

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

**April 8, 2013 - 7:30 pm**  
**Village of West Dundee**

**I. CALL TO ORDER:**

President Keller called the Committee of the Whole Meeting to order at 7:32 pm.

**II. ROLL CALL:**

Present were Village President Larry Keller, Trustees Michelle Kembitzky, Julie Voss, Tom Price, Norm Osth, Pat Hanley and Andy Yuscka.

Also present were Village Manager Joseph Cavallaro, Village Attorney John Brechin, Community Development Director Cathleen Tymoszenko, Public Works Director Rich Babica, Water Superintendent Patrick Doyle and seven (7) persons in the audience.

**III. PLEDGE OF ALLEGIENCE:**

Trustee Voss led the Board and those in attendance in the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA:**

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

**AYES:** Trustees Kembitzky, Voss, Price, Osth, Hanley and Yuscka

**NAYS:** None

**ABSENT:** None

**V. VILLAGE PRESIDENT'S REPORT:** There was none.

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

Trustee Osth noted that the new ambulance has been received at Public Safety Center #2 and may be in service by the end of the month. Manager Cavallaro added that the old ambulance was successfully sold on eBay for an amount of \$12,050, double the \$6,000 trade-in value offered.

**VII. VILLAGE STAFF REPORTS:**

Director Babica advised that IDOT has scheduled the pre-construction meeting for the intersection improvements at Route 31 & 72 for April 19. KDOT has scheduled the pre-construction meeting for the resurfacing of Randall Road on the same date and time.

**VIII. ITEMS FOR DISCUSSION:**

**A. Galvin Annexation**

Director Tymoszenko provided the background and history of this proposed annexation agreement, which has been pursued and negotiated for almost a decade.

The parcel is 260+/- acres, located on Randall Road between Route 72 and Binnie Road. In 2005, a Public Hearing was held and the annexation and was approved by the Planning and Zoning

Commission. A complete annexation was not pursued by the owner at that time, but a strip of land within the parcel was annexed to allow for annexation of the western corridor. Director Tymoszenko added that an annexation agreement is sought that will be equitable for both parties.

Mike Anderson of Anderson Associates, advisor to the land owner, discussed the 3 basic usages for the property, residential, commercial and open space, the existence of wetlands which will remain protected, and their work with the Kane County Department of Transportation and Army Corps of Engineers.

A draft land use map and proposed site plan were discussed. Manager Cavallaro advised that the land use map provides flexibility of usages, with the intention of balancing appropriate use with market demand. It was agreed that the land use map and proposed site plan should be merged to mark out the open space and roadway access points, as a more detailed exhibit for the annexation agreement.

Further clarification was requested regarding the language used in the following specific sections of the draft annexation agreement:

Trustee Osth asked that Section 7-B regarding "Other Fees" be clarified that, "the Village agrees not to institute any new fees that would apply exclusively to the development of this Property," adding the word "exclusively". Director Tymoszenko noted that the intention was that any new development fees established after the execution of this annexation agreement would not be imposed on the development of this parcel.

Trustee Price asked for clarification of the language in Section 8 (Special Service Area for the Property). Ruth Schlossberg, attorney for the Galvin family, advised that a backup SSA to provide for maintenance of the wetlands, etc, if the future property owner fails to live up to the required standards, is fully expected and could be passed immediately following annexation.

Trustee Price called attention to Section 17 (Binding Effect and Term), indicating that the Village shall reimburse the Owner for attorney's fees and such if the agreement is terminated without the Owner being in default of the agreement. Director Tymoszenko responded that the agreement would only be executed once all pertinent issues have been addressed, and that any potential obstacles in the annexation process would be discovered before the agreement is executed.

Trustee Price commented on Section 20 (Severability), regarding expenses for which the Village would be responsible to reimburse the Owner if the annexation is ruled invalid. He stated that the Village should not be obligated to reimburse Owner for circumstances out of its control.

Trustee Price inquired about Section 6-B (Detention and Storm Water Management). Director Tymoszenko noted that the wetlands would be owned by the future property owner, not the Village, and a backup SSA would fund the maintenance obligations if neglected by the owner.

Director Tymoszenko advised that adjustments will be made pursuant to this discussion. A Public Hearing will be held in May before the Planning and Zoning Commission and a final draft of the Annexation Agreement is expected to be placed before the Village Board this summer.

## **B. Ozone Treatment**

Director Babica provided a history and background regarding the emergence of hydrogen sulfide in the water system, which can result in an unpleasant odor. Based on complaints received by the community over the past few years, the number of effected addresses has grown from 16 to 88.

Director Babica introduced John Ambrose, Harry Harman and Carolyn Grieves of Baxter and Woodman Engineering, with whom the Village entered into a professional services agreement to design the specifications for an Ozone Generation Injection System for the Randall Road Water Treatment Plant.

The original estimate was between \$165,000 and \$300,000 plus installation. As of December, the quoted cost was \$975,000. Presentation to the Board has been delayed in an effort to reduce this cost. An alternative supplier has been recently identified, bringing the quote down to \$400,000. The budgeted amount for ozone treatment is \$150,000.

Manager Cavallaro requested a discussion by the Board regarding the need for this improvement versus the cost.

It was noted that development and additional water use in the western corridor would help to mix the Randall Road water supply and minimize the effects of hydrogen sulfide, as lack of demand allows for stagnation in the water system.

Trustee Hanley inquired about other benefits of the ozone treatment system. Superintendent Doyle noted that chlorine costs would decrease. Director Babica noted that it would assist with premature aging of the Randall Road Water Treatment Plant. Trustee Osth asked what deleterious effects have been noted so far.

Trustee Osth stated that he is not convinced that project remains worthwhile at the increased cost, and added that the symptoms should be treated on a more economic scale. Manager Cavallaro added that lower cost alternatives have been identified as recently as the past week, and that all legitimate options must be identified before bids are solicited. Trustee Price inquired about a performance based bid process versus design bid.

Director Babica advised that a 12-week delivery time would be expected, therefore a May bid would provide for a contract in June and installation in mid-September, when complaints have typically peaked, and that the department will be treating the symptoms this summer based on this timeframe.

Manager Cavallaro reminded the Board that hydrogen sulfide does not pose a health risk, nor are its levels regulated by the IEPA.

The consensus of the Board was to continue to fine tune the design specifications and look at all other options to lower the cost, with the understanding that the project will not be completed for this year's warm weather season. Trustee Osth asked that a letter be sent to the addresses known to be effected, advising of the status of the ozone treatment project.

**IX. EXECUTIVE SESSION:** There was none.

**X. MISCELLANEOUS:** There was none.

**XI. ADJOURNMENT:**

**MOTION:** Moved by Trustee Osth and seconded by Trustee Voss to adjourn the Committee of the Whole Meeting. Motion passed unanimously by voice vote.

The Regular Board Meeting adjourned at 9:12 pm.

**ATTEST:**

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Kim Tibbetts  
Deputy Village Clerk

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Larry Keller  
Village President