

REGULAR BOARD MEETING
Village Hall, 102 S. Second Street

March 6, 2017 7:30 pm
Village of West Dundee

I. CALL TO ORDER:

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

II. ROLL CALL:

Present were Village President Nelson, Trustees Pflanz, Wilbrandt, Kembitzky, Price and Yuscka. Trustee Hanley arrived at 7:35 pm.

Also present were Village Manager Cavallaro, Attorney Brechin, Community Development Director Scott and eight (8) people in the audience.

III. PLEDGE OF ALLEGIANCE:

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

IV. APPROVAL OF AGENDA:

MOTION: Moved by Trustee Pflanz and seconded by Trustee Yuscka to approve the agenda as presented. Motion passed unanimously by voice vote.

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

VI. REPORTS AND QUESTIONS FROM TRUSTEES AND WORKING GROUPS:

There was no report.

VII. VILLAGE STAFF REPORTS:

Manager Cavallaro said the Manager's Report will be out at the end of the week.

VIII. QUESTIONS FROM THE AUDIENCE: There were none.

IX. CONSENT AGENDA:

- A. Approval of Bill List: March 6, 2017
- B. Ratification of Debit Purchase: February, 2017
- C. Approval of Minute: February 20, 2017 Regular Board Meeting
- D. Resolution Authorizing a Memorial Day Parade

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

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

X. RESOLUTIONS AND ORDINANCES:

A. Consideration of an Ordinance Granting Approval of the Final Development Plan and Final Plat of Subdivision for the Proposed 260-Apartment Development Known as the Springs at Canterfield

Manager Cavallaro reviewed for the Board the findings of the Planning and Zoning Commission which voted unanimously to recommend approval of the Final Planned Development and the Final Plat of Subdivision.

Manager Cavallaro said that the proposed development pursuant to the annexation agreements anticipates the imposition of a sidewalk on one side and a bike trail on the other side internally throughout the development in order to coordinate a public access plan through the incremental development sites.

Trustee Price said that there is a growing trend for trails for walking and bicycling. He said he, along with the Planning and Zoning Commission wanted the ability and desire to protect or preserve a potential trail or public access along the Route 31 corridor for the Canterfield development along the east side of the roadway.

Manager Cavallaro said that staff's concern with this approach is an effort to minimize the potential crossings and impact on the environmentally sensitive areas, as well as the crossing of Jelke Creek in regards to an integrated trail. He added that from staff's perspective, it makes more sense to include these types of trail connections in conjunction with future roadway crossings through these areas.

Manager Cavallaro said that Continental is willing as a compromise to facilitate and provide for a 10' dedicated public access easement along the west property line to facilitate the future development of a path or trail. He said that in addition Continental is willing to relocate the proposed perimeter fencing to ensure this public access easement is available and unimpeded and that the 10' access easement would be located outside of the perimeter fencing for the development, but on Continental's property.

MOTION: Moved by Trustee Price and seconded by Trustee Yuscka to approve an Ordinance Granting Approval of the Final Planned Development and Final Plat of Subdivision for the proposed 260-Apartment Development known as the "Springs at Canterfield", subject to the following conditions:

1. Compliance with documents submitted with the Planning and Zoning Application;
2. Compliance with final engineering plans as approved by the Village Engineer; and
3. Compliance with all other applicable Village codes and ordinances, except as stated in the Final Planned Development;
4. Inclusion of a ten foot (10') public access easement along the west property line of the development to facilitate a future bike/pedestrian trail outside the fence.

Upon roll call, motion was approved.

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

NAYS: None

B. Consideration of an Ordinance Adopting the Development Agreement for the Development Known as the Springs at Canterfield by Continental 380 Fund LLC and Consideration of Economic Incentive Parameters for the Development Known as the Springs at Canterfield by Continental 380 Fund LLC

MOTION: Moved by Trustee Price and seconded by Trustee Pflanz to approve an Ordinance Adopting the Development Agreement for the Development known as the “Springs at Canterfield” by Continental 380 Fund LLC in West Dundee, Kane County, Illinois as attached. Upon roll call, motion was approved.

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

NAYS: None

MOTION: Moved by Trustee Price and seconded by Trustee Kembitzky to accept the Following Economic Incentive Parameters for the Proposed 260-Apartment 13-Building Development known as the “Springs at Canterfield” by Continental 380 Fund LLC listed as #1,#2,#3,#4,and #5 in the staff memo dated March 6, 2017.

1. That the basis for calculating tap on fees will be 100 gallons of water utilization per unit per day, with the understanding that actual average usage will be calculated as of the date that is two years after the project receives its final certificate of occupancy. Should the average of actual usage exceed the basis of 100 gallons per unit, Continental 380 Fund LLC shall pay the difference in the tap on fee calculation in the form of an increased water and sewer bill payable over 6 billing periods (12 months) provided that in no event will the tap on fee (initial plus additional) be greater than if the tap on fee were initially calculated on the basis of 122 gallons of water utilization per day.
2. That impact fees charged over the course of Continental 380 Fund LLC’s development of 260 units across 13 buildings shall be paid in an amount not to exceed \$815,000 as noted in the attached exhibit.
3. That an additional donation of two (2) acres of park land shall be dedicated to the Village by the current property owner, HLC Partners.
4. That the Village agrees to pay Continental 380 Fund LLC public infrastructure reimbursement in the following form: \$100,000 upon commencement of construction of public improvements, an additional \$100,000 upon completion of final turnover of public improvements, and a final reimbursement of an additional \$200,000 upon issuance of the final certificate of occupancy for the development.

The Village will provide the first \$200,000 of said reimbursement through an appropriate and timely credit of building permit or tap on fees due to the Village by Continental 380 Fund LLC, as it relates to the ongoing development.

In addition, the Village will place the final \$200,000 reimbursement in a joint escrow account between the Village of West Dundee and Continental 380 Fund LLC prior to the completion of 10 of the 13 total buildings to be constructed. The Village will release the escrow account to Continental upon issuance of the final certificate of occupancy for the development.

5. That Continental 380 Fund LLC will not be required to install (1) a water main greater than 8 inches (8") in diameter, or (2) sidewalks or streetlights along Highway 31 or Canterfield Drive; provided, however, in exchange Continental 380 Fund LLC has agreed to a reduction in the above mentioned infrastructure reimbursement of \$51,450.00. The Village and Developer agree the Developer shall have no other or additional obligation, financial or otherwise, either now or in the future, with respect to the initial installation and/or construction of sidewalks and streetlights along Highway 31 or Canterfield Drive.

Upon roll call, motion was approved.

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

XI. MISCELLANEOUS / FUTURE AGENDA ITEMS:

Trustee Hanley commented on the letters sent out by the code enforcement officer, Ms. Conrad regarding numerical letters on homes and holiday lights. He presented photos of other violations in the neighborhood.

Director Scott said Ms. Conrad is a good addition to the team, works sixteen (16) hours per week and has already raised the bar in regards to property maintenance.

Attorney Brechin explained administrative hearings which he does for three (3) communities. He explained that violations are hard to deal with immediately and that the overall goal is compliance not punishment.

President Nelson said he would desire a discussion about increasing the number of hours to twenty (20) for Ms. Conrad in the upcoming budget.

XII. ADJOURNMENT:

MOTION: Moved by Trustee Pflanz seconded by Trustee Hanley to adjourn the Regular Board Meeting. Motion was approved by voice vote.

The Regular Board Meeting adjourned at 8:20 pm.

ATTEST:

Barbara Traver
Village Clerk

Christopher Nelson
Village President