

SPECIAL VILLAGE BOARD MEETING
Village Hall, 102 S. Second Street

November 12, 2018 – 7:30 pm
Village of West Dundee

I. CALL TO ORDER:

President Nelson called the Regular Board Meeting to order at 7:32 pm.

II. ROLL CALL:

Present were Village President Christopher Nelson, Trustees Cheryl Anderley, Dan Wilbrandt, Michelle Kembitzky, Tom Price, Pat Hanley and Andy Yuscka.

Also present were Village Manager Joseph Cavallaro, Village Attorney Kathy Orr, Finance Director David Danielson, Community Development Director Tim Scott, Police Chief Andy Wieteska, Fire Chief Randy Freise and Public Works Director Eric Babcock. There were two (2) people in the audience.

III. PLEDGE OF ALLEGIANCE:

Director Eric Babcock led those in attendance in the Pledge of Allegiance.

IV. APPROVAL OF AGENDA:

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

V. VILLAGE PRESIDENT'S REPORT:

President Nelson said he attended the National Cities Summit in California last week and reported on local pre-emption laws.

President Nelson asked the Board, Staff and audience for a moment of silence in honor of Veteran's Day.

VI. REPORTS AND QUESTIONS FROM TRUSTEES AND WORKING GROUPS:

There were no reports or questions.

VII. VILLAGE STAFF REPORTS:

Police Chief Wieteska said the Police Department is accepting applications for Shop with a Cop for families in need.

Director Tim Scott reported on the progress at U-Haul and Gardner Capital (Senior Residences). He also said that Advocate Medical Center is making marked progress and should be ready for patients by mid first quarter of next year.

Fire Chief Freise announced the Turkey Raffle, which has been held since 1944 at the VFW, Friday and Saturday of this week. He said the funds raised are going towards the purchase of smoke detectors. He said it is the Fire Department's priority is to push to educate the public on smoke detectors. He said there are two types of detectors – one for slow burning fires and one for rapid burning fires. He is also advocating for the smoke detectors with ten (10) year battery life.

Director Babcock said the streets improvement program is nearing the end, but still waiting to get some days with 40 degree temperatures to do final surface. He hopes this to be done Thursday or Friday. Director Babcock said that Fairhills and the Enclave maybe pushed to next year unless the weather changes. Trustee Price asked if the asphalt fails, it is on the contractor to redo those streets.

VIII. QUESTIONS FROM THE AUDIENCE:

- A. Items on the Agenda: There were none.
- B. Items not on the Agenda: There were none.

IX. CONSENT AGENDA:

- A. Ratification of Checks: November 12, 2018
- B. Approval of Bill List: November 12, 2018
- C. Approval of Minutes: October 8, 2018 Regular Board Meeting
- D. Dickens in Dundee Authorization and Resolution Authorizing Dickens Parade
- E. Ordinance Amending Sexual Harassment Policy

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

AYES: Trustees Yuscka, Anderley, Wilbrandt, Kembitzky, Price and Hanley
NAYS: None.

X. RESOLUTIONS AND ORDINANCES:

A. 84 Edwards Avenue: Consideration of Zoning Variations to Allow Construction of n Attached Two-Car Front-Loaded Garages

Trustee Price said the Planning & Zoning Commission held a public hearing on October 22, 2018 to review a petition requesting zoning variations granting relief from requirements regarding: (1) side yard/setback and (2) the 15' setback from the front of the principal structure in order to construct an attached two car garage.

Trustee Price said that the Village Board approved variations that would have enabled construction of a detached garage in April 2018, but the owner decided that integrating the garage into the home would improve functionality and enhance appearance.

Director Scott said the new proposal sets an attached two car front loaded garage back approximately 5' from the front of the home and 3' from the east property line.

Trustee Kembitzky asked how the FAR (Floor Area Ratio) applies to the building. Director Scott said the FAR applies to new houses constructed after 2001, and this house doesn't fit the criteria.

MOTION: Moved by Trustee Price and seconded by Trustee Yuscka to approve an Ordinance granting variations from the West Dundee Zoning Ordinance pertaining to (1) Required Side Yards/Setbacks and (2) Required Setback from the Front of a Principal Structure for an Attached two-car Front Loaded Garage for Property located at 84 Edwards Ave in the Village of West Dundee, Illinois, subject to the following conditions:

1. Compliance with documents including site plan as submitted with the Planning & Zoning Application; and

2. Compliance with all other applicable Village codes and ordinances.

Upon roll call, motion was approved.

AYES: Trustees Price, Hanley, Yuscka, Anderley, Wilbrandt and Kemitzky
NAYS: None

B. Consideration of a Text Amendment related to Residential Uses in the Office Zoning District

Trustee Price said the Planning & Zoning Commission conducted a public hearing regarding a potential text amendment that would add residential above the first floor as a permitted use in the Office Zoning District. The Commission voted unanimously to recommend approval of the text amendment to the Village Board.

Trustee Price said further that downtown's mixed use building (zoned B-1 Downtown Business District) allow for residential dwelling units above the first floor and short-term rental units (akin to residential and serving as an option to traditional commercial lodging).

Director Scott said that preservation of residential structures with ground floor office use and seconded floor residential is consistent with the uses downtown.

Mr. Dan Bonis said he has the option of buying 606 Main Street and would move his law and title office company to the first floor and use the second floor for rental or for his own use.

MOTION: Moved by Trustee Price and seconded by Trustee Hanley to approve a Text Amendment that adds "Residential Dwelling Units above the first floor only" as a permitted use in the Office Zoning District. Upon roll call, motion was approved.

AYES: Trustees Price, Hanley, Yuscka, Anderley, Wilbrandt and Kemitzky
NAYS: None

C. Ordinance Amending Regulations for the Licensing of Businesses

Trustee Hanley said this is a new fee scale for business licenses and rental registrations. He said this was done to ensure that fees attempt to cover the cost of time and personnel it takes to do inspections. He said after review of personnel time required and a recent survey of fees assessed for Business Licenses and Rental Registrations in our neighboring communities, it is staff's recommendation to consider a tiered, progressive fee structure for both these areas.

A brief discussion was held expressing the desire to see residential rentals inspected yearly. (Manager Cavallaro said he would put together parameters for this suggestion).

Chief Freise said the Fire Department tries to get into individual apartments units, but it depends on the residents being home and having access to the unit. He said the common areas are inspected yearly.

MOTION: Moved by Trustee Hanley and seconded by Trustee Yuscka to adopt an Ordinance Amending the West Dundee Municipal Code pertaining to Regulations for the Licensing of Businesses. Upon roll call, motion was approved.

AYES: Trustees Hanley, Yuscka, Anderley, Wilbrandt, Kemitzky and Price
NAYS: None

D. Ordinance Amending Class CCC Liquor License Regulations

Trustee Hanley said the Local Liquor Control Commission recommended the issuance of a Class CCC Liquor License to John’s Mobil at its October 8, 2018 Commission meeting.

Trustee Hanley said the necessary changes are: Eliminating the minimum floor area requirement; amending the minimum inventory level requirements, which excluded beer, wine, fuel and automotive products from said inventory level; amending the percentage of retail sales allowed to be derived from sale of alcohol; eliminating the requirement that wine shall be stored in a cooler; and amending the hours during which the sale of alcohol is prohibited, due to the 24-hour nature of the business.

MOTION: Moved by Trustee Hanley and seconded by Trustee Yuscka to adopt an Ordinance amending Class CCC Liquor License regulations for the Village of West Dundee. Upon roll call, motion was approved.

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

NAYS: None

XI. UNFINISHED BUSINESS:

A. Authorization for Engineering Services Agreement – 310 W Main Municipal Parking Lot

Trustee Yuscka said the Board had requested that staff solicit additional proposals for Phase 1 and Phase 2 engineering services for the construction of the new municipal parking lot at 310 W Main Street.

Trustee Yuscka said the Village received four additional quotes for engineering services from very reputable and qualified firms, with the lowest cost proposal submitted from Strand Associates.

He said their lower cost is reflective of the hours estimated, which he pointed out that if the hours of professional services are equaled, all of the five proposals submitted would be within \$1500 of each other. He said this means that all of the quotes received are reflective of the market cost for a project of this scope.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Prince to authorize an engineering professional services agreement with Strand Associates of Joliet, Illinois for Phase 1 and Phase2 engineering for the 310 W Main Street municipal parking lot construction project, in an amount not to exceed \$30,600. Upon roll call, motion was approved.

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

NAYS: None

XII. NEW BUSINESS:

A. Authorization to Install Decorative Street Lights in Grand Pointe

Trustee Yuscka said that an amount of \$18,000 was included in the Fiscal Year 2018/19 Budget for the installation of decorative street lights at the intersection of Huntley Road and Grand Pointe Boulevard.

Director Babcock said the installation of new street lights at this intersection is recommended based on the lack of existing light relative to traffic conditions, which is a potential safety concern.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Kembitzky to authorize the installation of two (2) decorative street lights at the intersection of Huntley Road and Grand Pointe Boulevard at a total cost of \$15,328.59. Upon roll call, motion was approved.

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

B. 2018 Tax Levy Discussion

Trustee Kembitzky outlined the information prepared by Finance Director Danielson pertaining to the 2018 tax levy. The tax levy must be filed with the Office of the Kane County Clerk by December 26, 2018 and direction is needed to be given to Director Danielson in order to prepare the Ordinance. Trustee Kembitzky summarized the two options presented in the report. Option 1 is to increase the levy to meet the obligatory increases for the Police and Fire Pension Funds, which in total amount to \$104,644 and Option 2 is to increase the levy to meet the pension funding obligations as well as provide for an additional \$110,000 for General Fund operating expenses. With both options, due to an increase in the Village's Equalized Assessed Valuation for the upcoming year, the Village's tax rate will see a small decrease.

Trustee Wilbrandt stated that the Board has another option to consider, that being, to reduce the levy request and cut expenditures within the General Fund.

Following a brief discussion, that was not deemed to be an option that the Board wishes to pursue given the reductions throughout the organization that have already been made. Director Danielson stated that he estimates that salary and step increases throughout the organization will cost \$165,000 for the upcoming year and even with the increase provided for in Option 2, new revenue sources or expenditure cuts will have to be identified in order to balance the 2019/20 budget.

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Hanley to provide direction to Director Danielson to prepare the 2018 tax levy ordinance with a request of \$4,725,560. Upon roll call, motion was approved.

AYES: Trustees Kembitzky, Price, Hanley, Yuscka and Anderley
NAYS: Trustee Wilbrandt

C. Professional Services Agreement for Binnie Road Drainage Study

Trustee Yuscka said that WBK Engineering has submitted a Professional Services Agreement to conduct a comprehensive study of the drainage problems reported at 37W290 Binnie Road. He said the study is intended to identify the nature of the problem and recommend an appropriate course of corrective action.

Director Babcock said that due to the complexity of the situation and the multitude of unknown factors related to where the drainage water should be routed and how it should be facilitated that WBK was asked to prepare a proposal.

Director Babcock said the plan related to this study is to have the initial assessment and WBK's cost estimate deliverable to the Village in time for the associated improvement project to be included for consideration in the Fiscal Year 2019-20 Budget.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Hanley to approve a Professional Services Agreement with WBK Engineering, LLC for the study of drainage problems at 37W290 Binnie Road at a cost not to exceed \$4,900.00 upon roll call motion was approved.

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

D. Authorization to Apply for 2018 AFG Grant for Bunker Gear

Trustee Wilbrandt said the Fire Department is requesting approval to apply for the 2018 AFG grant. He said with the grant application the Fire Department will be applying for replacement of our current firefighting bunker gear that is nearing the end of its service life. He added that this grant will save the Village considerable funds by replacing needed equipment that is due to be replaced and reduce the Fire Department's liability exposure to outdated bunker gear.

Trustee Wilbrandt said this is a federal grant that requires a 5% match from the Village. He said the Fire Department has received grants 4 times.

Trustee Wilbrandt the Department grant will be requesting \$101,000 for bunker gear and requires \$5,050 matching funds by the Village. The Village's match of \$5,050 will come from the Fire Department's Capital Budget.

MOTION: Moved by Trustee Wilbrandt and seconded by Trustee Kembitzky to approve the Fire Department grant application for firefighting bunker gear for the 2018 Assistance to Firefighter's Grant with a 5% match from the Village at a potential cost of \$5,050. Upon roll call, motion was approved.

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

E. Authorization to Conduct Televising of Sanitary Transmission Line

Trustee Yuscka said Public Works has pursued and secured a quote for professional televising of the sanitary transmission line from Sleepy Hollow. He said televising is recommended for the purpose of understanding the full scope of problems in this line, so that the optimal solution can be found.

Trustee Yuscka said the consensus among staff and Baxter & Woodman is that the pipe interior should be professionally lined in the short term. Lining the pipe provides a chance of obtaining its integrity in the short term (5 to 10 years), while an in-depth study can be conducted to determine the best long term solution.

Director Babcock said that a full video analysis of the pipe interior is necessary to both short and long term solutions.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to authorize Public Works to conduct professional televising of the sanitary transmission line from Sleepy Hollow at a cost not to exceed \$5,680.00 Upon roll call, motion was approved.

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

F. Authorization to Purchase Replacement Squad Car

Trustee Wilbrandt said West Dundee Police vehicle was involved in an accident and was declared to be a total loss from our insurance company (IRMA) and was assigned a value of \$13,375. IRMA is attempting to recover damages from the other driver and will attempt to have his driver's license suspended from the State.

Chief Wieteska said that we will eventually need to replace this vehicle and the uncertainty as to when vehicles will be available, it is the recommendation to replace this vehicle prior to the end of this fiscal year if one is available. He said the estimated cost of this vehicle would be \$37,783.

Chief Wieteska said that Ford is no longer accepting orders for the 2018 Ford Utilities and is working on a large back order before retooling the all new 2020's. He said we can still purchase a black Utility through the State contract while supplies last. He said this vehicle would still function as a regular patrol vehicle with similar equipment (computer, prisoner cage, lighting, etc.) but would be utilized primarily by officers that are more active with traffic enforcement.

MOTION: Moved by Trustee Wilbrandt and seconded by Trustee Kembitzky to authorize the purchase of a replacement squad car not to exceed \$37,783 and increase the transfer from the General Fund to the Capital Projects Fund from \$1,150,000 to \$1,187,783 in order to fund this additional purchase. Upon roll call, motion was approved.

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

G. Acceptance of Public Improvements, Springs at Canterfield

Trustee Yuscka said that Continental 380 Fund LLC has completed construction of Public Improvements for the Springs at Canterfield development, which consists of Water Supply Facilities, Sanitary Sewer Facilities, Storm Sewer Facilities and pavement.

Director Babcock said that WBK Engineering personally inspected and arranged for Public Works staff to inspect all Public Improvements following installation. Through that process deficiencies were identified, communicated and corrected by the developer.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to adopt a Resolution Accepting Public Improvements for the Springs at Canterfield Development. Upon roll call, motion was approved.

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

XII. MISCELLANEOUS AND FUTURE AGENDA ITEMS:

Trustee Kembitzky asked about Floor Area Ration (FAR) and asked that the Village look at lot coverage on all construction, not just new construction.

Trustee Kembitzky also asked questions about the use of road salt, the roads which are salted and the dumping of salt. Director Babcock said he would look at what the Village is doing in regards to her questions.

XIII. ADJOURNMENT:

MOTION: Moved by Trustee Kembitzky and seconded by Trustee Yuscka to adjourn the Board Meeting. Motion was approved by voice vote.

The Board Meeting adjourned at 8:50 pm.

ATTEST:

Barbara Traver
Village Clerk

Christopher Nelson
Village President