

REGULAR BOARD MEETING
Village Hall, 102 South Second Street

September 8, 2014, 7:30 pm
Village of West Dundee

I. CALL TO ORDER:

President Nelson called the Regular Board Meeting to order at 7:31 pm.

II. ROLL CALL:

Present were Village President Christopher Nelson, Trustees Billy Pflanz, Dan Wilbrandt, Michelle Kembitzky, Tom Price, Pat Hanley and Andy Yuscka.

Also present were Village Manager Joseph Cavallaro, Public Works Director Rich Babica, Community Development Director Cathleen Tymoszenko, Finance Director David Danielson, Police Chief Andrew Wieteska, Village Attorney John Brechin and seven (7) people in the audience.

III. PLEDGE OF ALLEGIANCE:

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

IV. APPROVAL OF AGENDA:

MOTION: Moved by Trustee Pflanz and seconded by Trustee Price to approve the agenda. Upon roll call, motion was unanimous.

V. VILLAGE PRESIDENT'S REPORT:

President Nelson thanked the Village staff for the fast response with respect to Friday's storm, as well as in responding to concerns regarding construction safety around Dundee Highlands Elementary.

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

VII. VILLAGE STAFF REPORTS:

Director Babica advised that he has tendered his resignation to Manager Cavallaro after 9½ years of service, and has accepted a position as Public Works Director for the City of Geneva. His last day with West Dundee will be September 17. He thanked the current and former Board and staff.

Director Babica advised the storm response on Friday was greatly assisted by Police and Fire, adding that the Public Works Department also managed 3 main breaks the same day.

Manager Cavallaro commended Director Babica for his service to West Dundee, adding that he leaves some very big shoes to fill. He also reminded the Board that Heritage Fest is this weekend.

Director Tymoszenko reported that an occupancy permit has been provided to Hamilton Academy at 180 S. Eighth Street. She noted that the building has undergone a significant renovation. Parking lot resurfacing and new signage is expected to be completed this fall under separate permit.

VIII. QUESTIONS FROM THE AUDIENCE: There were none.

IX. CONSENT AGENDA:

- A. Approval of Bill List: September 8, 2014
- B. Ratification of Debit Purchases: August, 2014
- C. Approval of Minutes: September 4, 2014 Regular Board Meeting
- D. Authorization to Proceed- IL DCEO Boiler Grant Application
- E. Professional Services Agreement Extension - Dan Shomon, Inc.
- F. Professional Services Agreement for Financial Advisory Services
- G. Special Event/Daily Liquor Permit Request - Tartans Crossing Oktoberfest
- H. Special Event/Daily Liquor Permit Request - VFW Honor Flight
- I. Binnie Road Resurfacing Reimbursement

Manager Cavallaro noted that a request for formal approval of an Intergovernmental Agreement with Carpentersville regarding Binnie Road will be brought forward at the September 22 Board Meeting.

Trustee Kembitzky asked that the “not to exceed” amount referenced with respect to the Binnie Road Resurfacing Reimbursement be amended to reflect the quoted amount of \$33,321.60.

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

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

NAYS: None

X. RESOLUTIONS AND ORDINANCES:

A. Resolution Adopting a Fund Balance Policy (Trustee Kembitzky)

Trustee Kembitzky explained that, as a result of the use of a new auditing firm this year, the recommendation has been made to formalize the Village’s Fund Balance Policy pursuant to GASB (Governmental Accounting Standards Board) Statement 54.

Director Danielson advised that the Village’s goal has long been to maintain \$2,000,000 of available cash/investment balance within the General Fund to provide for approximately 90 days of operating expenditures. GASB 54 recommends a minimum unassigned General Fund balance on a percentage basis.

Staff’s recommendation is to establish that figure as 15%. This would currently be approximately \$1,330,000. Director Danielson further explained what constitutes “unassigned fund balance” and noted that as of April 30, 2014, the unassigned fund balanced equaled approximately 17% .

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Wilbrandt to approve the Resolution adopting a Fund Balance Policy adhering to guidelines established by GASB Statement Number 54 and that these guidelines be used in the preparation of the Village’s Comprehensive Annual Financial Report. Upon roll call, motion was approved.

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

NAYS: None

President Nelson asked that New Business, Item B, be taken next to accommodate the petitioner.

XII. NEW BUSINESS:

B. PapaJohns Economic Incentive Agreement (Trustee Kembitzky)

Trustee Kembitzky advised that an economic incentive agreement is proposed to incentivize Papa John's to locate in West Dundee at 723 W. Main Street. The proposed incentive includes a revenue sharing grant in the form of a sales tax rebate to assist with the cost of opening and operating the restaurant, and a code compliance grant to assist with bringing the sprinkler system into compliance for the change in use.

Director Tymosenko introduced the petitioner Manan Joshi of Alpa and Lopa, Inc. She noted that the Papa John's business model, which is primarily a take-out operation with short-term parking needs, is an appropriate fit for the location as it will not contribute to the parking challenges that already exist at the center.

Trustee Price noted that repayment of all monies paid out would be required in the event that the business did not continue to operate for a period of 5 years. Director Tymoszenko added that Mr. Joshi's lease is for 5 years.

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Pflanz to approve an economic incentive agreement with Alpa and Lopa, Inc. (Manan Joshi) to support the establishment of a new Papa John's business and provide a code compliance grant in an amount not to exceed \$2,100 and a 50% sales tax rebate for a period of 5 years, not to exceed \$50,000. Upon roll call, motion was approved.

AYES: Trustees Kembitzky, Price, Hanley, Yuscka, Pflanz and Wilbrandt
NAYS: None

X. RESOLUTIONS AND ORDINANCES:

B. Resolution Adopting a Fraud Policy (Trustee Kembitzky)

Trustee Kembitzky explained that the Village's new auditing firm of Wolf & Company has reviewed the Village's ordinances, policies and procedures, and recommends that a formal Fraud Policy be adopted which is separate from that which is outlined in the existing Personnel Policies and Procedures Manual.

Director Danielson noted that comments from Trustee Price have been incorporated into the final version. The policy is intended to set the moral tone for the organization and provide proper procedures for reporting and addressing suspected fraudulent activity by any employee or elected official of the Village. The policy was created with the assistance of the GFOA (Government Finance Officers Association).

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Pflanz to approve a Resolution adopting a Fraud Prevention and Detection Policy and that this policy be distributed to and adhered to by all employees and elected officials of the Village of West Dundee. Upon roll call, motion was approved.

AYES: Trustees Kembitzky, Price, Hanley, Yuscka, Pflanz and Wilbrandt
NAYS: None

XI. UNFINISHED BUSINESS:

A. RedSpeed Contract Extension (Trustee Wilbrandt)

Trustee Wilbrandt stated that before the Board is a 6-year extension to the contract with RedSpeed regarding the red light cameras at Routes 31 & 72 and 31 & Boncosky Rd. He noted that with the extended contract come camera updates, which will also aid the Police Department in other law enforcement activities and accident scene reconstruction.

Chief Wieteska provided background on the Village's experience with RedSpeed. He stated that he is hopeful that RedSpeed can achieve the reinstallation of the camera at 31 & 72. As a result of the contract extension, RedSpeed will be investing in the equipment utilized by West Dundee. The new equipment will provide significant improvements over the current system. The contract can be terminated at any time with 45 days written notice to the vendor.

MOTION: Moved by Trustee Wilbrandt and seconded by Trustee Hanley to extend the initial contract with RedSpeed, LLC for two (2) additional consecutive and automatic three (3) year terms, from September 1, 2014 until September 1, 2020. Upon roll call, motion was approved.

AYES: Trustee Wilbrandt, Kembitzky, Price, Hanley, Yuscka and Pflanz

NAYS: None

XII. NEW BUSINESS:

A. 1st Quarter Financial Report (Trustee Kembitzky)

Director Danielson presented the First Quarter Financial Report for FY 2014/2015. He noted that the budget is on target, with no significant deviations to note, either positive or negative. He provided an overview of each Fund's balances, revenues and expenditures to date as compared to the same period last year.

He noted that monthly reporting of the new Food and Beverage Tax and Local Motor Fuel Tax would be provided in a consistent format and separated by subarea in the near future. He also noted that the final audit report is expected next week, and that the presentation of the audit is expected at the September 22nd Board Meeting.

C. Authorization for Zoning Text Amendment (Trustee Price)

Trustee Price advised that modifications to zoning regulations are being recommended to address land use regulations for marijuana cultivation and dispensing facilities, as well as to address setbacks for detached garages on corner lots.

Director Tymoszenko advised that, currently, all corner lots with R-3 zoning must obtain a variance for placement of detached garages, as it is hardship to achieve the required 50' setback from both street frontages based on lot size. The proposed changes seek to make the permitting process more efficient and equitable for these property owners. The matter will be presented to the Planning and Zoning Commission on September 29.

MOTION: Moved by Trustee Price and seconded by Trustee Kembitzky to petition the Planning and Zoning Commission for a text amendment for front yard garage setback in the R-3 Single Family Detached Dwelling District. Upon roll call, motion was approved.

AYES: Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kembitzky
NAYS: None

Director Tymoszenko stated that many area jurisdictions have defined zoning restrictions for marijuana cultivation and dispensary facilities. It is recommended that a Planning and Zoning Public Hearing be held to address a zoning text amendment to define these uses, after which appropriate zoning placement for such uses can be defined. Discussion was held regarding zoning placement for each of the stated uses in comparison to zoning for other established uses.

MOTION: Moved by Trustee Price and seconded by Trustee Pflanz to petition the Planning and Zoning Commission for a text amendment regarding medical marijuana cultivation and dispensing centers. Upon roll call, motion was approved.

AYES: Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kembitzky
NAYS: None

D. 2014 Tree Planting Program Additional Funding (Trustee Yuscka)

Trustee Yuscka noted the tree planting budget for this year was set at \$18,000. Based on the demand for tree replacements as a result of the Emerald Ash Borer, and 50/50 matching funds requests from the Grand Pointe and Fairhills Homeowners Associations, it has been recommended that additional funds be allocated to this line item.

It is estimated that if \$15,000 in HOA funds are received and the Village increases the budget by \$15,000 to \$33,000, that 200+ trees will be able to be planted this year.

Discussion was held regarding the potential revenue source options that were presented, including reallocation of budgeted funds for tree trimming and/or buildings and grounds repairs, and/or use of savings derived in the salary line items based on a workers compensation injury and/or additional State Motor Fuel Taxes that will be forthcoming. It was determined that additional funding would be derived from the salary line item.

Trustee Hanley requested an estimation of the cost to remove all trees throughout the community that have been identified as dead or dying. Additional discussion was held regarding tree trimming and tree removal.

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Pflanz to increase the 2014 Tree Planting line item by \$15,000 to a total of \$33,000. Upon roll call, motion was approved.

AYES: Trustees Kembitzky, Price, Hanley, Yuscka, Pflanz and Wilbrandt
NAYS: None

E. Authorization to Proceed- 2014 Snow/Ice Control Program (Trustee Yuscka)

Director Babica stated that the State of Illinois failed to issue a salt contract for the Village and other agencies that went out to bid based on expiration of their 2-year contracts, which includes

numerous municipalities and agencies in Kane and DuPage Counties, and most of Kendall County. A second bid attempt also yielded no bids. The only remaining option is to purchase salt through the open market.

He advised that staff contacted all 42 known road salt vendors and received 4 quotes, ranging from \$122.75-175.00 per ton. The budget for salt, based on last year's pricing, was \$51.87 per ton. As an organization, approximately 900 tons of salt are utilized in an average season. Last year 1,400 tons of salt were utilized.

It is recommended that 900 tons of salt be purchased from the lowest bidder at a cost of \$110,475. The current budgeted amount for road salt is \$60,000. If approved, the salt will be procured immediately and stored for the season, as it is expected that procurement of salt mid-season will not be possible.

Director Babica advised that there may be an opportunity to request an extreme emergency exemption from IDOT to allow State Motor Fuel Taxes to be utilized to purchase road salt. As discussed under the previous agenda item, additional Motor Fuel Taxes are anticipated to be received in an amount of \$31,600.

Director Babica presented a plan for snow and ice control operational changes in order to encourage the most efficient and effective use of the salt available. He explained that additives are mixed with the road salt to extend its usefulness. He explained that arterial roads, school zones, the downtown and hills will receive full salt treatment, while salt application on side streets will focus on the 100' before intersections, and on hills and curves. He explained that this approach has the additional benefit of being more environmentally friendly in terms of minimizing salt runoff into rivers and streams.

Director Babica presented a plan for "anti-icing" pre-treatment utilizing a salt brine solution that prevents ice from bonding to the roadway surface, which then minimizes the need for salt application. Discussion was held regarding a source to purchase the brine solution versus making it in house. Director Babica recommends purchasing the parts needed to build and mount a brine sprayer to a plow truck at a cost of approximately \$5,000.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to waive competitive bidding and authorize the purchase of 900 tons of bulk road salt from National Salt Supply Company, Inc. at a rate of \$122.75 per ton; to adopt the West Dundee Snow Removal Guidelines dated September 3, 2014; and to direct staff to secure the necessary components to construct an anti-icing sprayer at a cost not to exceed \$5,000. Upon roll call, motion was approved.

AYES: Trustees Yuscka, Pflanz, Wilbrandt, Kembitzky, Price and Hanley
NAYS: None

XII. MISCELANEOUS: There was none.

XIII. ITEMS SCHEDULED FOR FUTURE MEETING DATE:

- A. Intergovernmental Agreement with the Village of Carpentersville for the resurfacing of Binnie Road
- B. FY 2013/2014 Comprehensive Financial Audit Presentation

XIV. ADJOURNMENT:

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

The Regular Board meeting adjourned at 9:31 pm.

ATTEST:

Kim Tibbetts
Deputy Village Clerk

Christopher Nelson
Village President