

REGULAR BOARD MEETING
Village Hall, 102 South Second Street

May 16, 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 and Yuscka. Trustee Hanley was absent.

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

III. PLEDGE OF ALLEGIENCE:

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

IV. APPROVAL OF AGENDA:

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

V. VILLAGE PRESIDENT'S REPORT:

A. Appearance Review Commission Appointment – Donna Martin

President Nelson introduced Ms. Donna Martin who has been nominated to fill the vacant seat on the Appearance Review Commission. He gave a brief background of her experience.

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Pflanz to confirm the appointment of Ms. Donna Martin to the Appearance Review Commission. Upon roll call, motion was approved.

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

NAYS: None

ABSENT: Trustee Hanley

VI. REPORTS AND QUESTIONS FROM TRUSTEES:

Trustee Kembitzky commented on the event for Danny Blatz, held Saturday, which she said was very well attended and thanked everyone for their support.

Trustee Price said he spoke with a resident on the cycling route and they were excited about it. He also received positive feedback from another resident.

VII. VILLAGE STAFF REPORTS:

Director Babcock said the grass inspection program is underway, and that one violation was taken care of Monday.

Director Danielson said the audit for the recently closed fiscal year will start on Tuesday, May 17.

Manager Cavallaro said a memo has been sent to the Board giving alternate dates for the meetings in July.

President Nelson asked any of the Trustees who are planning to march in the Memorial Day Parade to call Kim Tibbetts and let her know they are participating.

VIII. QUESTIONS FROM THE AUDIENCE: There were none.

IX. CONSENT AGENDA:

- A. Approval of Bill List: April 30, 2016
- B. Approval of Bill List: May 16, 2016
- C. Ratification of Debt Purchases: April, 2016
- D. Approval of Minutes: May 2, 2016 Regular Board Meeting

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

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

NAYS: None

ABSENT: Trustee Hanley

X. RESOLUTIONS AND ORDINANCES:

- A. **Ordinance Approving the Final Planned Development and Final Plat of Subdivision for the Property Commonly Known as Bright Oaks of West Dundee**

Trustee Price said this is a request from Platinum Real Estate and Property Investment, Inc. through its designee Bright Oaks of West Dundee for approval of their Final Planned Development and Final Plat of Subdivision for the purpose of constructing a senior citizen housing development at the northwest corner of Willow Lane and Route 31. He said the Planning & Zoning Commission voted unanimously to recommend the approval of the Final Planned Development and Final Plat of Subdivision.

Manager Cavallaro said the developer must provide proof of project financing prior to physical building construction at the site. He said that with proof of project financing, the Village could allow the developer to move forward with site improvements, including grading and water and sewer infrastructure as needed.

Manager Cavallaro said the developer is proposing that \$1 million in construction monies be set aside and placed in escrow and released when critical points in construction have been completed.

Manager Cavallaro also said that prior to permit issuance; the Village would have to work with the attorneys and bank to understand the account, access to the funds if needed, and the proposed staged release.

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 the Property Commonly Known as Bright Oaks of West Dundee, subject to the following conditions:

1. Compliance with documents submitted with the Planning & Zoning Application;
2. Compliance with the Final Site Development Plans last revised on January 27, 2016 prepared by CEMCON, Ltd;
3. Compliance with all other applicable Village codes and ordinances;
4. Developer shall provide proof of project financing prior to issuance of any construction permits;
5. Developer shall set aside \$1 million of said financing to ensure restoration of the site should construction of project cease;
6. Developer's \$1 million in funds shall be released at the following stages: (a) completion of foundation (\$200,000); (b) completion of building shell with finished roof over structure and with all exterior windows and doors installed (\$300,000); (c) completion of interior framing and all mechanical, electric, and plumbing including fire suppression and fire alarm; and (d) start of drywall (\$200,000).
7. Developer and Village agree that details of said escrow/bond obligation must be agreed to and finalized prior to issuance of any construction permits.

Upon roll call, motion was approved.

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

XI. UNFINISHED BUSINESS:

A. Spring Hill Senior Residences – Authorization to Sign Certification of Consistency

Trustee Price said that Village began working with Gardner Capital on their plan to develop a senior housing project consisting of 85 rental units on a vacant 9.7 acre site adjacent to the former Best Buy. He said that part of its financing plan for the proposed development involves funding from the Federal Home Loan Bank of Chicago which requires that a Certification of Consistency be completed.

MOTION: Moved by Trustee Price and seconded by Trustee Pflanz to authorize Village Staff to sign the Certificate of Consistency for Gardner Capital's Spring Hill Senior Residences. Upon roll call, motion was approved.

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

XII. NEW BUSINESS:

A. Economic Incentive Agreement – Signage for 98 West Main Street

Trustee Kembitzky asked Director Scott to explain the financing of the agreement.

Director Scott briefed the Board on how the proposed signage was developed and Dooley's desire to execute the plan. He said, however, that the desire to execute the plan was apparent; the ability to commit the necessary resources was not. As a result a way to potentially move the idea forward, staff shared the projecting sign idea with the building owner who embraced the concept.

Director Scott said that the sign would be reusable as inserts could be changed out in the event of a rebranding or a new tenant with the costs of replacement inserts estimated at approximately \$1,330 or 16.9% of the total sign cost of \$7,880.

He reiterated that staff believes that one reasonable and equitable approach to bring this concept to fruition would be to divide the cost of fabricating and installing the projecting sign evenly between the parties.

He said that with an originally-estimated price of \$7,880, this equates to a per party outlay of approximately \$2,627. He did add that there may be an additional expense related to providing the appropriate electrical feed wires, but it may not be costly as there appears to be power relatively close that serves existing flood lights. He said if modest electric work were performed, the typical permit fee would be \$150.

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Price to recommend authorization to enter into an Economic Incentive Agreement under the revenue generation program with the Business Owner and Property Owner at 98 West Main Street in an amount not to exceed \$2,627 for the purchase and installation of signage. Upon roll call, motion was approved.

AYES: Trustee Kembitzky, Price, Yuscka, Pflanz and Wilbrandt

NAYS: None

ABSENT: Trustee Hanley

B. Recommendation to Award 2016-17 Professional Tree Care Services Contract

Trustee Yuscka said proposals for the 2016/17 Professional Tree Care Services Contract were opened on May 3, 2016 for tree trimming, tree removal, pre-existing stump removal and consultation services, and that Steve Piper & Sons of Naperville, IL were awarded the contract.

Director Babcock said that his staff conducts the majority of tree removals every year. He said contractor assistance is required only for the removal of trees which are too large, too tall or too close to utility power lines for his staff to address safely.

Director Babcock said there is no exclusivity language in the contract. After a brief discussion with the Trustees, it was decided to extend the contract for two years.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Pflanz to award the 2016/17, 2017/18 Professional Tree Care Services Contract to Steve Piper & Sons at a cost of \$59.10 per labor hour for tree trimming, \$26.25 per diameter inch for tree removal, \$5.30 per diameter inch for pre-existing stump removal and \$50.00 per labor hour for consultation services. Upon roll call, motion was approved.

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

NAYS: None

ABSENT: Trustee Hanley

C. Memo of Understanding with Carpentersville-Sales Tax Reconciliation

Trustee Kembitzky said that pursuant to the Spring Hill Mall redevelopment discussions, it was found that two businesses, Perfume Center and CJ Banks were reporting their sales tax to the Village of West Dundee in error. She added that the Village sent a letter to the Illinois Department of Revenue (IDOR) immediately upon identification of the error.

Trustee Kembitzky said that in an effort to resolve this matter, the recommendation is to go back to January 2013, to provide a reimbursement to Carpentersville for these sale tax monies reported in error, up and above what IDOR will provide.

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Yuscka to approve the agreement and to authorize its execution of the Memorandum of Understanding between the Village of West Dundee and the Village of Carpentersville, Reconciling the Misallocation of Retail Sales Tax in an amount not to exceed \$43,832.67. Upon roll call, motion was approved.

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

NAYS: None

ABSENT: Trustee Hanley

XII. MISCELLANEOUS: None

XIII. ADJOURNMENT:

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

The Regular Board Meeting adjourned at 8:06 pm.

ATTEST:

Barbara Traver
Village Clerk

Christopher Nelson
Village President