration of a Specialty Retail Use for Ground Floor in the O District (Trustee Price)

Director Scott noted that the request is to allow a specialty retail use with the O Office District. The requested use is a leather goods retailer for the ground floor, with continued use of the second floor as a single residential unit.

He further noted that the following actions were recently taken in response to this request: The Planning & Zoning Commission recommended approval of the use and recommended adoption of an Ordinance amending the text of the O: Office District regulations to allow approval of other uses as recommended to the Village Board by the Planning & Zoning Commission. The Village Board approved said Ordinance at the August 16, 2021 Regular Board Meeting.

MOTION: Moved by Trustee Anderley and seconded by Trustee Haley to approve a specialty retail use for the ground floor of 509 W. Main Street, located in the O District, subject to Village approval of a Certificate of Occupancy. Upon roll call, motion was approved.

AYES: Trustees Anderley, Wilbrandt, Haley and Alopogianis
NAYS: None
ABSENT: Trustees Price and Yuscka

C. 901 Angle Tarn: Consideration of Metal Clad (MC) Cable for Construction of Woodlands at Canterfield Assisted Living and Memory Care Facility (Trustee Price)

President Nelson noted that Nelson Construction and Development is requesting approval to use metal clad cable for the Woodlands and Canterfield facility at 901 Angle Tarn. Director Scott noted that this material selection is allowed by State code and meets the spirit and intent of the Village's adopted Electrical Code pursuant to sites of 10 acres or more.

MOTION: Moved by Trustee Anderley and seconded by Trustee Alopogianis to approve the use of Metal Clad (MD) Cable for construction of Woodlands at Canterfield, an assisted living and memory care facility at 901 Angle Tarn. Upon roll call, motion was approved.

AYES: Trustees Anderley, Wilbrandt, Haley and Alopogianis
NAYS: None
ABSENT: Trustees Price and Yuscka

D. Authorization to Conduct Inspection of all Treated Water Clearwells (Trustee Yuscka)

Director Babcock noted that \$9,000 was budgeted for contractual inspection of the finished water clearwells at the Village's potable water treatment facilities, for the purpose of identifying any potential structural deficiencies or cracks that may exist, in order to initiate repairs before such issues become more serious. He added that the inspection will also identify whether, as suspected, an excess of sedimentation exists that may be contributing to a chlorine demand issue. If present, this excess sediment can then be removed to improve water quality.

MOTION: Moved by Trustee Anderley and seconded by Trustee Haley to authorize Public Works to conduct contractual inspection of treated water clearwells with KLM Engineering at a cost of \$7,800. Upon roll call, motion was unanimously approved.

AYES: Trustees Anderley, Wilbrandt, Haley and Alopogianis
NAYS: None
ABSENT: Trustees Price and Yuscka

E. Authorization to Install Solar-Powered Pedestrian Safety Devices (Trustee Yuscka)

President Nelson advised that Trustee Yuscka, while unable to attend tonight's meeting, had asked that this item be deferred, and additional quotes sought for the purchase of these pedestrian safety devices. Manager Cavallaro noted that the quote provided is reflective of the specific recommendation provided by the Village's consultant engineers.

President Nelson advised that Trustee Yuscka also inquired about the possibility of a device that is permanently illuminated versus an on-demand device on which pedestrians press a button to illuminate the crosswalk sign prior to crossing. It was noted that a permanently illuminated sign may be viewed as a nuisance, particularly by the immediate neighbors, and that such a device would likely require a permanent, wired power source versus solar power and likely a higher cost outlay.

MOTION: Moved by Trustee Anderley and seconded by Trustee Alopogianis to authorize staff to purchase two (2) RRFB pedestrian safety devices at a cost not to exceed \$4,620, to be installed at the crosswalk near the footbridge on Lincoln Avenue. Upon roll call, motion was approved.

AYES: Trustees Anderley, Wilbrandt, Haley and Alopogianis

NAYS: None

ABSENT: Trustees Price and Yuscka

F. Parkway Tree Replacement Program Evaluation (Trustee Yuscka)

President Nelson advised that Trustee Yuscka also asked that this item be deferred to a future meeting.

Manager Cavallaro noted that parkway tree replacement program was not budgeted for this year, but the Board had requested that staff evaluate such a program. The quotes for tree material came in at \$100 more per tree than previous years.

Trustee Wilbrandt asked whether the Village was caught up on replacement of parkway trees, based on the previous backlog due substantial loss of trees as a result of the Emerald Ash Borer. Director Babcock answer affirmatively, stating that the list currently contains 96 trees which have been lost more recently due other causes.

Director Babcock noted that resident participation in the 50/50 cost sharing program for parkway tree replacement was low this year, at only 8 addresses. Of the 38 proposed tree replacement locations, 30 would be public trees and 8 would be residential as part of the 50/50 program. The cost of the proposed program would be \$12,750.

The request to authorize the 2021 Parkway Tree Replacement Program failed for lack of a motion.

The Regular Board Meeting recessed to Executive Session at 7:57 pm.

XII. EXECUTIVE SESSION:

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

MOTION: Moved by Trustee Anderley and seconded by Trustee Alopogianis to open the Executive Session. Upon roll call, motion was approved.

AYES: Trustees Anderley, Wilbrandt, Haley and Alopogianis

NAYS: None

ABSENT: Trustees Price and Yuscka

The Regular Board Meeting resumed at 8:23 pm.

XIII. MISCELLANEOUS:

Trustee Alopogianis noted that she completed the Northwest Municipal Conference Elected Officials course and found it to be very informative.

XIV. ADJOURNMENT:

MOTION: Moved by Trustee Anderley and seconded by Trustee Alopogianis to adjourn the Regular Board Meeting. Motion was approved by acclamation.

The Regular Board Meeting adjourned at 8:23 pm.

ATTEST:



Kim Tibbetts
Deputy Village Clerk



Christopher Nelson
Village President

EXECUTIVE SESSION
Village Hall -102 S. Second St.

September 13, 2021
Village of West Dundee

President Nelson called the Executive Session to order at 7:58 pm for the purpose of discussing Land Acquisition, pursuant to of Section 2(c)(5) of the IL Open Meetings Act.

Present were Village President Christopher Nelson, Trustees Cathy Haley, Cheryl Alopogianis, Cheryl Anderley and Dan Wilbrandt. Trustees Price and Yuscka were absent.

Also, present were Village Manager Joseph Cavallaro, Village Attorney Kathleen Field Orr, Community Development Director Timothy Scott, Finance Director David Danielson, and Deputy Village Clerk Kim Tibbetts.

A discussion took place regarding the potential purchase of a specific property located within the Village of West Dundee.

MOTION: Moved by Trustee Anderley and seconded by Trustee Alopogianis to return to the Regular Board Meeting. Upon roll call, motion was approved.

AYES: Trustees Anderley, Wilbrandt, Haley and Alopogianis

NAYS: None

ABSENT: Trustees Price and Yuscka

The Executive Session adjourned at 8:22 pm.

ATTEST:



Kim Tibbetts
Deputy Village Clerk



Christopher Nelson
Village President