

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

**July 16, 2018 – 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, Tom Price, Pat Hanley and Andy Yuscka.

Also present were Village Manager Joseph Cavallaro, Village Attorney Kathleen Orr, Finance Director David Danielson, Public Works Director Babcock, Police Chief Andy Wieteska, Fire Chief Randy Freise and one (25) people in the audience.

**III. PLEDGE OF ALLEGIANCE:**

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

**IV. APPROVAL OF AGENDA:**

**MOTION:** Moved by Trustee Hanley and seconded by Trustee Anderley to approve the agenda, as presented. Motion passed unanimously by voice vote.

**V. VILLAGE PRESIDENT’S REPORT:**

**A. Proclamation – Joseph “Joe” Motyl Day**

Trustee Yuscka read the Proclamation declaring Monday, July 23, 2018 Joseph “Joe” Motyl Day in memory of former Trustee Joe Motyl.

**B. Oath of Office – Officer Jason Highland**

Chief Wieteska said that Officer Jason Highland has been hired as a full –time Police Officer and has successfully completed all phases of the recruitment process which included a written exam, fitness exam, psychological exam, complete background investigation, polygraph exam and medical exam.

He said the Officer Highland also served in the US Army doing a tour of duty in Iraq, has been awarded numerous medals for his service and is now a part-time Sergeant with the Illinois National Guard.

Todd Rowling, from the Police and Fire Commission administered the Oath of Office to Officer Highland.

President Nelson then administered the Oath of Honor to Officer Highland and the other West Dundee Police Officers who were in attendance.

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

Trustee Kembitzky commented that Fest on the Fox’s 4<sup>th</sup> annual event on Saturday was a good event.

Trustee Kembitzky announced that the Northern Kane County Chamber will have a ribbon cutting at Kabob Kitchen on Tuesday, July 17, 2018.

Trustee Kembitzky asked that Public Works inform residents to keep the gator bags around the newly planted trees filled.

**VII. VILLAGE STAFF REPORTS:**

Manager Cavallaro informed the Board that there was a Local Liquor Commission Control Meeting held earlier this evening amending the number of liquor licenses and issuing Daily Liquor Permits for Special Events this month.

**VIII. QUESTIONS FROM THE AUDIENCE:**

- A. Items on the Agenda: There were none.
- B. Items not on the Agenda: There were none

**IX. CONSENT AGENDA:**

- A. Approval of Bill List: July 16, 2018
- B. Approval of Minutes: July 2, 2018 Regular Board Meeting
- C. Special Event & Daily Liquor Permit Request – Shine Salon & Dry Bar Grand Opening
- D. Special Event Request: Centegra’s “Blacktop Bash” at Spring Hill Mall
- E. Community Event Request: Farm to Table Community Dinner
- F. Daily Liquor Permit Request: Emmett’s Intelligentsia Cup Bike Race
- G. Ordinance Amending the Number of Allowed Liquor Licenses

Trustee Kembitzky asked to have items C and E removed from the Agenda and discussed under New Business.

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Price to approve the Consent Agenda Items A,B,D,F and G. Upon roll call, motion was approved.

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

**NAYS:** None

**X. UNFINISHED BUSINESS:**

- A. **AMENDMENT 1- Professional Services Agreement with Baxter & Woodman – Angle Tarn WTP Repairs**

Director Babcock said that after completing approximately half of the design Baxter & Woodman has determined that additional engineering is required beyond the scope of the original Agreement. He said in order to complete specifications necessary to address the entirety of the Village’s intent for his project, the original budget may be exceeded in the amount of \$4,000. He added that the additional design work was not anticipated due in large part to the lack of detailed drawings available for the Angle Tarn Water Treatment Plant.

The specific design works involves (1) Design of face piping to prevent draining of softeners during regeneration; (2) Installation of proper flow metering to wells and high service pumps; and (3) Installation of check valves for high service pump suction lines to eliminate priming.

In answer to Trustee Price's question about check valves, Director Babcock said new check valves need to be installed on the suction side of the pumps to prevent backflow and eliminate the need for the antiquated vacuum priming system.

**MOTION:** Moved by Trustee Yuscka and seconded by Trustee Anderley to authorize Amendment No. 1 to the existing Professional Services Agreement between the Village of West Dundee and Baxter & Woodman for Angle Tarn Water Treatment Plant repair design and bidding services, increasing the not to exceed cost from \$16,000 to \$20,000. Upon roll call, motion was approved.

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

**NAYS:** None

**B. Authorization to Solicit Proposals – 2018 Street Improvements**

Director Babcock and Jason Fluhr from Baxter & Woodman, said that the design work has been completed for the 2018 Street Improvements Project and a proposal packet is ready to be advertised.

He said Baxter & Woodman feels that price trends for pavement maintenance are still favorable and the proposal specifications will request two prices from prospective bidders, representing Option 1 (being the core project) and Option 2 being additional resurfacing work on Spaulding, Green Castle and Campbell Courts.

**MOTION:** Moved by Trustee Yuscka and seconded by Trustee Price to authorize Public Works staff and Baxter & Woodman Consulting Engineers to solicit proposals for the 2018 Street Improvements Project. Upon roll call, motion was approved.

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

**NAYS:** None

**XI. NEW BUSINESS:**

President Nelson asked that Item F be discussed before the other items under New Business.

**F. Professional Services Agreement with Baxter & Woodman – Water & Sewer Utility Service Extension to Ranch and Oak Road Area**

Manager Cavallaro said that during the Huntley Road Widening and Improvements Project Open House, residents from the area of Ranch and Oak Road inquired about the possibility and feasibility of contracting with the Village of West Dundee for utility services, both water and sewer. Both of these streets are located on the north side of Huntley Road, within a quarter mile east of Sleepy Hollow Road in unincorporated Dundee Township.

He added that traditionally, utility service requests like this, particularly for unincorporated residents are handled through the means of a Special Service Area (SSA) in terms of funding and financing. He said the Village or the municipality may front the cost of the improvements and the carrying costs, but is made whole and reimbursed through the receipt of SSA payments from the benefitting homeowners, through their annual property tax bill or in some cases through their bimonthly utility bills.

Manager Cavallaro said the benefit to the Village is that we would also receive corresponding tap on fees for capacity utilization for these single family homes, as well as bi-monthly utility revenues.

Manager Cavallaro said the Village could also consider and evaluate the feasibility and desirability of requiring annexation into the corporate boundaries, as a condition of providing utility services, at the time of connection or at some point in the future.

A brief discussion took place about having some preliminary numbers before spending monies and before contacting all the residents on those roads and before initiating preliminary conversations. It was decided to table the item until more information is available.

**MOTION:** Moved by Trustee Yuscka and seconded by Trustee Price to table this item for future discussion. Upon roll call motion was approved.

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

**NAYS:** None

**A. Recommendation to Adjust Interest Rate Assumptions – Police and Fire Pension Funds**

Finance Director Danielson informed the Board that the State of Illinois' Department of Insurance recently changed actuarial firms and as a result, recommendations to change the interest rate assumptions were made. He noted that the overall interest rate assumption for the Police Pension Fund is currently 7% and for Fire Pension is 6.5%. The State's recommendation is an interest rate for the Police Fund of 6.5% and 6.25% for Fire. He noted that the rates differ due to the fact that their recommendations are based on the overall assets of the Funds. Funds with larger assets are allowed to invest in a greater percentage of equities which in turn have a larger historical rate of returns.

Director Danielson stated that the Village Board sets the assumed rates of returns due to the fact that they have a direct bearing on the annual tax levy. He stated that in his opinion, a reduction is warranted, however, he further noted that such a reduction would result in a required increase in the tax levy amount needed to fund the Village's contribution.

Trustee Kembitzky stated that she concurred that the interest rate assumptions should be adjusted, however, she concurred that a decrease in the assumption be considered carefully. She agreed with Director Danielson's recommendation that the decrease be phased in over a two year period in order to lessen the financial impact for the 2018 tax levy year. It was the consensus of the Board that this approach is a prudent one.

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Anderley to establish the assumed interest rate for the Police Pension Fund for the 2018 tax levy year at a rate of 6.75% and for the Fire Pension Fund 6.375% for the 2018 tax levy year, and to revisit this matter next year before decreasing the assumed interest rate amounts to 6.5% for Police and 6.25% for Fire as recommended by the State of Illinois Department of Insurance. Upon roll call, motion was approved.

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

**NAYS:** None

**B. Intergovernmental Agreement with D300 for School Resource Officer**

Trustee Kembitzky said the Police Department currently has an officer assigned to Dundee Middle School on a part-time basis through an IGA. The District reimburses 50% of the officer's salary.

Trustee Kembitzky said that at the April 2, 2018 Board Meeting, the Board supported application for a grant from the U.S. Department of Justice Community Oriented Policing Services Hiring Program. She said, however, that the grant is currently unavailable, and District 300 has requested that the Village of West Dundee Police Department enter into an IGA under the traditional funding terms as has been used in neighboring communities. She noted that the traditional terms include reimbursement of 66% of the annual cost of the School Resources Officer. She said the current annual estimated annual cost of an SRO is approximately \$128,632 for a 66% reimbursement of approximately \$84,897.

Chief Wieteska said the 66% is based on actual time worked in the schools and excludes summer break, holidays, spring break, etc. He plans to apply for the grant when it becomes available, but there are no guarantees on the grant.

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Wilbrandt to authorize the Village of West Dundee to enter into an Intergovernmental Agreement with School District 300 for the purpose of a full-time School Resources Officer at Dundee Middle School. Upon roll call, motion was approved.

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

**NAYS:** None

**C. Electrical Aggregation Bid**

Finance Director Danielson explained that Municipal aggregation is a program by which the municipality can aggregate the load of its residents and negotiate for lower pricing and more favorable terms for their electricity.

He noted that the Village's current contact with Dynegy Energy expires this October and that the Village is planning on formally accepting bids on July 16, 2018.

Director Danielson said that the upcoming bid process will mark the fourth time that the Village has formally accepted bids for electrical aggregation. He noted that electrical energy is a commodity with ever-changing pricing, pricing is only good for a 24 hour period. after the bid opening to either accept or reject the bids.

Director Danielson said the Village has had a long standing relationship with the Northern Illinois Municipal Electrical Cooperative (NIMEC) and have utilized their services to negotiate a very favorable price for our pricing for our Water and Sewer Fund. The lowest bid was from Dynegy and Sharon Doering. from NIMEC, said she is comfortable with Dynegy and the rate proposed for twenty-four (24) months.

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Yuscka to award the contract for electrical aggregation services for the Village of West Dundee to Dynegy Energy for twenty-four (24) month period from October 2018 to October 2020. Upon roll call, motion was approved.

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

**NAYS:** None

**D. Battalion Chief Agreement with the Village of Carpentersville, East Dundee Fire Protection District and Rutland-Dundee Fire Protection District**

Trustee Wilbrandt said the Battalion Chief Agreement between Carpentersville, West Dundee, East Dundee and Rutland Fire Departments is another step forward in our continuing cooperative efforts to provide improved emergency service to the Quad Com communities and specifically to the residents of West Dundee.

Chief Freise said the main advantage of having the Battalion Chief Agreement is that there will be a timely command presence on the scene of an emergency no matter the time of day or night. The Battalion Chiefs are on duty 24 hours a day. He added that with West Dundee operating without a Deputy Chief, this agreement helps to fill that void in coverage. He noted that for the increase in service to residents of West Dundee, the cost involved is reasonable.

**MOTION:** Moved by Trustee Wilbrandt and seconded by Trustee Kembitzky to approve the Battalion Chief Agreement as written. Upon roll call, motion was approved.

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

**NAYS:** None

**E. Short –Term Lodging- Discussion of Code Amendments**

Director Scott said the second floor of the fully-rehabilitated 124 West Main Street has four efficiency residential units and the intention is to use them for short-term lodging. He noted that this project has driven the need for the Village to amend code provisions.

Director Scott said the current Municipal Code doesn't address short-term lodging and staff is proposing text amendments that would provide an appropriate definition and set standards related to this use.

He said the initial intent is to limit short-term lodging to the B-1 Downtown Business District. He noted that at a future discussion, potential for short-term lodging in other zoning districts could take place. He explained that short-term rental or lodging refers to rental of residential units for a short period of time, typically less than 30 days.

Discussion took place regarding short-term stay and extended stay, the hotel-motel tax to be consistent with short-term lodging, implementing an Airbnb tax collection agreement,, licensing and inspections and requiring a residential rental property registration form.

Further discussion took place on screening (Airbnb does screen) whether to exclude all single family homes, how to regulate, time and frequency, life safety, how to handle problems and methods of enforcement.

Director Scott said this topic will be given to the Planning and Zoning Commission for their input and recommendations and then brought back to the Board.

**G. Special Event & Daily Liquor Permit Request – Shine Salon & Dry Bar Grand Opening**

Trustee Kembitzky asked that this item be removed from the Consent Agenda for clarification.

Chief Wieteska said that this is a private event, invitation only, is not open to the public and attendees wishing to obtain an alcoholic beverage will have their age verified as 21+ and receive a wristband.

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Yuscka to recommend issuance of a Daily Liquor Permit for Shine Salon and Dry Bar, 103 S. First Street, for a Grand Opening event to be held on Saturday, August 4, 2018 from 5:00 – 9:00 pm, subject to submittal of Liquor Liability Insurance. Upon roll call, motion was approved.

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

#### **H. Community Event Request: Farm to Table Community Dinner**

Trustee Kembitzky asked that this item be removed from the Consent Agenda for a discussion.

Manager Cavallaro said the Village is being asked to promote the Farm to Table Dinner as a community event, to provide logistical support in terms of tickets and accounting, the availability and readiness of Grafelman Park, and provide the appropriate special event liability coverage and liquor permits. He noted that the Village would be responsible for a cost of about \$500 for liquor permits and special event insurance.

Discussion was held on the costs and a suggestion that the excess funds from the Farm to Table Committee be donated not only to FISH Food pantry, but also the District 300 Food Pantry.

**MOTION:** Moved by Trustee Wilbrandt and seconded by Trustee Price to authorize the West Dundee Farm to Table Community Dinner as a Village sponsored community event to be held on August 26, 2018 at Grafelman Park, with a financial contribution to the event not to exceed \$500 to include the cost of special event insurance and liquor permits. Upon roll call, motion was approved.

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

#### **XII. MISCELLANEOUS AND FUTURE AGENDA ITEMS:**

Trustee Kembitzky asked that a discussion of rental fees be done before tax levy time. Manager Cavallaro said it would be on the agenda in August or September.

Trustee Hanley asked about the sign on the Southwest corner of Route 72 and Randall Road and if it is West Dundee or Elgin. Manager Cavallaro said he would look into it.

Trustee Hanley questioned the number of spaces in the parking lots for business owners. He suggested assigning specific spots and limiting the number of cars. Manager Cavallaro said he would have an audit done and provide the numbers.

#### **XIII. EXECUTIVE SESSION:**

##### **A. Section 2 (c ) (11) of the IL Open Meetings Act: Litigation**

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

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

The Regular Board Meeting resumed at 8:58 pm.

**XIV. ADJOURNMENT:**

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Yuscka to adjourn the Regular Board Meeting. Motion was approved by voice vote.

The Regular Board Meeting adjourned at 9:05 pm.

**ATTEST:**

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Barbara Traver  
Village Clerk

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Christopher Nelson  
Village President

**EXECUTIVE SESSION**  
**Village Hall - 102 S. Second Street**

**July 16, 2018**  
**Village of West Dundee**

President Nelson called the Executive Session to order at 8:40 pm for the purpose of discussing Section 2(c) (11) of the IL Open Meetings Act: Litigation.

Present were Trustees Anderley, Wilbrandt, Kembitzky, Price, Hanley and Yuscka.

Also present were Village Manager Cavallaro, Attorney Orr, Community Development Director Scott and Finance Director Danielson.

Discussion was held regarding open litigation.

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

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

**NAYS:** None

The Executive Session adjourned at 8:57 pm.

**ATTEST:**

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Barbara Traver  
Village Clerk

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Christopher Nelson  
Village President