

REGULAR BOARD MEETING
Village Hall, 102 South Second Street

October 21, 2013 - 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 Tymoszenko, Public Works Director Babica and two (2) people in the audience.

III. PLEDGE OF ALLEGIENCE:

Trustee Yuscka led the Board and the audience in the Pledge of Allegiance.

IV. APPROVAL OF AGENDA:

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

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

NAYS: None

V. VILLAGE PRESIDENT'S REPORT:

President Nelson announced the Halloween Event scheduled for Saturday, October 26, 2013 at Grafelman Park.

President Nelson congratulated District #300 for the Diversity Event held at Spring Hill Mall on Saturday, October 19, 2013.

VI. REPORTS AND QUESTIONS FROM TRUSTEES:

Trustee Price commented on the Camp Out which was smaller this year due to the inclement weather. He said all who attended had a good time.

VII. VILLAGE STAFF REPORTS:

Manager Cavallaro said the Local Liquor Commission met earlier this evening to hear a liquor violation where a plea of guilty was entered. He said this was the first violation since 2010.

Manager Cavallaro asked the Board to fill out and return the strategic planning priorities from the strategic planning workshop.

President Nelson asked the Board for a preferred date to dedicate a meeting to discuss these priorities.

VIII. QUESTIONS FROM THE AUDIENCE:

Jeff Manor, 1127 Pember Circle expressed his concern about the odor he is getting from the water. He said he spoke to Patrick Doyle about the problem and that he (Mr. Manor) surveyed nine of his neighbors and that seven (7) of them were also experiencing an odor with their water.

Director Babica explained that it is highly unusual to have the problem with the water in that area. He gave a brief synopsis of the problems with the Randall Road Water Treatment Plant, and the means being taken to fix that problem, and said the problem in the Pember Circle area maybe seepage from the plant.

Manager Cavallaro added that the measures the Village is taking should help the problem on Pember Circle.

IX. CONSENT AGENDA:

- A. Approval of Bill List: October 21, 2103
- B. Approval of Minutes: October 5, 2013 Special Committee of the Whole Meeting
- C. Approval of Minutes: October 7, 2013 Regular Board Meeting
- D. Backyard Garden Club Plant Sale May 2014 – Grafelman Park
- E. November Board Meeting Date Changes
- F. Residential Façade Loan Seaton 611 Liberty
- G. Authorization to Bid-High Pressure Zone Water Treatment Plant and Tank Modifications
- H. Resolution for the Maintenance of Streets and Highways by Municipality under the Illinois Highway Code
- I. Approval of FY 2012/2013 Comprehensive Annual Financial Report
- J. Resolution Allowing Dickens in Dundee Parade

President Nelson asked that item E removed from the Consent Agenda.

Trustee Kembitzky asked to have items G and I removed from the Consent Agenda.

MOTION: Moved by Trustee Price and seconded by Trustee Wilbrandt to approve the Consent Agenda as amended. Upon roll call, motion was unanimous.

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

NAYS: None

Trustee Kembitzky said she pulled Item G from the Consent Agenda as she wanted more clarification. Director Babica explained the procedure with the work to begin in mid January and be completed by mid March. He said getting the permits from the State may take some time. He also added that the modifications will take place in a heated building, so winter weather should not be a hindrance.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Pflanz to approve Item G – Authorization to Bid-High Pressure Zone Water Treatment Plant and Tank Modifications. Upon roll call motion was approved.

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

NAYS: None

Trustee Kembitzky said she had pulled Item I from the Consent Agenda as she wanted to be sure everyone had read the report and if there were any questions. Trustee Kembitzky said she is comfortable with the audit as it stands.

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Hanley to approve Item I, Approval of FY 2012/13 Comprehensive Annual Financial Report. Upon roll call, motion was approved.

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

NAYS: None

X. RESOLUTIONS AND ORDINANCES: There were none.

XI. UNFINISHED BUSINESS: There was none.

XII. NEW BUSINESS:

A. 613 Ryan Administrative Appeal

Director Tymoszenko apprised the Board of the problem with the property at 613 Ryan Lane which has an illegal fourth basement dwelling unit. She said the owner of the property has been ordered to cease the use of the unit and apply for a permit to allow for construction to be undertaken converting the space from a dwelling unit to an alternative allowable use, i.e. storage or community space.

She said the basement unit doesn't meet minimal zoning or building code requirements for habitability based on size, light, ventilation, ceiling height and bedroom egress conditions.

She presented the reasons why the notice and order to correct the violation was issued on June 19, 2013 including records in 1970 that a permit was issued for construction of a building with 3 apartment units, no other permits were issued to authorize the construction of a fourth unit, annual inspections were not scheduled or completed despite numerous requests by the village, so records are not available as to when the fourth unit was established, the MLS #96041771 listing states the total unit number as 3 units and the tax assessor's record indicates that the property has 3 units.

She said the owner has sent a letter requesting an appeal to the decision, but has not presented any other information or evidence to date.

Director Tymoszenko said the Planning & Zoning Commission approved a motion to recommend denial of the appeal on the basis of the zoning ordinance requirement for lot size per unit and parking. She said the Commission was also concerned about setting a precedent for all of the properties in the vicinity.

Attorney Brechin said that to grant the appeal would violate our Zoning Ordinance.

Director Tymoszenko said should the Board uphold the determination to deny the appeal, the owner will be provided a definite time frame to petition for zoning consideration or to submit a building permit for the removal of the fourth unit. She added that if the owner doesn't move

forward as required, the Village Staff will proceed to initiate litigation subject to Village Board approval.

XIII. MISCELLANEOUS:

President Nelson told the Board that Mayor McLeod from Hoffman Estates invited the Village of West Dundee to participate in their Celtic Fest. After polling the Board, it was decided to politely decline the invitation.

XIV. ADJOURNMENT:

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

The Regular Board Meeting adjourned at 8:19 pm.

ATTEST:

Barbara Traver
Village Clerk

Christopher Nelson
Village President