

REGULAR BOARD MEETING
Village Hall, 102 South Second Street

May 6, 2013 - 7:00 pm
Village of West Dundee

I. CALL TO ORDER:

President Keller called the Regular Board Meeting to order at 7:03 pm.

II. ROLL CALL:

Present were Village President Keller, Trustees Voss, Price, Osth and Yuscka. Trustees Kembitzky and Hanley were absent (arrived at 7:14 pm and 7:12 pm, respectively).

Also present were Village Manager Cavallaro, Village Attorney Brechin, Community Development Director Tymoszenko, Police Chief Wieteska, Fire Chief Freise, Public Works Director Babica and fifty-five (55) people in the audience.

III. PLEDGE OF ALLEGIENCE:

Cub Scout Pack 36 presented the colors and led the Board and the audience in the Pledge of Allegiance.

IV. APPROVAL OF AGENDA:

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

AYES: Trustees Osth, Yuscka, Voss and Price.

NAYS: None

ABSENT: Trustees Kembitzky and Hanley

V. CONSENT AGENDA:

A. Approval of Minutes: April 15, 2013 Regular Board Meeting

B. Acknowledgement of Abstract of Votes for April 9, 2013 Consolidated Election

MOTION: Moved by Trustee Price and seconded by Trustee Yuscka to approve the items on the Consent Agenda as presented. Upon roll call motion was approved.

AYES: Trustees Voss, Price, Osth and Yuscka

NAYS: None

ABSENT: Trustees Kembitzky and Hanley

VI. VILLAGE PRESIDENT'S REPORT:

President Keller informed the Board that he attended the Council of Mayor's Transportation Meeting at which transportation improvements on the Jane Adams Interstate were presented. The improvements will be from the Elgin Toll Plaza to Rockford and will take approximately two (2) years to complete.

President Keller thanked the Board, Staff and Employees for their efforts and going the extra mile while he was the Village President. He said he served as Village President for 23 ½ years and served for 9 years on the Plan Commission.

Trustee Hanley arrived at 7:12 pm.

A. Oaths of Office: Village President Christopher Nelson, Trustees William Pflanz, Daniel Wilbrandt and Patrick Hanley

Village Clerk Traver administered the Oaths of Office to Village President Nelson, William Pflanz, Daniel Wilbrandt and Patrick Hanley.

Trustee Kembitzky arrived at 7:14 pm.

B. Formal Transition to Newly Elected Officials

The new Village President and the new Trustees were formally seated on the Board.

C. Proclamation: “Stamp Out Hunger” Food Drive Day – May 11, 2013

Village President Nelson read the Proclamation about the Food Drive Day, May 11, 2013.

VII REPORTS AND QUESTIONS FROM TRUSTEES:

Trustee Hanley inquired about the Ordinance for Parking Trailers in driveways, including size limitations and length of time.

Manager Cavallaro asked for the address and will check into it.

Trustee Kembitzky announced Faye’s Barbeque to be held at Bethlehem Lutheran Church on May 11, 2013. There will be specials for the Police Department and Fire Department.

VIII. VILLAGE STAFF REPORTS:

Director Tymoszenko announced an Appearance Review Commission Meeting for May 7, 2013. She listed the items on the agenda as: Chubby Bullfrog seeking to have an outdoor restaurant with liquor privileges and Mr. Cronin’s Driving School (both establishments are located at Tartans Crossing); a sign request for American City Bureau; and a new business at Spring Hill Mall, American Eagle Furniture; and Able Driving Academy at 89 W. Main Street.

Chief Freise said there was a structure fire west of Randall Road late this afternoon, but the fire was contained and there were no injuries.

IX. QUESTIONS FROM THE AUDIENCE: There were no questions.

X. CONSENT AGENDA:

- A. Approval of Bill List: April 30, 2013
- B. Approval of Bill List: May 6, 2013
- C. Ordinance 13-10: Granting Rear Yard Variance for 1103 Barber

Trustee Hanley asked that item C be removed for further discussion.

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Price to approve the Consent Agenda (continuation) Items A and B. The motion carried.

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

Trustee Hanley stated his reason for removing Item C. He asked what the criteria was allowing this setback and about setting a precedent for future variations.

Director Tymoszenko said the decision was made because it met the hardship clause for an irregular shaped lot as it has two front yards as is located on a corner. She said a 3 season room was approved and it can't be converted into a 4 season room as it wouldn't comply with the Ordinance.

MOTION: Moved by Trustee Hanley and seconded by Trustee Price to pass Ordinance 13-10, an Ordinance Granting Rear Yard Variance for 1103 Barber Court. The motion carried.

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

XI. UNFINISHED BUSINESS

A. Demolition of Pump House, 98 Oregon Avenue

Trustee Yuscka gave a brief background regarding the Pump House explaining that it was the intention to tear this portion of the building down in conjunction with the Ave Hardware demolition in order to complete only one set of bid specifications. He said the demolition of Ace Hardware has been delayed due to the reuse proposal from the Fox Performing Arts Center.

Trustee Yuscka said based on the separation of the projects, there is a need for separate bid documents, an additional \$5,250 is being requested by the engineering firm to compensate for the expanded scope of work as well as the need for a topographic survey based on the requirement to submit to Kane County for the necessary permits for demolition within the flood plan.

George Schober, from V3 explained that the alternative designs portion of the project and an alternative that includes the demolition of the pump house building along with the auxiliary storage structure have been completed. He explained that additional work will require that surveys be completed for the permit submittal for the pump house area since it is within the flood plain.

Discussion ensued regarding the need for a topographic survey because the Pump House will be torn down. Manager Cavallaro said he would make a phone call to the County to see if the Village can forego the survey. Mr. Schober said he has made a call to the County regarding this matter and is still waiting for an answer.

Further discussion centered on finalizing a set of plans for the pump house demolition, safety concerns and questions and discussion about any progress the Fox Performing Arts group has made with their fund raising.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to authorize an increase in the contract fee with V3 Companies of Woodridge, IL, in an amount not to exceed \$5,250 for finalization of the bid specifications for the demolition of the Pump House. Upon roll call, motion was approved.

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

XII. NEW BUSINESS:

A. Authorization to Proceed – Janitorial Services

Trustee Yuscka brought this item to the Board for discussion and recommendation. He said that for the past several years, the Village has seen a steady decline in the quality of services provided, which is a direct correlation of the lowest qualified bidder obligations.

Director Babica said that staff is presenting an alternative option for consideration by hiring a part-time individual, which will not exceed our current financial obligations for janitorial services, and that the existing Village staff can assist in coordinating major projects and cleaning within the Village facilities.

Director Babica said the part-time individual would have the responsibility for bathrooms, floors, dusting and general maintenance with a salary of \$10 to \$13.50 per hour. He said another advantage would be direct accountability of a Public Works employee to department supervisors.

A brief discussion followed including the length of time the current contract person spends in a building, the cleaning products used (green products) and if the products are included in the contract (separate line item), the potential for workman's comp and vacation time.

Direction was given to Director Babica to give 30 days notice to the current janitorial company and to actively solicit a part-time custodian.

B. 109 Main: Authorization to Correct Code Violations

Trustee Price brought this item for discussion to the Board explaining that the Village secured an Order from the Circuit Court of Kane County to allow access to complete property maintenance and life safety repairs at 109 W. Main Street. He asked Director Tymoszenko to explain the reasons for this and what violations must be repaired.

Director Tymoszenko said that the court order is the result of over 18 months of work to secure the structure. She said the effort has been challenging because the ownership of the property is in dispute as per separate court litigation. She said that at this time, she is asking the Village Board for authorization to allow for the completion of repairs and that the cost of these repairs and emergency repairs already completed will be recovered through the filing of a lien against the title for recovery in the near future.

She said the existing code violations include a failure to maintain the roof in a weather proof manner which is allowing water to enter the structure. The water has caused damage to the rear wall of the structure; bricks have already fallen and there is a danger of collapse. She said the other violations include boarded up windows, interior debris and peeling paint.

Discussion ensued regarding the ownership of the building, the emergency repairs that have already been completed, whether the condition of the building affects the adjacent property (it doesn't as this portion juts out beyond the adjacent building) and the various steps in the court process.

Manager Cavallaro said that if for some reason the title transfer triggering the repayment of the lien does not occur, the Village has the right to and will move to foreclose on the lien to be paid back the money expended for the repair.

MOTION: Moved by Trustee Price and seconded by Trustee Yuscka to authorize a contract with JDK in the amount of the contract sum of \$9,165.00 to complete the Court Ordered repairs. Upon roll call, motion was approved.

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

XIII. MISCELLANEOUS:

Trustee Price asked for a status update on Clearwater.

Director Tymoszenko said Clearwater has a new owner and is presently in negotiations with the owners of MT Barrels for the purchase of that building. In answer to Trustee Kembitzky's question of the goal, she said the new owner is looking into joining the buildings together, but the plans and his vision for that venue are on hold, until he decides which direction.

Trustee Hanley suggested that Department Heads and one or two trustees walk the neighborhoods where they don't reside and meet the residents. He said this could be done as a Committee of the Whole Meeting.

Trustee Yuscka asked about the access point at Tartans Crossing onto Huntley Road. He is concerned about the safety issue of people making a left turn onto Huntley Road from Tartans Crossing.

Director Tymoszenko said she would look into and get a report to the Board in the next several weeks.

XIV. ADJOURNMENT:

MOTION: Moved by Trustee Hanley and seconded by Trustee Kembitzky to adjourn the Regular Board Meeting. Motion passed unanimously by voice vote.

The Regular Board Meeting adjourned at 8:10 pm.

ATTEST:

Barbara Traver
Village Clerk

Christopher Nelson
Village President