

REGULAR BOARD MEETING
Village Hall **7:30 PM**

Village of West Dundee
June 1, 2009

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, Osth, Hanley and Yuscka. Also present were Village Manager Cavallaro, Village Attorney Brechin, Public Works Director Babica, and Community Development Director Tymoszenko and 6 people in the audience.

III. Pledge of Allegiance:

President Keller led the Board and the audience in the Pledge of Allegiance.

IV. Approval of Amended Agenda:

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

V. Village President's Report:

President Keller said he received a letter asking for Board participation in the 4th of July parade to be held in Carpentersville on Saturday, June 27th. He said he will forward a copy of the letter to the Trustees and would like the Trustees to get back to him if they are going to participate.

VI. Reports and Questions from Trustees:

Trustee Gillam inquired about the repairs to the fountain in Grafelman Park. Director Babica said the epoxy is in, but they need to have dry weather to apply it.

VII: Village Staff Reports:

Manager Cavallaro said he is going to prepare a memo and a summary sheet for the Board to highlight and update where the State is regarding the budgets, FOIA, video poker, and items effecting municipalities.

Director Babica said that Public Works would be hydrant flushing this week between 12 am and 4 am. Director Babica also informed the Board that Carpentersville will be resurfacing Huntley Road from Tartans Drive to Elm.

Attorney Brechin reported that there are substantial revisions for FOIA, including an unfunded mandate to designate a person to be the FOIA contact for each municipality.

VIII. Questions from the Audience:

Wayne Bastiaans, representing the Meadowdale Raceway Preservation Association reported on the meeting with the township regarding a car show the association is proposing. He said he

appreciated the people who signed the petition and even though the Township dismissed their request, they are going to keep at it, and hope their event will eventually take place.

Leslie Hicks, 4N385 Knollcreek Dr., St. Charles spoke about the red light camera and the ticket she received. She explained the circumstances, felt the fine was too high, (especially for people who are having problems due to the economy), didn't appreciate the attitude of the person she contacted at the agency and asked why it is installed.

Trustees responded that it is there for a safety issue and since the Village installed the two red light cameras that there has been a 50% reduction in rear end collisions in the past few months.

IX. Consent Agenda:

- A. Residential Façade Loan Searles
- B. Approval of Minutes –COW Meeting 5/11/2009
- C. Approval of Minutes- Regular Board Meeting 5/18/2009
- D. Bill List 6/1/09

Trustee Osth asked that: A. Residential Façade Loan Searles not be taken off the Consent Agenda, but would like to see it also placed under Miscellaneous as he had some questions.

Motion: Moved by Trustee Price and seconded by Trustee Gillam to approve the Consent Agenda as presented. Upon roll call, the motion was approved 6-0.

Ayes: Voss, Gillam, Price, Osth, Hanley and Yuscka

Nays:

X. Resolutions and Ordinances:

A. Ordinance 09-12 – Granting Extensions for Wal Mart Planned Development Approvals

Trustee Osth introduced this item calling for an extension for the Wal Mart Planned Development Approvals due to litigation filed. This means Wal Mart will not be able to meet the ordinance deadlines for final approvals and recording of documents which are set to expire within one year of approvals.

Motion: Moved by Trustee Osth and seconded by Trustee Yuscka to approve Ordinance 09-12, An Ordinance Granting an Extension for the Establishment of Special Uses, Final Plan Approval, and Filing of the Final Plat of Subdivision for the Wal Mart Supercenter PUD. Upon roll call, motion was approved 6-0.

Ayes: Trustees Voss, Gillam, Price, Osth, Hanley and Yuscka

Nays:

B. Ordinance 09-11 An Ordinance Issuing a Special Use Permit for a Real Estate Office 513 Main Street

Trustee Osth explained that the zoning ordinance requires that real estate offices be granted special use approval in the Office zoning district.

President Keller asked how many parking places are available (5) and how many employees will be working there (3). It was decided to add an amendment to the Ordinance to agree to provide the Village with written notice of any off site parking requirements or policies for employees or customers of the Real Estate Office.

Motion: Moved by Trustee Osth and seconded by Trustee Hanley to adopt Ordinance 09-11, an Ordinance Issuing a Special Use Permit for a Real Estate Office at 513 Main Street amending the ordinance to agree to provide the Village with written notice of any off site parking requirements or policies for employees or customers of the Real Estate Office. Upon roll call, motion was approved 6-0.

Ayes: Voss, Gillam, Price, Osth, Hanley and Yuseka

Nays:

C. Spring Hill Re-subdivision Extension

Trustee Osth said with the pending litigation of the Wal-Mart Planned Development, General Growth has delayed the recording of the final plot of a re subdivision for property to the immediate south of the Wal-Mart site and an ordinance to extend the deadline for the filing and recording of the final plat to June 16, 2010 is necessary.

Motion: Moved by Trustee Osth and seconded by Trustee Yuseka to adopt Ordinance 09-13, an Ordinance Authorizing the Extension of the Filing Period for the Final Plat of Re subdivision for Spring Hill West Subdivision. Upon roll call, motion was approved 6-0.

Ayes: Voss, Gillam, Price, Osth, Hanley and Yuseka

Nays:

D. Resolution 2009-09, Authorizing Change Order #1, Crystal Maintenance Services Corp.

Trustee Yuseka introduced this item to the Board explaining that at the March 20, 2009 meeting, Trustee Price raised the question about whether or not the service company utilized green cleaning materials while performing their contract and if not, staff was directed to request a quote and present it to the Board at a future date.

Director Babica said that a quote was received from Crystal Maintenance Services Corporation in the amount of \$80 per month to utilize green cleaning materials while performing their contract. He said this additional amount would raise their monthly charge to \$1440 and their annual charge to \$17,280. He said this additional amount remains lower than the next lowest bid and therefore, Crystal Maintenance Services would remain the lowest responsible bidder.

Discussion was held on what product line is used, (Clorox Green Line) if it is certified by the EPA, who monitors the janitor's closets in the buildings to check if the green products are being used and if they use liquid or aerosol (do not use aerosol).

Motion: Moved by Trustee Yuseka and seconded by Trustee Price to adopt Resolution 2009-09, a Resolution Authorizing Change Order #1 Crystal Maintenance Services Corporation 2009 Custodial Services Contract to increase the annual contract in the amount of \$960 to provide janitorial services for various public buildings within the Village of West Dundee in the amount of \$17,280.00. Upon roll call, motion was approved 6-0.

Ayes: Voss, Gillam, Price, Hanley, Osth, Hanley and Yuscka

Nays:

E. Resolution 2009-10 Acceptance of the Natural Areas of Carrington Reserve Subdivision

Trustee Yuscka explained that Pulte Homes requested that the Village assume the maintenance duties associated with the natural areas of Carrington Reserve Subdivision. He said that representatives of Pulte Homes, Applied Ecological Services (AES), the USACE and staff reviewed the maintenance program required by the USACE for these areas. The USACE determined that Pulte Homes met their maintenance requirements and the site could be turned over to the Village to assume maintenance obligations. He said USACE also highly encouraged that the Village continue the use of the existing maintenance contractor, Applied Ecological Services to serve as the site manager/maintenance contractor.

A brief discussion ensued about who would assume the cost for maintenance of that area (the residents will assume the cost), the length of AES's contract (yearly contract), where the funds will come from to pay for the maintenance (residents will continue to pay into the SSA fund for ongoing maintenance including the commercial areas), and the amount of monies in the fund (\$75,000).

Manager Cavallaro said the Village will keep the experience of AES for the next couple of years and then gage the cost against the market place. Manager Cavallaro said he would find out how much will be paid per year in answer to Trustee Price's question.

Motion: Moved by Trustee Yuscka and seconded by Trustee Voss to adopt Resolution 2009-10, a Resolution Accepting the Maintenance Obligations for the Natural Areas Associated with the Carrington Reserve Subdivision and approve the Certificate of Initial Acceptance for the Natural Areas associated with the Carrington Reserve Subdivision. Upon roll call, motion was approved 6-0.

Ayes: Voss, Gillam, Price, Osth, Hanley and Yuscka

Nays:

XI. New Business

A. Approval – Applied Ecological Maintenance Contract, Natural Areas of the Carrington Reserve Subdivision

Trustee Yuscka presented this item for discussion and approval. He said that in order to ensure that the maintenance obligations to the site continue un-interrupted, the USACE has requested that the Village continue to utilize the current maintenance contractor Applied Ecological Services (AES). He also reminded the Board that a Special Service Area (SSA) was enacted against all properties within the subdivision to provide funding to cover expenses associated with this project and the proposal from AES is in the amount of \$40,000 and will be paid for from the previously established SSA.

Motion: Moved by Trustee Yuscka and seconded by Trustee Voss to waive competitive bidding and approve the proposal from Applied Ecological Services of Brodhead, Wisconsin in the amount not to exceed \$40,000 to conduct the 2009 Carrington Reserve Maintenance Program

within the Natural Areas of the Carrington Reserve Subdivision. Upon roll call, motion was approved 6-0.

Ayes: Voss, Gillam, Price, Osth, Hanley and Yuscka

Nays:

XII. Miscellaneous:

Trustee Osth inquired about the status of Manager Cavallaro's contract. Manager Cavallaro said he has discussed it with Attorney Brechin.

A discussion took place about the façade improvement loans and having two loans out at the same time and how monies can be recouped if there is a bankruptcy.

Director Tymoszenko said persons who have an outstanding loan paid down can apply for a new loan if it doesn't exceed the maximum amount authorized for individual façade improvement loans. In the case of a bankruptcy, a lien can be put on the property.

Director Tymoszenko said that the Village can start doing credit checks and have a direct debit payment for the program. She said the façade loan improvement program is promoted with the property maintenance program to let residents know about the program.

Manager Cavallaro said the loan parameters for the façade loans can be revisited at the Committee of the Whole meeting.

Trustee Gillam thanked the Public Works Department for their help with planting of hostas on the Riverwalk.

Discussion was also held on developing a volunteer group to come out to plant, weed and maintain beds.

XIII. Adjournment

Motion: Moved by Trustee Price and seconded by Trustee Gillam to adjourn the Regular Board Meeting. Motion was unanimous.

The Regular Board Meeting adjourned at 8:46 p.m.

ATTEST:

Barbara Traver

Larry Keller

Village Clerk

Village President