

I. CALL TO ORDER:

President Keller called the Regular Board Meeting to order at 7:30 pm.

II. ROLL CALL:

Present were President Keller, Trustees Voss, Gillam, Price, Hanley and Yuscka. Trustee Osth was absent. Also present were Village Manager Cavallaro, Village Attorney Brechin, Public Works Director Babica, Water Superintendent Doyle, Community Development Director Tymoszenko, Interim Police Chief Wieteska, Tom Drake (Drake Homes) and thirteen (13) persons in the audience.

III. PLEDGE OF ALLEGIANCE:

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

IV. APPROVAL OF AGENDA:

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

V. VILLAGE PRESIDENTS REPORT: There was none.

VI. REPORTS AND QUESTIONS FROM TRUSTEES:

Trustee Gillam said she has received several compliments from the residents on our snow removal program following the blizzard.

VII. VILLAGE STAFF REPORTS: There were none.

VIII. ITEMS FOR DISCUSSION:

A. Aspen Hills Covenant Changes

Manager Cavallaro made introductory comments explaining that the Village, Drake Homes and the Aspen Homeowners have been working with First American Bank on the possible development of the 13 remaining vacant lots within the Aspen Hills Subdivision.

Manager Cavallaro that there are three pertinent documents related to the potential sale of the vacant 13 lots and these documents are: 1) the original annexation agreement entered into between the Village and Charles Miller; 2) the original declaration and covenants which were filed back in 2004, and 3) the supplemental declarations and covenants as filed by First American Bank in March of last year.

He explained that the existing Aspen homeowners have stated that they believe that provisions within the annexation agreement and declarations and covenants require the Village's approval of any changes of those covenants. The Village of West Dundee, notified First American Bank that the Village has not approved those changes to the covenants at this time.

He said that Drake Homes has been working with the Staff and the Aspen homeowners in an attempt to try to find a mutual agreeable resolution to the reduction in square footages based on the amended declarations which were filed, and to address the concerns about the architectural elevations and elements of the potential 13 new homes.

Mr. Tom Drake (Drake Homes) addressed the Board and the Aspen homeowners who were present and gave an overview of his Company including awards won in the home building area and of the company's goal of providing high customer service while delivering inspirational design.

He spoke of the need to sell homes in this market place, design approach (to introduce homes that would be a compliment to the homes in Aspen Hills and Grand Pointe) showed plans of the homes he would like to construct including buyer options such as upgraded facades, added living space for a 4th or 5th bedroom, a breakfast area behind the garage area, premium siding, abiding by the anti monotony agreement and having the proposed homes blend in with what is currently there. He also addressed the principal concern of the lots that abut Huntley Road.

Manager Cavallaro said that from a staff prospective the homes were always intended to be custom homes and the market dictates the prices and square footages. The First American Bank holds these properties not the Village and the Bank can choose in terms of selling it to Drake Homes or some other potential contract purchaser.

Jeff Rowlett, a current homeowner asked if the anti monotony agreement will be enforced (it will), and asked about the height of the first floor in the homes presented (9').

Kathy Hoster, a homeowner, said they appreciate Drake Homes interest in the neighborhood and even though there have been some compromises, they are not there yet. She spoke of the premium lot, her concerns about the Georgian design, and the lots that back up to Huntley Road. She also said she would like more emphasis on the Southern Classical and that the shingles used on their homes are cedar, not vinyl.

Chris Anderson, a homeowner, asked if Mr. Drake had driven through Grand Pointe and Aspen Hills to see how many homes are for sale. Mr. Anderson said there are 15 homes for sale. He asked why the potential new homes would have less square footage (Mr. Drake said the less square footage the lower the cost and quicker sell). He did point out that they would be offering upgrades, etc., which could drive up the square footage of some of the potential homes.

Andy Small, a homeowner, said he agrees with the comments from Kathy Hoster, expressed concerns about buyers buying upgrades and said he feels it is a significant drop from what our home values are.

Bill Allen, a homeowner, commenting on the assumption that the housing market is in the tank and feels in the next year the market will go up. He also wanted to know if the Bank would be bringing in another builder.

John Olsen, Executive Vice President of First American Bank said the bank could have 2 or 3 offers and they are looking to get these lots sold. He said the Bank is not a property owner and there are builders out there who will build what can be built, and the next buyer may not be as cooperative as Drake Homes.

Mr. Drake said he has been approached by another builder to sell some of the lots and he said no.

Trustee Price said he has responded to the e-mails he has received and he encouraged the homeowners to respond to all of us and let us know what you want.

President Keller said he agrees with Trustee Prices' comments and that it is in the homeowners best interest to get together and let us know what their thoughts are as we want to make sure the fit is right.

Manager Cavallaro said that we have agreed to upgrades and have reduced the impact fees \$2600. He also remarked that Drake Homes has made a significant effort to try and address the concerns of the adjacent Aspen residents as a concession to try and find some middle ground in light of the square footages as proposed.

B. Discussion – Well #6 Ozone Pilot Study

Trustee Yuscka introduced this item for discussion, explaining that we have done a pilot study before, but each well has its own uniqueness and that residents, mainly west of Sleepy Hollow Road, that are being serviced by Well #6 have complained to the Village about sulfur smelling water.

Director Babica gave the background on this, by calling the Board's attention to a 2008 Committee of the Whole Meeting where these complaints were discussed and directed staff to develop the necessary documents to conduct a pilot/feasibility study to install an ozone plant at the Randall Road Water Treatment Plant. He said due to financial constraints, this project was suspended until funding could be secured to move forward. He said they had 43 complaints in 2010 from April to October.

Water Superintendent Doyle explained what a study will determine. First, is ozone a practical and workable solution to resolve the Hydrogen Sulfide issue and secondly, if the study proves that ozone is a practical pre-treatment process, the pilot study will provide the design engineers with the information to specify the sizing of the equipment. It would be after these items are identified, construction costs would be known.

Superintendent Doyle is asking for two months for the study as he is looking for repeatability with the tests. He said we need the pilot study before we can get a permit from the EPA, and the pilot study will give us the answers.

President Keller said we ought to pursue the study and asked that it be put on the agenda for approval on February 21, 2011.

C. Discussion- Downtown Landscape Material Selection

Manager Cavallaro said that the Board directed staff to contact two local landscape companies to solicit their opinion of landscape materials for the planter boxes.

Trustee Gillam distributed a rendering of the Hanover Park planter boxes which are similar to ours. She said she spoke with the Hanover Park horticulturist and he said that annuals require a lot of maintenance and there is a list of plants (perennials) that are salt resistant and require little maintenance. She said that "knock out roses" are shown in the center, do well in planter boxes, and require little to no maintenance, but sweet spire is not recommended.

Discussion took place on the location of the boxes, the soil depth and drainage, if the landscapers would be installing the plants (including to bid it both ways, with the landscapers installing and

with the Village installing), if there is a warranty, if annuals should be used for color and how many flats would be needed (11 flats), and a suggestion not to put the full allotment of plants in the planter boxes until we see how they do.

Manager Cavallaro said we have a list with input from Dundee Landscape and Trinity. Trustee Gillam will put together a final list and bring it to the Board for submittal. Trustee Yuscka commented that he would like to see some annuals added.

D. Vehicle Impound Fee

Interim Police Chief Wieteska brought this item to the Board for discussion and direction. He said the Police Department impounds a vehicle used in the commission of certain criminal violations, these include the following: DUI, driving while license suspended or revoked, no valid license, violation of the cannabis control act, violation of the Illinois controlled substance act, unlawful use of weapon or commission or attempted commission of a felony.

He said that the current fee assessed is \$150 as a impound penalty on the owner of the vehicle and is intended to off-set the costs associated with processing the offender as well as to deter future violations.

He said the \$150 penalty fee no longer sufficiently covers costs associated with processing the violation. He researched area municipalities which assess a \$500 penalty and also said that the courts have determined \$500 is a reasonable penalty for the defined criminal violations.

After a brief discussion, it was decided to place the Ordinance on next week's agenda for approval.

E. Authorization to Study Merchandise Regulations in Business Districts

Director Tymoszenko brought this item to the Board saying that there are regulations in the present Zoning Ordinance Chapter 5, Title 10.

She said our Ordinance could be greatly improved if it were amended to explicitly define and authorize each of the different types of uses by location and through clear and concise standards. Attorney Brechin agreed with Director Tymoszenko.

She asked that the Board to officially authorize the Community Development Department to initiate a study to provide a recommendation for text amendment that would be considered by the Planning and Zoning Commission.

IX. MISCELLANEOUS:

Trustee Voss inquired about the bakery at Tartans Crossing. Director Tymoszenko said they should be opened by mid-March. Trustee Gillam said they have an established clientele, so they won't depend just on West Dundee.

Trustee Price asked if the Pilates Studio has opened where Pet Pals used to be. Director Tymoszenko said yes.

Manager Cavallaro called the Board's attention to the memo for the budget meeting on March 19th, which he said should be done by 11 am.

X. ADJOURNMENT:

MOTION: Moved by Trustee Gillam and seconded by Trustee Voss to adjourn the Committee of the Whole Meeting. Motion was unanimous.

The Regular Board Meeting adjourned at 9:30 pm.

ATTEST:

Barbara Traver
Village Clerk

Larry A. Keller
Village President