

REGULAR BOARD MEETING
Village Hall **7:30 PM**

Village of West Dundee
July 6, 2009

I. Call To Order:

President Keller called the Regular Board Meeting to order at 7:32 pm.

II. Roll Call:

Present were President Keller, Trustees Voss, Gillam, Osth, Hanley and Yuscka. Trustee Price was absent. Also present were Village Manager Cavallaro, Village Attorney Brechin, Public Works Director Babica, Community Development Tymoszenko and 2 people in the audience.

III. Pledge of Allegiance:

President Keller led the Board and the audience in the Pledge of Allegiance.

IV. Approval of Agenda:

MOTION: Moved by Trustee Hanley and seconded by Trustee Voss to approve the agenda as presented. Upon roll call, motion was approved 5-0.

Ayes: Trustees Voss, Gillam, Osth, Hanley and Yuscka.

Nays:

Absent: Trustee Price

V. Village President's Report:

President Keller said that Trustee Price would not be at the meeting tonight, but he has Trustee Price's comments for the items on the agenda..

VI. Reports and Questions from Trustees:

Trustee Gillam asked if there were any updates on the Riverboat Trust Grant and the Outdoor Smoking Ban (not at the present time).

VII: Village Staff Reports:

Manager Cavallaro reported that the Public Works staff will be removing debris from the riverbank at South End Park on Wednesday.

Manager Cavallaro also reported that he notified the Department of Natural Resources that the pylons left from the ice boom are causing a navigational hazard in the river and needs to be addressed. Trustee Hanley asked if DNR could check the fishing licenses of the fisherman down at the river.

Director Babica reported that twelve (12) skids of electronic recycling waste will be sent to the County on Friday, Toll Way detours have begun at the Route 25 ramps and that the resurfacing of Rt.72 has started.

Director Tymoszenko said there is an Appearance Review Commission meeting scheduled for July 7th. There are three (3) proposed signs for approval and a proposed renovation of a historic structure at 305 Main Street.

Attorney Brechin reported on a proposed amendment to FOIA. Information can be found on the Illinois Municipal Leagues' website. He said the new FOIA, as it is now, will have a significant fiscal impact on municipalities including designation of a person to be a Freedom of Information Officer.

VIII. Questions from the Audience: There were none.

IX. Consent Agenda:

- A. Special Event: St. Catherine's Irish Fest and Jig Jog
- B. Special Event: Pet Pals Picnic
- C. Approval of Minutes: COW Meeting 6/8/09
- D. Approval of Minutes: Regular Board Meeting 6/15/09
- E. Special Event: National Night Out 2009
- F. Manual Check 09 Camry Hybrid
- G. Daily Liquor Permit Request – St. Catherine's Irish Fest
- H. Daily Liquor Permit Request – Heritage Fest
- I. Bill List: 7/6/09

Trustee Gillam requested that #C. be removed and Trustee Osth asked that #B be removed for further discussion.

MOTION: Moved by Trustee Yuscka and seconded Trustee Hanley to approve the Consent Agenda with items #B and #C removed. Upon roll call, motion was approved 5-0.

AYES: Trustees Voss, Gillam, Osth, Hanley and Yuscka

NAYS:

ABSENT: Trustee Price

Item B under the Consent Agenda, Pet Pals Picnic was brought up for discussion by Trustee Osth. He expressed his concern with businesses using public space for utilization of their own personal commercial business. He said that the things mentioned have involved other businesses not a single business. He felt it would be precedence setting.

Discussion took place citing other businesses who have had events such as Emmett's St. Patrick's celebration including the Big Wheel Race, October Fest, and Dave's Poker Run for Charity and wine tasting events. It was noted that the Village requires liability waivers from the businesses.

Manager Cavallaro said that it is ultimately a Board decision to use public property for a business. In answer to Trustee Voss's question about pro and con comments of these events, Manager Cavallaro said that in general we have had no complaints.

Holly Rodgers, owner of Pet Pals said people have enjoyed her other events and that there are other businesses in West Dundee participating. She said the reason for having it in the lot proposed is that it is compact and doesn't interfere with parking for other businesses as it would if she had it in the lot behind her business, but that she is open to any other suggestions. She also said there would be no alcohol, just free food and various pet food vendors.

MOTION: Moved by Trustee Gillam and seconded by Trustee Yuscka to approve the Special Event application for July 18th for Pet Pals as stated in the packet. Upon roll call, motion was passed.

AYES: Trustees Voss, Gillam, Osth and Yuscka

NAYS: Trustee Osth

ABSENT: Trustee Price

Item C, under the Consent Agenda, Approval of Minutes: COW Meeting 6/8/09 was brought up for discussion. Trustee Gillam requested that bid tabulations and names of bidders be included in the minutes for the hybrid police car. She also asked that the car's correct name be used, which is a Camry Hybrid, not a Prius that was listed on the agenda.

MOTION: Moved by Trustee Gillam and seconded by Trustee Hanley to accept the Committee of the Whole Minutes and to amend the minutes to add the process and bid result for the hybrid vehicle. Upon roll call, motion passed 5-0.

AYES: Trustees Voss, Gillam, Osth, Hanley and Yuscka

NAY:

ABSENT: Trustee Price

X. Resolutions and Ordinances

A. 09-16 an Ordinance Amending the District Locations in the Special Development Zoning

Trustee Osth brought this item up for approval and asked Director Tymoszenko to explain this amendment. She explained that this amendment removes district Location Standards contained within the Special Development District. She said these locations standards require such SD districts of unified ownership to be 200 acres in size or larger at the time of initial zoning and require such districts to be within one mile of an interstate highway interchange or located on a strategic regional arterial as designated by IDOT.

She further explained that removal of these locational standards will allow the SD Special Development District to be more widely applied to other areas in the Village, including the Randall Road corridor should this be the desire upon future annexation. She also said there is a word change in the Ordinance removing the word "stricken" and add "repealed" in Section 1: B.

MOTION: Moved by Trustee Osth and seconded by Trustee Hanley to adopt Ordinance 09-16, An Ordinance Amending the West Dundee Zoning Regulations Regarding the District Location Standards in the SD Special Development District as amended with the text change. Upon roll call, motion was approved 5-0.

AYES: Trustees Voss, Gillam, Osth, Hanley and Yuscka

NAYS:

ABSENT: Trustee Price

B. 09-17- An Ordinance Approving First Amendment to Comprehensive Plan

Director Tymoszenko explained that this amendment changes the land use designation from residential to commercial for the 80 acres of land located at the immediate northwest corner of Randall Road and Rt. 72. She further explained that this amendment also adds a 40 acre parcel of land located at the immediate southwest corner of Randall Road and Rt.72 to the West Dundee Planning Area and designated the parcel to a commercial land use.

President Keller said that he received comments from Trustee Price and Trustee Price had no objections.

MOTION: Moved by Trustee Osth and seconded by Trustee Voss to approve Ordinance 09-17, an Ordinance Approving the First Amendment to the 2005 Official Comprehensive Plan of the Village of West Dundee. Upon roll call, motion was approved 5-0.

AYES: Trustees Voss, Gillam, Osth, Hanley and Yuscka

NAYS:

ABSENT: Trustee Price

**C. Resolution 09-11, A Resolution Authorizing Change Order #6 (FINAL),
Seagren Construction, Inc., Randall Road Water Treatment Plant**

Trustee Yuscka briefed the Board on the various change orders leading up to this change order.

Director Babica explained that on December 17th, the underground clarifier vault flooded at the Randall Road Water Treatment Plant which forced the water treatment plant to be removed from service. He said that after investigation of the incident, it indicated that a conflict within the plant's control system allowed the facility to flood and the conflict was corrected. He stated that upon pumping down of the vault, staff determined that the damage was limited to several components that were repaired or replaced by staff.

Director Babica said that Seagren Construction agreed to pay for the damages by allowing their final payment from the Village to be deducted from the amount. He said the cost for these repairs/replacements was \$2,136.03.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Osth to adopt Resolution 09-11, a Resolution Authorizing Change Order #6 (FINAL) Seagren Construction, Inc. Randall Road Water Treatment Plant to decrease the contract amount to \$4,030, 772.97 for the construction of the Randall Road Water Treatment Plant. Upon roll call motion was approved 5-0.

AYES Trustees Voss, Gillam, Osth, Hanley and Yuscka

NAYS:

ABSENT: Trustee Price

Director Babica said that he will submit the Randall Road Water Treatment Plant project to the American Public Works Association for consideration.

D. Resolution 09-12, A Resolution Accepting the Park Spaces of the Grand Pointe Subdivision

Trustee Yuscka explained that the Village of West Dundee has informed Jeff Pelock of Grand Pointe Homes that the Dundee Park District has determined that the park sites within the High Acres Subdivision, also know as the Grand Pointe Subdivision, were suitable for public dedication and that the Park District will assume all maintenance duties and obligations.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Voss to adopt Resolution 09-12, A Resolution Accepting the Park Spaces of the High Acres Subdivision and approve the Certificate of Initial Acceptance for the Park Areas for the High Acres Subdivision. Upon roll call, motion was approved 5-0.

AYES: Trustees Voss, Gillam, Osth, Hanley and Yuscka

NAYS:

ABSENT: Trustee Price

E. Resolution 09-13, a Resolution Authorizing a Homecoming Parade

Trustee Voss said that the Dundee Crown Student Council is requesting to host a homecoming parade on Sunday, September 20th, 2009.

Manager Cavallaro said that the homecoming parade will be a welcome addition to Heritage Fest activities and attached is a copy of a Resolution for the temporary closure of IL Rt. 72 which will be sent to IDOT if approved.

Trustee Hanley asked if this could be aligned every year and Manager Cavallaro said he will look into it.

Trustee Voss asked if we could invite Jacobs High School Band to participate as the Village has students attending both schools. Trustee Voss will look into it.

Trustee Gillam said the timing is good with the chili cook-off and the Baggo Tournament being held at Grafelman Park.

MOTION: Moved by Trustee Voss and seconded by Trustee Gillam to authorize the Dundee Crown Homecoming Parade for Sunday, September 20th, 2009 with the parade route beginning at Van Buren Street and Rt. 72 in East Dundee. Upon roll call, motion was approved 5-0.

AYES: Trustees Voss, Gillam, Osth, Hanley and Yuscka

NAYS:

ABSENT: Trustee Price

XI. New Business:

A. Discussion- Traffic Signal Upgrades, Fifth Street and Main Street

Trustee Yuscka opened this item up for discussion regarding planned IDOT improvements to the traffic signals at Fifth and Main Streets, including modernization of the traffic controls, interconnection to the Main Street (Rt.72) and (Rt. 31) traffic signals, LED lighting, installation

of ADA ramps, and replacement of the poles and mast arm. He said this project is being funded through the State's share of ARRA funds with construction to begin in late September.

Director Babica said there are two questions for direction. The first being would the Village want the new poles and mast arms to be painted black to match the existing traffic signals downtown and the street light fixtures at an estimated \$4000? The second question for direction is in regards to the preemption devices which is an old style TOMAR system which is becoming increasingly harder to repair and maintain. A new system would cost approximately \$6500. He said he discussed this option with Chief Buhrmann and staff recommends that a new pre-emption system be installed and the components be salvaged and stocked for repair parts for other TOMAR systems still in use.

Discussion followed including who owns the traffic signals (the state owns all the signals in Illinois) who maintains them (the Village pay for maintenance), the difference between TOMAR and OPTICOM (TOMAR is an older version of OPTICOM); the use of black for the truncated domes for the ADA ramps and if there is a price differential for a color change.

After discussion, Trustees were polled. Trustee Osth said no for black poles, keep red for the truncated domes and yes to the new OPTICOM system; Trustees Hanley and Voss agreed with Trustee Osth; Trustee Yuscka prefers the black pole for consistency and uniformity of look and yes to OPTICOM, and Trustee Gillam likes the black poles, but not the price and yes to OPTICOM.

B. Discussion – Mailbox Replacement Policy

Trustee Osth said he requested this discussion because he was upset that we had to replace a hanging front door on a mailbox for a cost of \$180. He said that he asked staff to review neighboring communities' mailbox replacement policies to see if the Village of West Dundee can implement a Mailbox Replacement Policy.

Discussion ensued on whether or not to permit the installation of custom mailboxes, whether or not to regulate the type, style and materials for mailboxes, the limiting of contact damage and the investigation of contact damage, liability issues, areas where mailboxes are placed in the three areas (Tartans, Hills and Fairhills), deadline for claims, receipts for reimbursement, explaining policy in a packet for resident and the appeal process for residents.

Director Babica said he will come back with the policy changes as directed by the Board, including receipts for reimbursement, define standards for installation of custom mailboxes, establishment of a maximum reimbursement including an upper limit for equipment damage and an earlier deadline for reporting the damage, i.e. November 1st to April 15th.

XII. Executive Session - There was none

XIII. Miscellaneous:

Discussion took place regarding Trustee Gillam's request for more information in the minutes including backup documentation for some issues, which may be misunderstood by the residents.

Further discussion ensued regarding the resident's responsibility to come to the meetings, where the agendas are posted (website and front door) and that residents may speak on any of the items on the agenda they feel affect them.

Trustee Osth inquired about the status of the Wal Mart litigation. Attorney Brechin said he is not aware of anything more at this time.

In response to a question of Grand Pointe, Manager Cavallaro said the Letter of Credit is valid and we are sending a demand letter to the developer. He said the goal is to try and get the pavement down.

XIII. Adjournment

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

The Regular Board Meeting adjourned at 9:40 p.m.

ATTEST:

Barbara Traver

Larry Keller

Village Clerk

Village President