

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

**November 17, 2014, 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 Christopher Nelson, Trustees Billy Pflanz, Dan Wilbrandt, Michelle Kembitzky, Tom Price, Pat Hanley and Andy Yuscka.

Also present were Village Manager Joseph Cavallaro, Community Development Director Cathleen Tymoszenko, Fire Chief Randy Freise, Finance Director David Danielson, Village Attorney John Brechin and five (5) people in the audience.

**III. PLEDGE OF ALLEGIANCE:**

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

**IV. APPROVAL OF AGENDA:**

**MOTION:** Moved by Trustee Hanley and seconded by Trustee Kembitzky to approve the agenda. Motion passed unanimously by voice vote.

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

President Nelson noted that the Community Service Award banquet will be held on November 19. This year's honoree from the Village of West Dundee is Michael Dewey.

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

Trustee Kembitzky recently attended the Civic Leadership Academy workshop held at NIU-Naperville, and plans to attend the D300 Leadership Council meeting later this week.

Trustee Pflanz inquired about snow removal and salting protocol, and any impact as a result of litigation reportedly brought against the Village of Addison in the recent past. Manager Cavallaro or Attorney Brechin will look into the referenced litigation and report back to the Board.

**VII. VILLAGE STAFF REPORTS:**

Manager Cavallaro reported that the Tree Planting Program continues to progress and should be substantially complete by next week. Also, leaf collection has been suspended temporarily due to the snow.

Deputy Clerk Tibbetts reported that planning is nearly complete for Dickens in Dundee, scheduled for December 5 & 6.

**VIII. QUESTIONS FROM THE AUDIENCE:** There were none.

**IX. CONSENT AGENDA:**

- A. Approval of Bill List: November 17, 2014
- B. Ratification of Debit Purchases: October 2014
- C. Approval of Minutes: November 3, 2014 Regular Board Meeting
- D. Ordinance 14-xx: Authorizing Sale or Trade of Surplus Vehicles and Equipment
- E. Approval for Dickens in Dundee & Ordinance Authorizing Dickens Parade

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Wilbrandt to approve the Consent Agenda. Upon roll call, motion was approved.

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

**NAYS:** None

**X. RESOLUTIONS AND ORDINANCES:**

**A. Ordinance: MABAS Agreement (Trustee Wilbrandt)**

Trustee Wilbrandt advised that adoption of an ordinance formalizing a MABAS (Mutual Aid Box Alarm System) Agreement is required by 1/1/2015 to allow the Village of West Dundee to be eligible for FEMA reimbursement in the future. The previous MABAS agreement was authorized by Resolution 1989-12.

Chief Freise added that the MABAS system was first developed in this area before it was adopted by the State of Illinois and then other states. All MABAS organizations are adopting the same resolution. MABAS facilitates aid from other area fire departments to a department faced with a large emergency incident.

**MOTION:** Moved by Trustee Wilbrandt and seconded by Trustee Yuscka to approve an Ordinance Authorizing a Mutual Aid Box Alarm System Agreement. Upon roll call, motion was approved.

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

**NAYS:** None

**XI. UNFINISHED BUSINESS:**

**A. Fire Department Consolidation Study Proposal Authorization (Trustee Wilbrandt)**

Trustee Wilbrandt noted that the subsequent to the previous presentation of the mapping survey conducted by the Illinois Fire Chief's Association, formal proposals have been received from 5 firms for a Consolidation Evaluation and Study. The Villages of West Dundee and Carpentersville and the East Dundee & Countryside Fire Protection District are continuing to pursue participation in this study, while Rutland-Dundee FPD has opted out at this time.

Chief Freise discussed the selected firm of ESCI. ESCI provided the lowest cost of the private firms, and presented impressive credentials. He indicated that the evaluation will be ongoing for 4-7 months and will include a final report and presentation to any and all Board requested. He advised that the study will provide useful data whether the end result is consolidation or not. He noted that this is an historic step in the history of fire service to the Dundee region.

Trustee Kembitzky inquired where the funding for the study will come from, since it was not budgeted. Discussion was held regarding the payment expectations (10% at signing, then monthly invoicing) and the timing of the evaluation to spread the cost over 2 fiscal years. Chief Freise was directed to identify the opportunity for savings in the Fire Department budget to provide the funding needed.

**MOTION:** Moved by Trustee Wilbrandt and seconded by Trustee Price to authorize the hiring of ESCI to conduct a Consolidation Evaluation and Study for the Carpentersville, East Dundee and West Dundee Fire Departments at a cost to the Village of West Dundee not to exceed \$11,226. Upon roll call, motion was approved.

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

**XII. NEW BUSINESS:**

**A. Driveway Approach Size Standards (Trustee Price)**

Trustee Price advised that, based on the receipt of a driveway approach expansion request, a conflict has come to light in the Municipal Code regarding the permitted width of a driveway approach for a one-car garage.

Director Tymoszenko advised that the conflict exists between the Section 8-2 regulating Public Ways and Property (driveway chapter) and Section 11-5-8 regulating Subdivisions and Developments, each providing a different maximum width for a driveway approach for a one-car garage. Consistency is sought between these two ordinances, and staff recommends the following driveway approach widths:

1-Car Garage	12' at sidewalk	15' at curb
2-Car Garage	24' at sidewalk	27' at curb
3-Car Garage	29' at sidewalk	32' at curb

Director Tymoszenko provided specific examples, including the present request related to 402 S. Fifth Street. She noted the zoning ordinance prohibits parking in the “legal front yard” and the subdivision ordinance provides for a maximum driveway approach width based on the size of the garage (one-, two- and three-car). She further noted that a “bump out” is a common answer to the need for additional parking, as this provides additional parking that is not in the legal front yard.

The case on S. Fifth St. is an example of a property on which it would pose a significant challenge to maintain the required approach width and establish an accessible bump out without facilitating illegal front yard parking, based on the proximity of the garage to the street.

Discussion was held regarding these concerns and the appropriate driveway approach width for various potential scenarios, taking into consideration the need for off-street parking based on the winter overnight parking ban.

Lisa Geisler and Wayne Schneider, 721 Lindsay Lane, are the owners of the property located at 402 S. Fifth Street. Ms. Geisler and Mr. Schneider presented the circumstances of their property and request, stating their concern for maintaining the value of their home. Ms. Geisler requested that the allowed driveway approach width in the municipal code be increased.

**MOTION:** Moved by Trustee Price and seconded by Trustee Hanley to authorize staff to prepare a draft ordinance which provides for the driveway approach widths outlined above, and provides consistency between the subdivision and driveway codes. Upon roll call, motion was approved.

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

**NAYS:** None

Trustee Price recommended that the municipal code be amended to facilitate the allowance of administrative exceptions approved by the Village Board for cases in which the conditions cannot be met, rather than require a formal variance for these cases. He expressed support to provide such administrative exception to the property located at 402 S. Fifth Street.

A draft ordinance will be presented at the December 1, 2014 Village Board Meeting.

Trustee Hanley indicated a desire for enforcement in cases where illegal parking surfaces have been installed without a permit. Trustee Pflanz expressed an interest in exploring the use of seasonal employees to assist with code enforcement during the next budget cycle.

#### **B. Six Month Financial Report (Trustee Kembitzky)**

Trustee Kembitzky presented the Six-Month Financial Report, noting points of interest in terms of fund balance increases or decreases and the status of General Fund revenue and expenditure line items.

An inquiry was made regarding a month of lower than anticipated sales tax receipts, and if any information has been received back from the State as to whether or not this was an anomaly. Director Danielson stated that both he and Director Tymoszenko had inquired, but no response has been received as yet.

Director Danielson noted that expenses are on target, and that budget amendment will be forthcoming in December relevant to the transfer of monies from the Motor Fuel Tax Fund to the General Fund for the purchase of Road Salt.

Trustee Kembitzky inquired about the accounting for the contact with Dan Shomon, being taken from the Legislative Fund versus the Community Development Fund. Director Danielson noted that either would be appropriate and it is at the discretion of the Board where this expense is accounted for.

#### **C. 2014 Property Tax Levy Discussion (Trustee Kembitzky)**

Trustee Kembitzky introduced the property tax levy discussion.

Director Danielson provided an overview of the actuarial numbers received in reference to the Police and Fire Pension funding requirements as provided by the State of Illinois and Independent Actuarial Tim Sharpe. The Village may choose to use either source, and use of Mr. Sharpe's actuarial numbers are recommended. Combined, the Police and Fire Pension levy requirements constitute a \$13,000 increase over last year's property tax levy, or an increase of 3.4%.

Several Board members stated their support for a greater percentage increase. Other potential revenue generators were briefly discussed, including the possibility of a restructuring of the rental property registration fee.

Manager Cavallaro noted that property tax is one of the most efficient, equitable and cost-effective methods available to fund the operations and capital needs of the Village. It does not demand additional staff time beyond the filing of the levy as collection and distribution are handled by Kane County. It is applicable to both commercial and residential property owners, and property owners are able to deduct property taxes on their income tax return.

It was noted that any contemplated increase above 5% must be published in the newspaper, but that a lower percentage may be ultimately adopted. After discussion, consensus was to publish a rate increase of 9.25%.

**MOTION:** Moved by Trustee Kembitzky and seconded by Trustee Price to direct staff to prepare the Truth in Taxation publication in an amount of 9.25% for the 2014 Property Tax Levy. Upon roll call, motion was approved.

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

**NAYS:** None

Director Danielson advised that a Public Hearing will be held during the December 1, 2014 Village Board Meeting and an Ordinance authorizing the 2014 Property Tax Levy will be presented at the December 15, 2014 Meeting.

### **XIII. MISCELANEOUS:**

President Nelson suggested that the draft Economic Development Plan discussed on October 20, 2014 be socialized to community groups in advance of the Board's January workshop. Trustee Price indicated his preference that the EDP be discussed internally first.

Trustee Hanley inquired about the sale of Gateway East. Manager Cavallaro is to report to the Board on the result of the auction. A brief discussion was held regarding potential purchasers and uses and revitalization of the Spring Hill Mall area. It was noted that Panera Bread now has a "Coming Soon" sign on display.

Trustee Kembitzky stated her preference that Trick or Treat hours for 2015 be maintained at 3:00-8:00 pm, as Halloween falls on a Saturday.

Trustee Kembitzky commented on needed maintenance to the exterior of the Village Hall. President Nelson advised the Board of a conceptual "Save the Clock Tower" fundraising event forwarded by Trustee Wilbrandt in conjunction with the 30 anniversary of the movie "Back to the Future". He also indicated that consultant Dan Shomon will be looking into State funds to assist in the cost of repairs and repainting.

Trustee Wilbrandt suggested the development of an ad hoc committee to bring concerns and concepts to the D300 School Board as part of the West Dundee Ambassador Program. It was noted that none of the current School Board members are residents of West Dundee.

Trustee Wilbrandt inquired about procedures related to Public Works call outs to salt State Routes 31 & 72, which are the responsibility of IDOT, in light of the salt shortage. Manager Cavallaro stated that Public Works does salt State roads as necessary to maintain the safety of the motoring public and of West Dundee's public safety employees in responding to incidents. Manager Cavallaro will request salt reimbursement from the State in regards to this cooperative effort, and will report the status of such at the December 1, 2014 Board Meeting.

Trustee Price commented on the Shop West Dundee App, noting that there has been minimal participation from business owners.

**XIV. ITEMS SCHEDULED FOR FUTURE MEETING DATE:**

- Report on potential liability regarding snow removal and salting protocols.
- Presentation of Fire Consolidation Study Report, once complete.
- Draft ordinance regarding driveway approach width, and consideration of an administrative exception for 402 S. Fifth Street in this regard.
- Discussion regarding enforcement activity for illegal parking surfaces.
- Property Tax Levy Public Hearing on December 1, 2014 and an Ordinance authorizing the 2014 Property Tax Levy on December 15, 2014.
- Report on the results of the auction of the Gateway East property.
- Economic Development Plan Workshop to be scheduled for January 2015.
- Report on the status of salt reimbursement request submitted to IDOT.

**XV. ADJOURNMENT:**

**MOTION:** Moved by Trustee Pflanz and seconded by Trustee Hanley to adjourn the Regular Board Meeting. Motion was unanimous.

The Regular Board meeting adjourned at 9:47 pm.

**ATTEST:**

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Kim Tibbetts  
Deputy Village Clerk

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Christopher Nelson  
Village President