

**REGULAR BOARD MEETING**  
**Village Hall, 102 South Second Street**

**September 12, 2016 - 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 Nelson, Trustees Pflanz, Wilbrandt, Kembitzky, Price, Hanley and Yuscka.

Also present were Village Manager Cavallaro, Village Attorney Brechin, Community Development Director Scott, Public Works Director Babcock and ten (10) people in the audience.

**III. PLEDGE OF ALLEGIANCE:**

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

**IV. APPROVAL OF AGENDA:**

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

**V. VILLAGE PRESIDENT'S REPORT:**

**A. Proclamation Recognizing the 15<sup>th</sup> Anniversary of the 9/11 Attacks**

President Nelson read the Proclamation recognizing the 15<sup>th</sup> anniversary of the 9/11 attacks.

President Nelson commented on the activities over the weekend at Randall Oaks and thanked Staff, Police and Fire Departments for their participation in those activities - the Healing Field and Challenger Jamboree.

**VI. REPORTS AND QUESTIONS FROM TRUSTEES:**

Trustee Kembitzky asked about the Chamber Event on October 1, 2016. President Nelson said he would send information about the event via e-mail to the Board members.

Trustee Pflanz asked about the work fence on South Street which is blocking out ¼ of the roadway. Director Scott said it was placed there for utility renovation and that he would double check tomorrow about its removal.

Trustee Pflanz commented on the 9/11 program at Randall Oaks and also Touch-a-Truck at the Mall. He said both programs were great and that the flight for life helicopter made an appearance at the Touch-a-Truck.

President Nelson congratulated Trustee Pflanz on completing his studies and becoming a fully licensed pharmacist.

**VII. VILLAGE STAFF REPORTS:**

Manager Cavallaro said volunteers are still needed for Heritage Fest.

## VIII. QUESTIONS FROM THE AUDIENCE:

Marge Edwards, a West Dundee resident, spoke about the historic structures in jeopardy in West Dundee, the Eaton House and the Pump House. She gave background information on the history of historical structures from the 1830's along with the Mission Statement from the Dundee Historical Society which is to encourage and preserve historical structures. She spoke to the preservation of the Pump House and of working out a solution to retain the charm of the Dundee downtown.

## IX. CONSENT AGENDA:

- A. Ratification of Checks: September 6, 2016
- B. Approval of Bill List: September 12, 2016
- C. Approval of Minutes: August 22, 2016 Regular Board Meeting

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Yuscka to approve the Consent Agenda as presented with an amendment to the minutes of August 22, 2016. Upon roll call, motion was approved.

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

## X. RESOLUTIONS AND ORDINANCES:

### A. Spring Hill Senior Residences, 939 W. Main Street: Ordinance Approving Final Development and Final Plat of Subdivision

Trustee Price introduced Tom Brantley, Gardner Capital, who gave a brief update on the project saying that the closing is in 60 days and hopefully groundbreaking will take place in 65 days with a 10 to 11 month construction period. He said that the engineering and final design has been approved by Planning and Zoning and the Appearance Review Commissions.

**MOTION:** Moved by Trustee Price and seconded by Trustee Yuscka to approve an Ordinance Granting Approval of the Final Planned Development and the Final Plat of Subdivision for Property Commonly Known as Gardner Capital's Spring Hill Senior Residences, subject to the following conditions:

1. Compliance with documents submitted with the Planning and Zoning Application;
2. Compliance with the Site Improvement Plans dated August 15, 2016, prepared by SPACECO, Inc.; and
3. Compliance with all other applicable Village codes and ordinances.

Upon roll call, motion was approved.

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

### B. Ordinance Amending Chapter 2 Definitions of Title 10, Zoning Regulations Related to Cemetery

Trustee Price explained that this is a text amendment to the West Dundee Zoning Regulations and would define cemetery as "a burial ground including structures such as mausoleums, columbaria,

incidental management offices and maintenance facilities”. He said the Planning and Zoning Commission voted unanimously to recommend approval of the request.

**MOTION:** Moved by Trustee Price and seconded by Trustee Kemitzky to approve an Ordinance Amending Chapter 2 Definitions of Title 10 Zoning Regulations Related to Cemetery. Upon roll call, motion was approved.

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

**C. First Congregational Church, 900 S. Eighth St.: Ordinance Modifying a Special Use for a Planned Development to Allow Construction of a Columbarium Garden**

Trustee Wilbrandt asked that this item be tabled to the September 26<sup>th</sup> Board Meeting so that the maps, site plan and design of the columbaria can be included in the Trustees packets. He said he is not opposed to the Columbaria, but would like to have all the information to make an informed decision.

Director Scott and the plans were unanimously approved by the Planning and Zoning Commission. He said the columbarium would be a screened solemn space.

**MOTION:** Moved by Trustee Wilbrandt and seconded by Trustee Pflanz to table Item C to the September 26, 2016 agenda. Upon roll call, motion was approved.

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

**XI. UNFNISHED BUSINESS:**

**A. Recommendation to Award Downtown Building Demolition Contract and Accept Concept Plan, Phasing and Prioritization for Downtown Plan Implementation**

Trustee Price explained that the following actions are required:

1. A general agreement and approval regarding the overall concept plan as prepared and direction to staff and the consultants to begin the process of final design and engineering of the concept plan as recommended
2. A general consensus regarding the project phasing and prioritization recommendation which would include shoreline stabilization and First Street Plaza Stages 1 and 1A as these are logical first steps and fit within the budgetary allocation of \$900,000.
3. Authorization to award the Downtown Buildings Demolition Project to Copenhagen Construction, who is the apparent low bidder at a base bid of \$203,000 and an alternatives bid of \$74,500 for a total of \$277,500.
4. Based on the recommended phasing and budgetary constraints, if the Village Board agrees to delay the demolition of the Ace Hardware building and construction of the Village parking lot expansion, the coordination with the contractor to delete this item from the contract with a Change Order would be necessary.

Discussion ensued regarding the pump house, especially preserving the structure. Costs for the restoration would be in excess of \$325,000, as rehabilitation of the building would have to be brought up to code compliance including sprinklers, washroom facilities, etc. in order to make it habitable commercial space.

Trustee Wilbrandt said he has attended several meetings on the pump house and hopefully a more cost effective approach would be to preserve as much of the material as possible, i.e. some of the existing windows and bricks.

Further discussion ensued about reducing in size and footprint the pump house for reconstruction on the southeast corner of the site, using some of the existing materials and mirroring the details of the existing building could be more appropriate. It was noted that if the Village were to be the salvager, it would have to contract to have the material collected and palletized for storage at its expense. The windows would also have to be removed prior to demolition.

Another brief discussion was held regarding the prioritization of the downtown building demolition project, which would not preclude the funding sources. Manager Cavallaro said the overall preferred concept plan for downtown improvements doesn't include the pump house in its current location.

**MOTION:** Moved by Trustee Price and seconded by Trustee Yuscka to accept the overall preferred concept plan for downtown improvements as prepared. Upon roll call, motion was approved.

**AYES:** Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kemitzky

**NAYS:** None

**MOTION:** Moved by Trustee Price and seconded by Trustee Yuscka to accept the project phasing and prioritization for downtown plan implementation, as presented, for spring 2017 bid solicitation. Upon roll call, motion was approved.

**AYES:** Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kemitzky

**NAYS:** None

**MOTION:** Moved by Trustee Price and seconded by Trustee Kemitzky to provide authorization to award the Downtown Buildings Demolition Project to Copenhaver Construction at an amount not to exceed \$277,500, and to pursue a Change Order for this contract award to exclude the demolition of Ace Hardware and the Pump House if a public/private partnership for implementation of the village parking lot expansion cannot be reached within 30 days and back out Pump House demolition of \$21,000. Upon roll call, motion was approved.

**AYES:** Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kemitzky

**NAYS:** None

## **XII. NEW BUSINESS:**

### **A. Presentation: Fox River Valley Public Library District**

This item was postponed until the October 10<sup>th</sup> Board Meeting.

**B. Recommendation to Award Tree Planting Contract and Purchase Trees-  
2016 Parkway Tree Replacement Program**

Trustee Yuscka said that the bids were opened for the contractual tree planting on September 8, 2016. He said the low proposal was provided by Trinity Landscaping of West Dundee at a price of \$80.00 per tree, which would be a total cost of \$12,240.00 for 153 trees planted.

He also said that five sealed proposals were opened on September 8, 2016 for the purchase of the trees. He said no single vendor offered the lowest price for each desired tree species exclusively, and the staff is recommending that a total of 153 trees be purchased from multiple vendors according to the lowest price per species.

**MOTION:** Moved by Trustee Yuscka and seconded by Trustee Price to award a contract to Trinity Landscaping of West Dundee, IL for the contractual planting of 153 parkway trees at a total cost of \$12,240.00 to support the 2016 Parkway Tree Replacement Program. Upon roll call, motion was approved.

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

**MOTION:** Moved to authorize Public Works staff to purchase 45 trees from Ohana Farms, Inc. Marengo, IL at a total cost of \$8,775.00, 75 trees from Schichtel's Nursery, Inc. of Springville, NY at a total cost of \$12,214.00 and 33 trees from Site One Landscape Supply of Cleveland, OH at a total cost of \$6,617.08 for a combined grand total of \$27, 606.08 for 153 parkway trees to support the 2016 Parkway Tree Replacement Program. Upon roll call, motion was approved.

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

**C. Discussion of Draft Rules & Procedures for Public Comments**

Trustee Hanley presented this item for discussion explaining that the meetings have to be in compliance with the Open Meetings Act.

Manager Cavallaro said that the information provided to the Board in the packet came from the Citizen Advocacy Center and from information from former Village attorney Rich Flood's book, A Practical Guide to Local Government, which includes 8 particular motion items that the Village Board currently utilizes the most.

Discussion took place regarding the length of time a person can speak (5 minutes) the length of time for questions and comments from the audience (30 minutes) to open the questions first to items not on the agenda, having a sign up sheet (persons only required to provide their name for the record), a separate check box on the sign up sheet for items on the agenda and those not on the agenda, whether or not the format is overly restrictive, to be sure it does not restrict freedom of speech, whether there should be a statement on civility or if necessary a stern diplomatic warning if necessary and, using the ten (10) parameters in the Public Meeting Participation Policies and Guidelines as suggestions.

Trustee Wilbrandt expressed concerns regarding #10 on the policies and guidelines.

**MOTION:** Moved by Trustee Hanley and seconded by Trustee Kembitzky to direct staff to prepare an Ordinance pursuant to these ten (10) items for the 26<sup>th</sup> of September agenda. Upon roll call, motion was approved.

**AYES:** Trustees Hanley, Yusccka, Pflanz, Kembitzky and Price  
**NAYS:** Trustee Wilbrandt

### **XIII. MISCELLANEOUS:**

Trustee Kembitzky expressed her concerns about the drinks provided to the bands at Heritage Fest. Manager Cavallaro said it is a controlled effort with only two (2) persons authorized to provide drinks to the bands. Further discussion took place and Manager Cavallaro said in the future alcohol consumption would need to be addressed in their contract.

Trustee Hanley expressed concerns about dogs being in the tent area and asked about regulating dogs. There are signs posted at each entrance to the tent area prohibiting dogs from that area.

Julie Fox, a West Dundee resident, asked why there was no discussion on the offer to purchase the Pump House. President Nelson said he has a meeting scheduled with Mr. Correia to discuss the offer.

### **XIV. ITEMS FOR FUTURE AGENDAS**

- First Congregational Church Ordinance Modifying a Special Use for a Planned Development to Allow Construction of a Columbarium Garden
- Fox River Valley Public Library Presentation – October 10, 2016 Meeting

### **XV. ADJOURNMENT:**

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

The Regular Board Meeting adjourned at 8.56 pm.

### **ATTEST:**

\_\_\_\_\_  
Barbara Traver  
Village Clerk

\_\_\_\_\_  
Christopher Nelson  
Village President