

**CALL TO ORDER**

President Lynam calls to order the Village of East Dundee Regular Village Board Meeting at 6:00 p.m.

**ROLL CALL:**

Trustees Mahony, Kunze, Brittin, Saviano, Treiber and President Lynam. Trustee Andresen was absent.

Also in attendance: Village Administrator Jennifer Ramsay (via telephone), Chief of Police George Carpenter, Director of Public Works Phil Cotter, Finance Director Brandiss Martin, Building Official Chris Ranieri, Village Attorney Greg Smith, Engineer Joe Heinz and Clerk Katherine Diehl.

**PLEDGE OF ALLEGIANCE: Recited**

**PUBLIC COMMENT (Agenda items only): None**

**CONSENT AGENDA:**

- a. Motion to approve the Regular Village Board Meeting Minutes Dated September 20, 2021
- b. Motion to approve the Regular Village Board Meeting Minutes Dated October 4, 2021
- c. Motion to Approve a Resolution Approving the Release and Audio File Destruction of Certain Executive Session Minutes of Regular and Special Meetings of the President and Board of Trustees
- d. Motion to Approve a Release of Bond No. 107205025 in the amount of \$169,466.89 held by Triumph Construction Services Corporation for the 110 Prairie Lake Project (Yulivan Carriers)
- e. Motion to Approve a Release of Bond No. 107205021 in the amount of \$187,140.01 held by Triumph Construction Services Corporation for the 145 Prairie Lake Project (Chicago Nut and Bolt)

Motion to Approve the consent agenda by Kunze/Brittin.

Trustee Mahony questioned the deviation between the bond amount of \$169,466.89 listed for *consent agenda item d* and the amount of \$164,466.89 listed on the actual bond. President Lynam stated that there was a typo made on the agenda. Trustee Kunze amended his motion for agenda item d to approve the correct amount of \$164,466.89. Trustee Brittin seconded the motion.

Trustee Mahony questioned the reason for the large increase of the bond penalty from \$50,000 to \$187,000 for *consent agenda item e*. Engineer Heinz stated that because of the timing of the project, the contractor and developer were only doing the mass grading and originally bonded for an amount of \$50,000. But once the site was approved and fully permitted, the penalty increased to \$187,000.

Roll: Ayes – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Treiber. Nays – 0. Absent – 1 – Trustee Andresen. Motion carries.

**OTHER AGENDA ITEMS:**

- a. Swear in Police Sergeant Stephen P. Baima

Chief Carpenter thanked the Village Board for authorizing the promotion of two additional sergeant positions, which enables the Police Department to now have a sergeant assigned to each of the four shifts. He also thanked the Police Commission for conducting the selection process.

Carpenter stated that Officer Baima began his career in law enforcement in LaSalle-Peru where he worked 11 years beginning as a dispatcher. He spent 15 years in Schaumburg as a police officer and worked as a part-time officer at East Dundee for two years before accepting a full-time position, leaving the Lake Zurich Police Department. During his career, Baima served in many specialized assignments which include working on a State Police Drug Task Force in an undercover capacity. He also trained through SWAT and assigned as a sniper on a major crimes task force. Baima has received multiple awards from various law enforcement groups during his career. As Sergeant, he will be taking over the departments Bicycle Unit, Range and Less Lethal Weaponry, in addition to his supervisory responsibilities.

Clerk Diehl swore in Police Sergeant Stephen P. Baima

**b. Swear in Police Sergeant Kyle S. Magnuson**

Carpenter stated that Officer Magnuson began his career in law enforcement with the East Dundee Police Department in March 2015. Prior to that, he graduated from Illinois State University where he received a bachelor's degree in Education and minored in Criminal Justice. As a Patrol Officer, he served as a Rapid Response Instructor and Field Training Officer. Magnuson comes from a law enforcement family with his father being a former police officer and his brother also in law enforcement. As Sergeant, Magnuson will oversee facilities, policies, scheduling, uniform standards/inspections in addition to his other supervisory responsibilities.

Clerk Diehl swore in Police Sergeant Kyle S. Magnuson

**c. Motion to Approve an Ordinance Approving the Rezoning of the Small Western Trapezoidal Portion of the Lots 10 and 11 in the Rock Road Business Park, East Dundee, IL 60118 to the M-1 Manufacturing District**

Motion to Approve an Ordinance Approving the Rezoning of the Small Western Trapezoidal Portion of the Lots 10 and 11 in the Rock Road Business Park, East Dundee, IL 60118 to the M-1 Manufacturing District by Brittin/Kunze.

Roll: Ayes – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Treiber. Nays – 0. Absent – 1 – Trustee Andresen. Motion carries.

**d. Motion to Approve an Ordinance Approving Variations for Front Yard, Side Yards, Building Height, Driveway, Landscaping, Interior Parkway, and Parking Islands for Lot 10 and Lot 11 in the Rock Road Business Park, East Dundee, IL 60118 in the M-1 Manufacturing District**

Motion to Approve an Ordinance Approving Variations for Front Yard, Side Yards, Building Height, Driveway, Landscaping, Interior Parkway, and Parking Islands for Lot 10 and Lot 11 in the Rock Road Business Park, East Dundee, IL 60118 in the M-1 Manufacturing District by Kunze/Saviano

**Discussion:**

Trustee Kunze asked if any variances are being granted regarding the landscaping. Administrator Ramsay explained that there is a variance requested to reduce the interior parkway requirement from 10 feet to 8.5 feet. There is also a request to waive the landscaping screening requirement on the westerly side of the property. Lastly, she stated that there is a request to waive the requirement of parking islands being provided every 10 stalls as they become difficult to maintain.

Roll: Ayes – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Treiber. Nays – 0. Absent – 1 – Trustee Andresen. Motion carries.

**e. Motion to Approve an Ordinance Approving a Special Use Permit for Outside Vehicle and Equipment Parking and Storage for Plote Properties with PINs 03-24-400-006, 03-24-400-007, and 03-25-200-046 in the M-1 Manufacturing District Located in East Dundee, IL 60118**

Motion to Approve an Ordinance Approving a Special Use Permit for Outside Vehicle and Equipment Parking and Storage for Plote Properties with PINs 03-24-400-006, 03-24-400-007, and 03-25-200-046 in the M-1 Manufacturing District Located in East Dundee, IL 60118 by Kunze/Saviano

Roll: Ayes – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Treiber. Nays – 0. Absent – 1 – Trustee Andresen. Motion carries.

**f. Motion to Approve an Ordinance Approving Variations for Off-street Parking, Parking Area Screening and Landscaping, Illumination of Off-site Parking Area, and Curb and Gutter for Plote Properties with PINs 03-24-400-006, 03-24-400-007, and 03-25-200-046 in the M-1 Manufacturing District Located in East Dundee, IL 60118**

Motion to Approve an Ordinance Approving Variations for Off-street Parking, Parking Area Screening and Landscaping, Illumination of Off-site Parking Area, and Curb and Gutter for Plote Properties with PINs 03-24-400-006, 03-24-400-007, and 03-25-200-046 in the M-1 Manufacturing District Located in East Dundee, IL 60118 by Brittin/Saviano

Roll: Ayes – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Treiber. Nays – 0. Absent – 1 – Trustee Andresen. Motion carries.

**g. Motion to Approve an Ordinance Amending Chapter 157.087 Permitted Obstructions; Yards Regulating Fences as Permitted Obstructions in Yards, and Permitting Regulations in Section 151.005 Fences of the East Dundee Village Code**

Motion to Approve an Ordinance Amending Chapter 157.087 Permitted Obstructions; Yards Regulating Fences as Permitted Obstructions in Yards, and Permitting Regulations in Section 151.005 Fences of the East Dundee Village Code Kunze/Saviano

**Discussion:**

Administrator Ramsay explained that the Village received a building permit request from the Dundee Township Cemetery to erect a six-foot decorative fence on their property adjacent to Routes 25 and 72. Staff recognized that a portion of the Zoning Code regulates fences in regard to permitted obstructions in yards. She stated that the purpose of this text amendment is to provide a reference between the Fence Code in Chapter 151.006 and the Zoning Code in Chapter 157.087. With this recommended text amendment, the requested building permit for a fence will be approved because Chapter 151.006 exempts governmental bodies from fence regulations.

Dundee Township Supervisor, Arin Thrower, addressed the Board stating that the Township is opening bids at their Township Board meeting this Wednesday evening. She advised that capital improvement grant money will be used for the project. She described the look of the proposed fence to be a traditional, black wrought iron fence with brick pillars.

Roll: Ayes – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Treiber. Nays – 0. Absent – 1 – Trustee Andresen. Motion carries.

**h. Discussion and Consideration of a Façade Grant Application Received from Black and Gray and Approval of a Motion Awarding a FY 2022 Dundee Crossings BDD Façade Grant for Black and Gray in an Amount Not to Exceed \$2,082.50**

Discussion and Consideration of a Façade Grant Application Received from Black and Gray and Approval of a Motion Awarding a FY 2022 Dundee Crossings BDD Façade Grant for Black and Gray in an Amount Not to Exceed \$2,082.50 by Mahony/Saviano

Roll: Ayes – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Treiber. Nays – 0. Absent – 1 – Trustee Andresen. Motion carries.

**i. Discussion and Consideration of a Request to Make Payment to the Dundee Township Visitor's Center for the Staffing of the Depot as Proposed though the Start of the Depot Market Season in May 2022**

Bill Zelsdorf addressed the Board with a request to staff the Visitor's Center from November 1, 2021, until the start of the Depot Market in May 2022. This request is for Wednesday through Sunday from 10 am-2 pm at \$10 per hour. Zelsdorf stated that if the bike trail does not have snow or ice on it, there are still bicyclists and joggers using it. He said people still come into the Visitor's Center who are visiting the town to shop or dine.

Motion to Make Payment to the Dundee Township Visitor's Center for the Staffing of the Depot as Proposed though the Start of the Depot Market Season in May 2022 by Kunze/Brittin.

Roll: Ayes – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Treiber. Nays – 0. Absent – 1 – Trustee Andresen. Motion carries.

**j. Motion to Approve an Ordinance Repealing Ordinance Numbers 20-30, 21-04 and 21-19, Regarding Waivers of Certain Water and Sewer Service Late Fees and Shutoff Requirements in Chapters 51 and 53 of the Village of East Dundee Village Code**

Motion to Approve an Ordinance Repealing Ordinance Numbers 20-30, 21-04 and 21-19, Regarding Waivers of Certain Water and Sewer Service Late Fees and Shutoff Requirements in Chapters 51 and 53 of the Village of East Dundee Village Code by Mahony/Brittin

**Discussion:**

Trustee Kunze stated that he would like to do away with late fees for good and take a close look into the shut off policy. He stated that the current policy has shut offs occurring after nonpayment of one billing cycle. He advised that other utility companies do not shut off service that quickly. Finance Director Martin explained that the Village does not follow this policy strictly. She said typically when a shut off notice is given, the customer calls the Village to make a payment agreement. She advised that that last thing the Village wants to do is shut off water service to a customer. She said that an amended policy was being worked on until Covid-19 circumstances arose. Trustee Kunze said that he would like the code amended to what actually is being done.

Roll: Ayes – 0. Nays – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Treiber. Absent – 1 – Trustee Andresen. Motion does not pass.

**k. Motion for Consideration for the Village Attorney to Respond to a Legal Opinion**

Motion for Consideration for the Village Attorney to Respond to a Legal Opinion by Mahony/Kunze.

**Discussion:**

Attorney Smith asked for clarification on what is being asked. He explained that his firm has rendered legal opinions to the Board and that President Lynam has also obtained a separate legal opinion. Trustee Mahoney voiced that she would like Attorney Smith to review both legal opinions and the ordinances cited that support the opinions, and make a plan to move forward in the proper direction from there. President Lynam stated that at the next Village Board meeting, he plans to appoint an individual for the Trustee seat that Trustee Andresen currently holds.

Trustee Mahony amended her motion to direct the Village Attorney to respond to and review both legal opinions and ordinances cited in each opinion and give a recommendation on which of the two the Village should follow for a path to move forward. Attorney Smith explained that the Village Attorney can give opinions that address the official actions in accordance with the Village President and Board of Trustees. He advised that the Village Attorney makes no decisions in any municipality. He stated it is the Attorney's job to interpret the law and deliver opinions. He said he could review both opinions and give further analysis. President Lynam requested that all expenses occurred with this matter should be broken out separately when invoiced to the Village. Trustee Kunze seconded Trustee Mahony's amended motion.

Roll: Ayes – 4 – Trustees Mahony, Kunze, Brittin and Saviano. Nays – 1 - Treiber. Absent – 1 – Trustee Andresen. Motion carries.

**FINANCIAL REPORTS:**

**A. Warrants List \$2,799,911.61**

**REPORTS: VILLAGE PRESIDENT and BOARD**

**Lynam:** Congratulated the two Sergeants on their promotion.

**Mahony:** Reported that past Village President, Roger Ahrens, has passed away. She noted that he and his wife Diane ran Piece-A-Cake Bakery in the village for many years.

**Andresen:** None

**Kunze:** Reported that the Board received an email from a resident that had a very large water bill due to a toilet leak. He asked if the Village has installed smart meters. Public Works Director Cotter stated that Public Works uses radio reads where they can collect meter reads via radio technology while driving past the homes. Kunze said he wishes there was a way to catch a leak issue earlier. Cotter stated that East Dundee collects meter reads every other month. He said a monthly read could possibly identify an issue earlier.

**Saviano:** None

**Brittin:** Reported that she met with Pam Figolah of the Police Pension Board and would like to have her give a special presentation/educating session to the Board on either November 8 or 15.

**Treiber:** None

**REPORTS: STAFF**

**Village Administrator:** None.

**Assistant Village Administrator:** None

**Village Attorney:** None

**Village Engineer:** Heinze reported that Arrow Road Construction is working on the street improvement project and have already removed and replaced the concrete curbs that needed to be. President Lynam asked

if curb work could be added on 4<sup>th</sup> Street from Barrington Avenue to Railroad Street as previously discussed. Heinz stated that he is putting together a concept plan and a budget so that it could be considered in next year's program.

**Police Chief: None**

**Public Works Director:** Cotter reported that the water tower project is underway, beginning with welding repairs. He said the containment system will be installed this week. He also reported that well #5 went down a week ago and the motor has been removed and is being assessed.

**Building Official:** Ranieri stated that he has two matters going to the Administrative Adjudication hearing on November 17. River Valley Square will appear for neglect of their property damage and parking lot. The other matter is for the Haeger property for an unsafe structure and maintenance issues.

**Finance Director:** Martin reported that the auditors will be onsite this week. She also stated that the budget process will begin once the audit is complete.

**PUBLIC COMMENT (Items not on the Agenda):**

**Lande Sanusi – Owner of Gallery 611, East Dundee**

Sanusi addressed the Village Board with her interest in purchasing a space adjacent to her current space. She asked that those that currently occupy space in the building be given first consideration to purchase additional space. She stated that she has submitted several emails and her proposal and has not received a response. Trustee Mahony asked Sanusi to forward to the Board the proposal that she had sent previously.

**EXECUTIVE SESSION: Yes**


Motion to adjourn the Regular Village Board meeting at 7:26 p.m. to Executive Session for (c)(1) Personnel by Kunze/Mahony.

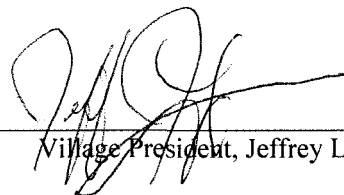
Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and President Lynam. Nays – 0. Absent – 1 – Trustee Andresen. Motion carries. Meeting adjourns.

The Village Board will not be taking any action in Executive Session and will therefore, not be returning to the Regular Board Meeting.

Respectfully submitted,

Katherine Diehl

Attest:   
Village Clerk, Katherine Diehl

By:   
Village President, Jeffrey Lynam