

PRESIDENT AND BOARD OF TRUSTEES

Regular Meeting

October 19, 2024 07:00 pm



PRESIDENT AND BOARD OF TRUSTEES

Regular Meeting

October 18, 2024

7:30 PM

Village Hall Board Room

102 S. Second Street, West Dundee, IL 60118

I. Call to Order

II. Roll Call

III. Pledge of Allegiance

IV. Approval of Agenda

V. Village President's Report

?

VI. Reports and Questions from Trustees and Working Groups

VII. Village Staff Reports

?

VIII. Questions from the Audience

(not to exceed 30 minutes with a limit of 5 minutes per person requesting to be heard)

IX. Consent Agenda

1. Approval of Minutes September
2. Approval of Minutes August

File: [Approval of Minutes August](#)

File: [Approval of Minutes September](#)

X. Resolutions and Ordinances

- 1.
- 2.

File: [Ordinance #1](#)

File: [Resolution #1](#)

XI. Unfinished Business

1. ?
- 2.

XII. Items for Discussion

?

XIII. Miscellaneous / Future Agenda Items

?

XIV. Adjournment

REGULAR BOARD MEETING
Village Hall, 102 S. 2nd Street

September 9, 2024 – 7:30 pm
Village of West Dundee

I. CALL TO ORDER:

Manager Cavallaro called the Regular Board Meeting to order at 7:30 p.m.

II. ROLL CALL:

Present were Village Manager, Joseph Cavallaro, Village Trustees Mark Johnson, Cheryl Alopogianis, Cheryl Anderley, Dan Wilbrandt, Tom Price, and Andy Yuscka. Village President Christopher Nelson was absent.

Also present were Village Attorney Kelli Melin, Fire Chief Michael Spiro, Interim Police Chief Dan Haines, Director of Economic Development Timothy Scott, Community Development Director Thomas Moszczynski, and Director of Public Works Eric Babcock.

There were approximately forty (40) people in the audience.

III. PLEDGE OF ALLEGIANCE:

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

IV. APPROVAL OF AGENDA:

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

AYES: Trustees Johnson, Alopogianis, Anderley, Wilbrandt, Price and Yuscka

NAYS: None

ABSENT: None

V. VILLAGE PRESIDENT'S REPORT:

Trustee Yuscka read the proclamation recognizing Emmett's Brewing Company's 25th Anniversary and presented the proclamation to Andy Burns who was in the audience.

Chief Spiro announced that Firefighter Luke Hellman was being sworn in at tonight's meeting. He was sworn in and pinned by his girlfriend.

Jerry Christopherson of True Patriots Care thanked the Board for their support in bringing The Wall that Heals exhibit back to Randall Oaks Park this past Memorial Day. He said that it's almost impossible to get the exhibit twice and this is their second time getting the exhibit. He said they couldn't have done it without the help of all the surrounding Villages, especially West Dundee. He thanked the Board, the Police Department, the Fire Department, and Public Works for their help and presented the Village with a plaque.

VI. REPORTS AND QUESTIONS FROM TRUSTEES AND WORKING GROUPS None

Trustee Johnson said that in light of the traffic study for a left turn lane off of Route 72 onto First Street, he spoke with concerned residents on First Street and the impact this would have. He would like for the Board to discuss this topic sooner than later.

Trustee Alopogianis asked Director Babcock if the crosswalks in Grand Point Meadows could be addressed, she said cars cannot see the cross bars / stop signs and asked for them to be re-done. Manager Cavallaro said he would have Public Works address this.

Trustee Yuscka asked Director Babcock when the street grinding would begin. Director Babcock said it was supposed to begin this week and he would get an updated schedule.

VII. STAFF REPORTS: Manager Cavallaro said the volunteers were still needed for Heritage Fest this upcoming weekend, the weather looks good, and it should be a nice community event.

VIII. QUESTIONS FROM THE AUDIENCE:

Barb Haines approached the Board and said that she was copied on a letter that was sent to the owners of The Mansion asking that they install a fence between their property and hers. She said that they didn't install a new fence but instead, put up broken fence sections. She asked that the Village address this issue with the owners. Manager Cavallaro said that what they did was unacceptable, and he directed the Community Development Department to address this issue.

Bernadette Stoecker addressed the Board and said, "A picture is worth a thousand words" and submitted pictures and her statement which are attached to these minutes.

IX. CONSENT AGENDA:

- A. Ratification of Checks: 09/09/2024
- B. Approval of Bill List: 09/09/2024
- C. Approval of Minutes: Special Board Meeting – August 12, 2024
- D. Approval of Minutes: Regular Board Meeting – July 15, 2024
- E. Approval of Minutes: Regular Board Meeting – August 5, 2024
- F. Approval of Minutes: Regular Board Meeting – August 19, 2024
- G. Special Event Request – VFW Post 2298 Heritage Fest 5K After Party and Award Presentation
- H. Special Event Request – West Dundee Halloween Party
- I. Special Event Request – Dundee Middle School Midnight Mile
- J. Authorization for Molly Maid Service at Pump House

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

AYES: Trustees Johnson, Alopogianis, Anderley, Wilbrandt, Price and Yuscka

NAYS: None

ABSENT: None

X. RESOLUTIONS AND ORDINANCES

A. Ordinance Approving Final Plans and Final Plat of Subdivision for Construction of 111 Townhomes on Approximately 19 Acres Located on the South Side of Huntley Road East of Huffman Park, Identified as the Hickory Glen Subdivision

Trustee Price said that the Board has seen the plan for the Hickory Glen plan before and it has gone through Planning & Zoning with their recommendation to approve the final plans and plat of subdivision to develop “Hickory Glen”, 111 for-sale townhomes on approximately 19 vacant acres on the south side of Huntley Road east of Huffman Park.

Trustee Price gave an overview of this item based on the information provided in the agenda packet.

MOTION: Moved by Trustee Price and seconded by Trustee Anderley approving final plans and final plat of subdivision for the purpose of constructing 111 townhomes on approximately 19 acres on the south side of Huntley Road east of Huffman Park, identified as the Hickory Glen subdivision with the following conditions:

1. Compliance with all documents as submitted with the Planning and Zoning Application;
2. Review and approval of final engineering plans; and,
3. Compliance with all other applicable village codes and ordinances.

AYES: Trustees Price, Yuscka, Johnson, Alopogianis, Anderley and Wilbrandt

NAYS: None

ABSENT: None

B. Ordinance Approving a Development Agreement by and between the Village of West Dundee and CalAtlantic Group, LLC for the Construction of 111 Townhomes on Approximately 19 Acres Located on the South Side of Huntley Road East of Huffman Park, Identified as the Hickory Glen Subdivision

Trustee Price said that as a follow-up to the previous item, this Ordinance approves the development agreement by and between the Village of West Dundee and CalAtlantic Group for the construction of 111 townhomes on 19 acres on the south side of Huntley Road, east of Huffman Park identified as the Hickory Glen Subdivision. He said that this sets the terms and conditions of the subdivision and outlines what’s expected of the Village.

MOTION: Moved by Trustee Price and seconded by Trustee Alopogianis to approve an ordinance approving a development agreement by and between the Village of West Dundee and CalAtlantic Group, LLC for the construction of 111 townhomes on approximately 19 acres on the south side of Huntley Road East of Huffman Park, identified as the Hickory Glen Subdivision, subject to final review and approval by the Village Attorney.

AYES: Trustees Price, Yuscka, Johnson, Alopogianis, Anderley and Wilbrandt

NAYS: None

ABSENT: None

C. Ordinance Approving: (1) Rezoning from R-5 Medium Density Multiple-Family District to R-4 Low-Density Multiple-Family District; (2) Variations from Required Side and Rear Yard Setbacks and Minimum Lot Area; and (3) a Preliminary Plat of Subdivision for the Purpose of Construction 12 Townhomes in Three, Four-unit Buildings on Approximately 1.7 Acres on the South Side of Strom Drive East of Century Plaza, Identified as Hillside Point Subdivision.

Trustee Price explained that this plan has also been seen before and that this site plan is a reiteration of the previous plan with a couple of changes including the density of the buildings, setback variations, and minimum lot area. Trustee Price provided an overview of the plan based on the information that was provided in the agenda packet.

Trustee Wilbrandt asked about the easement or right of way from Edwards Avenue and asked if there were any discussions about an interconnection from Edwards to the HLC property. He wondered if the Village might wish we had not vacated the property in the future. Director Scott said that a connection was never envisioned by the Village or Haeger, and HLC has no desire to make the connection.

MOTION: Moved by Trustee Price and seconded by Trustee Alopogianis to Approve an Ordinance Approving Rezoning to R-4 Low-Density Multiple Family District, Variations from Required Side and Rear Yard Setbacks and Minimum Lot Area, and a Preliminary Plat of Subdivision to Allow Construction of 12 Townhomes in Three, Four-unit Buildings on Approximately 1.7 Acres of Vacant Property Located on the South Side of Strom Drive East of Century Plaza, Identified as Hillside Point Subdivision, subject to the following conditions:

1. Compliance with all documents as submitted with the Planning and Zoning application;
2. Review and approval of engineering plans; and,
3. Compliance with all other applicable Village codes and ordinances.

AYES: Trustees Price, Yuscka, Johnson, Alopogianis, Anderley and Wilbrandt

NAYS: None

ABSENT: None

XI. UNFINISHED BUSINESS

A. Amendment to Intergovernmental Agreement for State-Maintained Traffic Signals

Trustee Yuscka explained that based on the conditions of the highway permit for the installation of the signal at Route 31 and Canterfield Parkway, the associated construction, operation, and maintenance of the traffic and pedestrian signal is 100% the responsibility of the Village. The construction and installation of these improvements were placed on the developer as a condition of the development agreement. Village staff will pursue the appropriate agreement with the master developer to cover reimbursement for the maintenance and energy charges for this signal. The agreement also stipulates and requires that the State of Illinois will conduct the actual maintenance for the intersection.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to authorize staff to execute an amendment to the Intergovernmental Master Agreement for state-maintained traffic signals for the addition of the signal at Illinois State Route 31 and Canterfield Parkway between the Village of West Dundee and IDOT.

AYES: Trustees Yuscka, Johnson, Alopogianis, Anderley, Wilbrandt and Price

NAYS: None

ABSENT: None

B. Professional Services Agreement – Lead Service Line Replacement, Phase 1

Trustee Yuscka said that as a result of the original Professional Services Agreement in April 2022, the Village has been allocated funds through the IEPA for lead service line replacement. Staff asked Baxter & Woodman to prepare a proposal to facilitate the design for Phase 1 of the program.

Phase 1 of the Village’s Lead Service Line Program includes replacing the public and the private side of approximately 258 lead services. Trustee Yuscka provided a brief overview of Baxter & Woodman’s services which included the entirety of the Phase 1 work at a cost not to exceed \$129,400.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Alopogianis to authorize a Professional Services Agreement with Baxter and Woodman to complete Phase 1 Engineering for the Lead Service Line Replacement, Phase 1 Project at a cost not to exceed \$129,400.

AYES: Trustees Yuscka, Johnson, Alopogianis, Anderley, Wilbrandt and Price

NAYS: None

ABSENT: None

XII. NEW BUSINESS

A. Recommendation to Authorize Tree Planting and Tree Purchasing

Trustee Yuscka explained that Public Works solicited quotes for the 2024 Parkway Tree Replacement Program which is being presented to the Board for authorization to proceed.

Three quotes were received with the low quote of \$165 per tree provided by Langton Group of Woodstock, IL. Director Babcock said that the Village has not previously worked with Langton Group, but Public Works checked their references which were all positive.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to authorize Public Works to proceed with the 2024 Parkway Tree Replacement Program at a total cost of \$17,250.

AYES: Trustees Yuscka, Johnson, Alopogianis, Anderley, Wilbrandt and Price

NAYS: None

ABSENT: None

B. Authorization to Purchase Solar-Powered Arrow Board

Trustee Wilbrandt explained that Public Works is requesting the purchase of a solar-powered arrow board for traffic control and safety during excavations and pavement work along dense traffic routes. Three quotes were received and are being presented to the Board for consideration.

The primary use of the arrow board is to facilitate lane closures for the safety of motorists and staff when work occurs along dense traffic routes.

Director Babcock said that they typically rent arrow boards, but considering the frequency with which this work occurs, combined with the rental costs and acquisition time for each occasion, having an arrow board on-premises makes sense from a fiscal and efficiency perspective.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Alopogianis to authorize Public Works to purchase a solar-powered arrow board from O’Leary’s Contractors Equipment and Supply at a cost of \$4,898.

AYES: Trustees Yuscka, Johnson, Alopogianis, Anderley, Wilbrandt and Price

NAYS: None

ABSENT: None

C. Authorization to Purchase Decorative Light Posts

Trustee Yuscka explained that the Village’s light pole inventory is down, and new light poles are needed to replace units that are deteriorating or have been damaged in vehicular incidents. Public Works is seeking authorization to purchase 5 heavy-duty light poles.

Trustee Alopogianis asked if insurance claims are submitted for light poles that are damaged in vehicular incidents. Director Babcock said that yes, the Police Department secures the information and works with IRMA.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Johnson to authorize Public Works to purchase decorative light poles at a total cost of \$28,087.

AYES: Trustee Yuscka, Johnson, Alopogianis, Anderley, Wilbrandt and Price

NAYS: None

ABSENT: None

D. Quarterly Financial Report – July 2024

In Director Danielson’s absence, Kathy Hays, Fiscal Assistant, presented the Quarterly Financial Report ending July 31, 2024. She pointed out that as outlined in Director Danielson’s memo to the Board, the fieldwork for the 2023/24 audit has been completed. It is the hope that the final audit can be presented to the Board at the October 21st Board Meeting, but this report usually does not change the cash/investment bottom line.

After Kathy Hays’ presentation, Trustee Johnson pointed out that the Court Fines line item under General Revenue is under what was budgeted. \$225,000 was budgeted and to date, \$25,986 has been collected. Interim Police Chief Haines reported that the Red Speed cameras located on Route 31 and Boncosky were down for several months which reduced the collected fines.

Trustee Johnson noted that the computer support equipment line item was up compared to last year. Ms. Hays said that it is most likely a timing issue and will research this and provide a response.

Trustee Johnson noted that the Police and Fire Pension line item is up. Manager Cavallaro said that this is tied to the tax levy and unfortunately goes up every year.

Trustee Johnson noted that the Fire Maintenance line item is up. Ms. Hays said that this is due to the accident involving the fire truck. Trustee Johnson asked if the Village would get anything back from insurance. Ms. Hays said that the claim is being processed with IRMA now.

Trustee Johnson noted that the Reimbursable Expenses line item under Community Development is up. Manager Cavallaro said that this has to do with plan reviews and outside engineering, and this is a timing issue.

E. Public Safety Center #1 Security Fence

Trustee Wilbrandt explained that the Police Department is requesting authorization for the purchase and installation of a security perimeter fence at Public Safety Center #1. The Police Department solicited 3 quotes for review. Trustee Wilbrandt said that this fence has been budgeted and anticipated for a while and it is good that this is being installed.

Interim Police Chief Haines showed a sample of the fence that would be installed. He said that it is very sturdy and will last a long time.

MOTION: Moved by Trustee Wilbrandt and seconded by Trustee Alopogianis to accept staff's recommendation of the Fence Connection, Inc. quote of \$122,844 including electric and underground locating, for a security fence and gates at Public Safety #1.

AYES: Trustees Wilbrandt, Price, Yuscka, Johnson, Alopogianis and Anderley
NAYS: None
ABSENT: None

XIV. MISCELLANEOUS / FUTURE AGENDA ITEMS

XV. ADJOURNMENT:

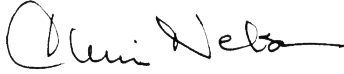
MOTION: Moved by Price and seconded by Trustee Anderley to adjourn the Regular Board Meeting. The motion was approved by acclamation.

The Regular Board Meeting adjourned at 8:36 p.m.

ATTEST:



Mary Jo Cape
Village Clerk



Christopher Nelson
Village President

REGULAR BOARD MEETING
Village Hall, 102 S. 2nd Street

August 5, 2024 – 7:30 pm
Village of West Dundee

I. CALL TO ORDER:

President Nelson called the Regular Board Meeting to order at 7:30 p.m.

II. ROLL CALL:

Present were Village President Christopher Nelson, Village Manager, Joseph Cavallaro, Village Trustees Mark Johnson, Cheryl Alopogianis, Cheryl Anderley, Dan Wilbrandt, Tom Price, and Andy Yuscka.

Also present were Village Attorney Michael Castaldo, Director of Public Works Eric Babcock, Director of Economic Development Timothy Scott, and Community Development Director Thomas Moszczynski.

There were approximately ten (10) people in the audience.

III. PLEDGE OF ALLEGIANCE:

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

IV. APPROVAL OF AGENDA:

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

AYES: Trustees Johnson, Alopogianis, Anderley, Wilbrandt, Price and Yuscka

NAYS: None

ABSENT: None

V. VILLAGE PRESIDENT'S REPORT:

President Nelson said that he intends to reappoint Mr. Dan Finnegan to the West Dundee Police Pension Board for another term.

President Nelson announced proclamations celebrating Half Full Nest's 5-year anniversary and recognizing the accomplishments of Sophie Ann Baker.

VI. REPORTS AND QUESTIONS FROM TRUSTEES AND WORKING GROUPS

Trustee Alopogianis said that she attended the 5-year anniversary ribbon cutting at Half Full Nest. She said that they were appreciative of the Village's support over the years. Trustee Alopogianis will deliver the proclamation to Half Full Nest.

Trustee Wilbrandt said that the next downtown event is scheduled for Friday at the Pump House with Controlled Burn providing music and Bamboozels providing beverages. He said the weather looks good and hopes to see everyone at the event.

VII. STAFF REPORTS: None

VIII. QUESTIONS FROM THE AUDIENCE:

Barb Haines approached the Board and said that her backyard backs up to the parking lot for The Mansion and when cars come and go from the parking lot, their headlights shine into her living room windows. She asked if the Board approved the zoning request, could they require that the owner of The Mansion put up a privacy fence between the properties to prevent this.

Steve Fang read a statement that he submitted in writing for the record and is attached to these minutes.

Sue Berna expressed her concerns over code enforcement occurring as a result of complaints from residents rather than through inspections. She expressed concerns over egress from the apartment on the third floor. She asked what constitutes spot zoning and feels the zoning on Main Street is confusing to the new businesses coming into the Village.

Bernadette Stoecker approached the Board to continue the discussion about the zoning violations at The Mansion. She reviewed the property uses over the years and feels there are currently 3 zoning violations relating to the B&B license, the SRO license, and the use of the 3rd floor, which is outlined for storage use.

Bernadette Stoecker submitted a petition signed by residents of Old Town who would like to see the RB zoning enforced as it pertains to 305 Oregon Avenue to operate as a Bed & Breakfast license granted in 2002. They would also like for the Village Board to deny the petitioner's request for Single Room Occupancy and that the Special Use be denied and to give proper notification of this zoning violation to the property owners. The signed petition is attached to these minutes.

IX. CONSENT AGENDA:

- A. Approval of Bill List: 08/05/2024
- B. Ratification of Checks: 08/05/2024
- C. Recommendation to Approve Carrington Reserve Maintenance
- D. Special Event and Daily Liquor Permit Request – Village Sponsor Event – Finally Friday
- E. Approval of Minutes: Regular Board Meeting – June 3, 2024
- F. Special Event and Daily Liquor Permit Request – VFW Bags & Brews Tournament
- G. Liquor License Renewal – Sonesta Select Elgin
- H. Approval of Minutes: Regular Board Meeting – June 17, 2024

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

AYES: Trustees Yuscka, Johnson, Alopogianis, Anderley, and Price

NAYS: None

ABSTAIN: Trustee Wilbrandt

X. RESOLUTIONS AND ORDINANCES

- A. 120 W. Main St.: Consideration of an Ordinance Approving Assignment of a Redevelopment Agreement by and between the Village of West Dundee and 120 Main Dundee LLC**

Trustee Price explained that the Village was informed by 120 Main Dundee LLC's lender, Sterling Bank, that they require that the Redevelopment Agreement be assigned to them as collateral for the project.

Trustee Price said it is common for a bank to require this, so they have rights in case of a default and that this is often a condition for banks to provide financial assistance.

MOTION: Moved by Trustee Price and seconded by Trustee Yuscka to adopt an Ordinance Approving a Commercial Security Agreement Assigning Reimbursement Rights pursuant to a Redevelopment Agreement by and between the Village of West Dundee, Illinois and 120 Main Dundee LLC subject to final review and approval by the Village Attorney.

AYES: Trustees Price, Yuscka, Johnson, Alopogianis, Anderley and Wilbrandt

NAYS: None

ABSENT: None

B. 305 Oregon Avenue: Consideration of an Ordinance Approving a Special Use Permit to Allow Single Room Occupancy Units and Apartments on the Ground Floor

Trustee Price explained that this topic has been discussed at length with a lot of input from residents. The property has been licensed to operate as a Bed & Breakfast, having 8 total rooms/units. These 8 units are currently being utilized for stays of more than 31 days which exceeds that of a Bed & Breakfast unit or a Short-Term Rental, and therefore are considered Single Room Occupancy units by definition. The petitioner is requesting approval of a Special Use Permit to allow for 8 single-room occupancy units, which would require rental for 31 days or more, and 2 ground-floor apartments for long-term rental. The memo to the Board outlined some potential conditions of the Special Use Permit.

The Board discussed protections that are in place if the petitioner is granted the SRO license such as higher reviews by the Board and the ability to revoke the license if there are issues. Trustee Price said that the building is historic and iconic and feels that some level of accommodations makes sense.

Trustee Anderley asked what would happen to tenants if the Board did not grant this licensing. She asked about the process by which tenants would be removed from the building. Manager Cavallaro said that the Village would issue a letter to the owner providing them with a timeline to come into compliance and said it would not be an overnight issue.

The Board had a brief conversation regarding potential uses for the property and if the special use would carry with the land, or the property if sold.

MOTION: Moved by Trustee Price and seconded by Trustee Yuscka to approve an Ordinance Issuing a Special Use Permit to Allow Eight (8) Single Room Occupancy (SRO) Units and Two (2) Apartments on the Ground Floor at 305 Oregon Avenue, currently known as The Mansion Bed and Breakfast, subject to the following conditions:

- 1) The property afforded Bed & Breakfast license provisions allowing outdoor events shall no longer be authorized; and,
- 2) The total number of units within the structure may not increase beyond the 11 total units currently on the site, which include 8 shorter-duration units and 3 traditional apartments; and,
- 3) Any future owner seeking to continue SRO and ground floor apartment uses would need to seek Village Board licensing approval prior to the transfer of the property's ownership.

AYES: Trustees Price, Yuscka, Alopogianis and Anderley

NAYS: Trustees Johnson and Wilbrandt

ABSENT: None

XII. NEW BUSINESS

A. 24-08-05 – Authorization to Purchase Public Works Vehicle Replacement

Trustee Yuscka explained Public Works is requesting the replacement of two fleet vehicles, a 2002 Ford F-550 1-ton dump truck, and a 2007 Ford pick-up. Both need to be replaced due to age, excessive engine wear, transmission problems, suspension failures, and body deterioration. Trustee Yuseka said that due to the changes in the purchasing programs and ordering process for vehicles since May, the Village needs to grab opportunities when they arise.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to authorize Public Works to purchase a new 2023 Ford F-550 dump truck with plow package from Dick Masheter Ford at a cost of \$114,143.76 and a new 2022 Ford F-250 with service body from Currie Ford at a cost of \$50,108, along with lift gate and light bar installations at a cost of \$10,541.85.

AYES: Trustees Yuscka, Johnson, Alopogianis, Anderley, Wilbrandt and Price
NAYS: None
ABSENT: None

B. Authorization to Conduct Village Hall Landscaping

After a brief discussion about the landscaping at Village Hall, it was decided to table this item until other work at Village Hall has been completed.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Johnson to table Item A under New Business until a later meeting.

AYES: Trustees Yuscka, Johnson, Alopogianis, Anderley, Wilbrandt and Price
NAYS: None
ABSENT: None

C. Authorization to Initiate Auction Items and Fixtures at Spring Hill Mall

President Nelson said that he asked staff to explore how to best distribute any items that were leftover by the mall or its former tenants. Staff believes there were items left behind that may be of value and looked into auctioneering services. Obenauf Auction Services specializes in offering professional auctioneering services primarily to municipalities Staff is looking into having Winger and Obenhaus catalog items and offer them on an online auction. Village staff would tab any items that we believe are of value and would be worth auctioning off.

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to authorize Obenauf Auction Service Inc. and Winger Building Services to initiate an auction of items at Spring Hill Mall and Village staff to approve items for auction.

AYES: Trustees Yuscka, Johnson, Alopogianis, Anderley, Wilbrandt and Price
NAYS: None
ABSENT: None

XIII. EXECUTIVE SESSION

A. Section 2 (C) (1) of the Open Meeting Act: Personnel

MOTION: Moved by Trustee Anderley and Seconded by Trustee Alopogianis to recess from Regular Session and enter into Executive Session. Upon roll call, the motion was approved.

AYES: Trustees Anderley, Wilbrandt, Price, Yuscka, Johnson and Alopogianis
NAYS: None
ABSENT: None

The Regular Board Meeting recessed to Executive Session at 8:12 pm

MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to recess from Executive Session. Upon roll call, the motion was approved.

AYES: Trustees Yuscka, Johnson, Alopogianis, Anderley, Wilbrandt and Price
NAYS: None
ABSENT: None

The Regular Board Meeting resumed at 8:43 pm

XIV. MISCELLANEOUS / FUTURE AGENDA ITEMS

Trustee Wilbrandt said that he and Trustee Yuscka sat in on the initial interviews for Police Chief and he was very impressed with the internal and external candidates for the position.

XV. ADJOURNMENT:


MOTION: Moved by Trustee Yuscka and seconded by Trustee Price to adjourn the Regular Board Meeting. The motion was approved by acclamation.

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

ATTEST:



Mary Jo Pape
Village Clerk



Christopher Nelson
Village President

ORDINANCE 2024-01

AN ORDINANCE AMENDING TITLE FIVE CHAPTER ONE
FIRE CODE OF THE VILLAGE OF WEST DUNDEE PROHIBITING OPEN FLAME
DEVICES AND PERFORMANCES

WHEREAS, the Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, the Village of West Dundee is committed to protecting the public health and safety; and

WHEREAS, the Village of West Dundee is committed to maintaining a functional built environment and safe neighborhoods while securing property values and quality of life by the efficient administration of building code regulations; and

WHEREAS, the Village Board has recently reviewed new code provisions and is desirous of updating codes regulating the built environment to internationally accepted code standards; and

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, as follows:

Section 1: Title 5 Chapter 1 of the Village Code of the Village of West Dundee is hereby amended by adding Section 308.3 Group A Occupancies and Section 308.3.2 Theatrical Performances to Title 5, Chapter 1 to read as follows:

Section 308.3 Group A occupancies. Open-flame devices shall not be used in Group A occupancy.

Exceptions: Delete Exception 1.2

Section 308.3.2 Theatrical performances. Delete this section entirely and replace with the following. "Open flame theatrical performances are not allowed inside of any structure."

Section 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: That this Ordinance shall be in full force and effect upon its passage and approval, as provided by law.

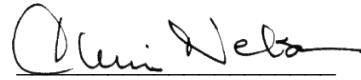
PASSED: January 22, 2024

AYES: Trustees Wilbrandt, Price, Johnson, Alopogianis, and Anderley

NAYS: None

ABSENT: Trustee Yuscka

ABSTAIN: None



Christopher Nelson, Village President

ATTEST:



Mary Jo Pape, Village Clerk

Passed: January 22, 2024

Approved: January 22, 2024

Published: January 22, 2024

Prepared by:

Village of West Dundee

100 Carrington Drive

Resolution No. 24-01

A RESOLUTION OF THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS
APPROVING THE SEVENTH SUPPLEMENTAL AGREEMENT WITH
FOX RIVER WATER RECLAMATION DISTRICT

WHEREAS, the Village of West Dundee, Kane County, Illinois (the "Village"), is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, the VILLAGE and the FOX RIVER WATER RECLAMATION DISTRICT, formerly known as the SANITARY DISTRICT OF ELGIN, a municipal corporation (the "District"), have heretofore entered into an Agreement entitled "Agreement Between the Sanitary District of Elgin and the Village of West Dundee for a Joint Sewage Treatment Project in the West Dundee Facilities Planning Area", dated February 25, 1983 ("Agreement"); a Supplemental Agreement entitled "A Supplemental Agreement" dated July 28, 1986 ("Supplemental Agreement"); a Second Supplemental Agreement dated December 12, 1994 ("Second Supplemental Agreement"); a Third Supplemental Agreement dated August 9, 2004 ("Third Supplemental Agreement"); a Fourth Supplemental Agreement dated October 10, 2005 ("Fourth Supplemental Agreement"); and a Fifth Supplemental Agreement dated December 14, 2020 ("Fifth Supplemental Agreement"); and a Sixth Supplemental Agreement dated August 1, 2022 ("Sixth Supplemental Agreement"); and

WHEREAS, the District provides the Village with sanitary sewer treatment services and, therefore, has agreed to contribute its proportional share of the costs of the operations of the District, including the PRSF Project, all as set forth in the SEVENTH SUPPLEMENTAL AGREEMENT BETWEEN THE FOX RIVER WATER RECLAMATION DISTRICT, FORMERLY KNOWN AS THE SANITARY DISTRICT OF ELGIN, AND THE VILLAGE OF WEST DUNDEE FOR A JOINT SEWAGE TREATMENT PROJECT IN THE WEST DUNDEE FACILITIES PLANNING AREA, attached hereto (the "Seventh Supplemental Agreement").

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:


1. That the Seventh Supplemental Agreement by and between the Village and the District in the form attached hereto as Exhibit A and made a part hereof, is hereby approved and the President and Village Clerk are hereby authorized to execute and deliver and undertake any and all actions as may be required to implement its terms on behalf of the Village.

2. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the Village President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, this 22nd day of January 2024.

AYES:	Trustees Price, Johnson, Alopogianis, Anderley and Wilbrandt
NAYS:	None
ABSENT:	Trustee Yuscka
ABSTAIN:	None

VILLAGE OF WEST DUNDEE

By: 
Christopher Nelson, President

ATTEST:


Mary Jo Pape, Village Clerk

SEVENTH SUPPLEMENTAL AGREEMENT BETWEEN THE FOX RIVER
WATER RECLAMATION DISTRICT, FORMERLY KNOWN AS THE
SANITARY DISTRICT OF ELGIN, AND THE VILLAGE OF WEST DUNDEE
FOR A JOINT SEWAGE TREATMENT PROJECT IN THE WEST DUNDEE
FACILITIES PLANNING AREA

WHEREAS, the VILLAGE OF WEST DUNDEE a municipal corporation ("Village") and the FOX RIVER WATER RECLAMATION DISTRICT, formerly known as the SANITARY DISTRICT OF ELGIN, a municipal corporation ("District"), have heretofore entered into an Agreement entitled "Agreement Between the Sanitary District of Elgin and the Village of West Dundee for a Joint Sewage Treatment Project in the West Dundee Facilities Planning Area", dated February 25, 1983 ("Agreement") and a Supplemental Agreement entitled "A Supplemental Agreement" dated July 28, 1986 ("Supplemental Agreement") and a Second Supplemental Agreement dated December 12, 1994 ("Second Supplemental Agreement") and a Third Supplemental Agreement dated August 9, 2004 ("Third Supplemental Agreement"); and a Fourth Supplemental Agreement dated October 10, 2005 ("Fourth Supplemental Agreement"); and a Fifth Supplemental Agreement dated December 14, 2020 ("Fifth Supplemental Agreement"); and a Sixth Supplemental Agreement dated August 1, 2022 ("Sixth Supplemental Agreement"); and

WHEREAS, the District's National Pollutant Discharge Elimination System ("NPDES") permit for its North Water Reclamation Facility ("North WRF"), in Special Condition 21 of the permit, provides for new phosphorus removal effluent limits and an associated permit construction compliance schedule, and the District has determined that it is necessary, in order to comply with the permit, to construct improvements to the District's North WRF to biologically remove phosphorus. These improvements include the addition of new anoxic and anaerobic Mixing Basins, new Primary Sludge Pumping, a new Aeration Tank, new Blowers and diffusers with dissolved oxygen control, a new Fermenter with associated Odor Control, replacement of the Return Sludge Pumping Station, modifications to the Sludge Transfer Facility, a new

electrical distribution room, new flow monitoring, hydraulic flow improvements; and associated electrical, instrumentation and controls, heating ventilation and air conditioning, piping, valves, and appurtenances for complete installations. These improvements are being made pursuant to a construction project known as the North WRF Phosphorus Removal Improvements Project ("NPRI"); and

WHEREAS, pursuant to Paragraph 13 of the Second Supplemental Agreement, the Village has agreed to pay its pro rata share of the capital costs for any directive to increase the degree of treatment provided at the North WRF; and hereby agrees to contribute to the cost of the NPRI project on the terms and conditions set forth herein; and

NOW, THEREFORE, in consideration of the mutual covenants, conditions, and agreements contained herein, it is hereby agreed by and between the Fox River Water Reclamation District and the Village of West Dundee, as follows:

1. The forgoing preamble paragraphs are incorporated herein and made a part of this Seventh Supplemental Agreement as though fully set forth.

2. The NPRI Project has been constructed according to certain plans and specification prepared by Black & Veatch, dated February 2019. The total project cost was estimated to be \$28,078,000.00 and included design engineering, construction costs, and post-award engineering costs to complete the NPRI Project. The final, loan eligible, total cost for engineering and construction due to change orders and amendments is \$26,135,734.54 ("Total Principal Cost".) The Total Project Cost, including interest accumulated during construction, is \$26,528,823.40.

3. The Village's proportionate share of the Total Principal Cost of the NPRI Project is based upon the percentage of the Village's design flow at the District's North Treatment WRF as compared to the total design flow of the District's North Treatment WRF. The design flow of the Village is 1.65 MGD divided by 7.75 MGD total design flow of the North Treatment WRF, or 21.29% as set forth in paragraph 1 of Exhibit A, attached hereto and incorporated herein.

4. The Village's accumulated depreciation payments for existing facilities replaced in the project are deducted from the Village's share of the Total Principal Cost. The accumulated depreciation payments total \$621,356, as set forth on Exhibit B attached hereto and incorporated herein. The Village's final proportional share of the Total Project Cost shall be 18.9% based on the calculations set forth in Item B.6 of Exhibit A.

5. The Village of West Dundee shall pay to the District the Village's final proportionate share of the Total Project Cost. Except as otherwise provided herein, payment by the Village for loan eligible costs will be made on the same terms, conditions, interest rate, and amortization period as the District's Illinois Environmental Protection Agency ("IEPA") loan. The District's IEPA loan is to be repaid in 40 semi-annual installments at 1.64% interest. The Village's payments shall be made to the District in advance of the District's payment due dates. The Final Loan Closing Agreement Schedule of Payments is set forth on Exhibit C attached hereto and incorporated herein. Payment by the Village for loan eligible costs shall be made according to the Village of West Dundee Agreed Schedule of Payments set forth on Exhibit D attached hereto and incorporated herein.

6. The Village shall have the right to pre-pay or make further payments from time to time, without penalty, in such amounts as the Village may see fit, to be applied first to interest currently due and owing and then to principal, until the principal balance remaining unpaid is paid in full.

7. Without prejudice to any other remedy at law or equity, in the event that Village fails to make any one payment of its share of the loan payments due to the District under this agreement for a period of 18 months then all principal and interest due to the District by Village for its pro rata share of the loan eligible portion of the total project costs shall become immediately due and payable.

8. Other than the requirements, if any, of the parties original grants received pursuant to the Agreement, under no circumstances shall this Seventh Supplemental Agreement or the parties' Sixth Supplemental Agreement, Fifth Supplemental Agreement, Fourth Supplemental Agreement, Third Supplemental Agreement, Second Supplemental Agreement, Supplemental Agreement, and Agreement be construed to have created a joint venture, a joint venture entity, joint venture liability or the requirements of joint venture accounting between the Village and the District. It is the intention of the District and the Village that the District shall retain full ownership, operation and control of the subject sewage treatment facilities and the Village's rights and responsibilities are in the nature of contract rights and not those of a joint venturer. Neither the District nor the Village has any authority to take any action to bind the other or impose liability on the other through action or inaction with respect to the subject matter of this Seventh Supplemental Agreement or the parties Sixth Supplemental Agreement, Fifth

Supplemental Agreement, Fourth Supplemental Agreement, Third Supplemental Agreement, Second Supplemental Agreement, Supplemental Agreement, and Agreement.

9. The Agreement, Supplemental Agreement, Second Supplemental Agreement, Third Supplemental Agreement, Fourth Supplemental Agreement, Fifth Supplemental Agreement, Sixth Supplemental Agreement, and this Seventh Supplemental Agreement shall remain in effect for a term of Forty (40) years from the date of execution of this Seventh Supplemental Agreement.

10. In all respects not inconsistent herewith or supplemented hereby, the parties Sixth Supplemental Agreement, Fifth Supplemental Agreement, Fourth Supplemental Agreement, Third Supplemental Agreement, Second Supplemental Agreement, Supplemental Agreement, and Agreement shall remain in full force and effect.

Dated this the 22nd day of January, 2024

FOX RIVER WATER RECLAMATION DISTRICT

By: _____



President

ATTEST:



Clerk

VILLAGE OF WEST DUNDEE

By: _____



President

ATTEST:



Village Clerk