

MINUTES OF THE REGULAR BOARD
MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES
THURSDAY, OCTOBER 19, 2006

CALL TO ORDER AND ROLL CALL

Trustee Bowman called the meeting to order at 8:00 p.m. in the Municipal Center. It was decided among the Trustees that Trustee Bowman would preside as President for this meeting. Present at roll call were Trustees Bastidas, Menzel, Pelletier and Tuman. Also present were Attorney Rosenthal, Chief Polston, Administrator Osten, and Clerk Brouder. President Laube and Trustee Figurski were absent due to family emergencies.

PLEDGE OF ALLEGIANCE

Cub Scout Pack #357 presented the flags and the Pledge of Allegiance was recited. Trustee Bowman thanked the Scouts.

APPROVAL OF MINUTES

Trustee Menzel made a motion to approve the Board Minutes of September 21, 2006. Trustee Bastidas seconded. It was approved by a roll call of four yes votes. Trustee Bowman abstained.

VISITOR'S COMMENTS

Present at the meeting were Cub Scout Pack #357 and some of their families, Leader Randy Edwards, Hunters Farm resident Cindy Cramer, residents David Brooks, Mary Lu Seidel and Judy Veal and Rec Council President Vince Rosenthal. Also present were two United States Marine Corps representatives and our two newest Police Officers Jason Draftz and John Doherty.

Trustee Bowman explained the Marines were celebrating their 231st birthday and President Laube had prepared a proclamation naming the week of November 5th as Marine Week to honor them. Trustee Bowman read the Proclamation and presented it to the Marines. Photos were taken.

Clerk Brouder swore in the two new Police Officers and welcomed them to the Village staff. Chief Polston explained they would be attending school in Champaign for the next twelve weeks.

David Brooks, 207 North River Road, stated he had put together a plan for the restoration of Picnic Grove Park natural areas. He knows there has been discussion regarding this at the Public Works Committee, but no formal recommendation was made. Currently no management work is being done. There is an area that has been professionally started and he

would like to continue in that highly visible area. He stated that controlled burning by professionals is a proven part of comprehensive restoration of native plant areas and that this has been done in very similar residential areas in other communities. He acknowledged that a great deal of physical clearing needs to be done prior to burning.

Resident Judy Veal stated that you can pull buckthorn out without burning if you stay on top of it. She was concerned about smoke and questioned who is liable if the burn goes out of control. The general consensus was that work on a test area be started and the request to burn in that area, when the area was ready, be brought back to the Village Board at that time.

After further discussion, **Trustee Menzel made a motion to move ahead with the restoration, without burning, in the proposed area and approved by Superintendent Huizinga, who can choose to get input from Chuck Stewart at Urban Forest Management. Trustee Bastidas seconded.** It was approved by a roll call of five yes votes.

LEGISLATIVE REPORT

Administrator Osten reported that Trustee Figurski is looking for input on the legislative agenda. Please give him your comments. On NWMC's list of transportation projects he requested that a new Metra Station for Fox River Grove be added to the list. All Trustees are in favor.

Trustee Pelletier reported the following for McCOG:

~ The Village hosted September meeting at Norge. It was nicely attended. The head of the RTA, Jim Reilly and his assistant, Andy Plummer were the speakers.

~ There was a RTA regional transportation planning meeting for public input held at the Village Hall on Monday, the 16th. RTA was looking for suggestions and felt they received good feedback. They will release their plan November 9th and have a follow-up meeting the end of November.

~ There is a free Legislative Breakfast meeting on Thursday, October 26th at the Tip Top Bistro, 8 a.m. in Woodstock. She is unable to attend. Trustee Menzel and Administrator Osten will attend.

FINANCE AND ADMINISTRATION COMMITTEE REPORT

~ **Trustee Bastidas made a motion to approve the Accounts Payable Report for September 2006. Trustee Menzel seconded.** It was approved by a roll call of five yes votes.

~ **Trustee Bastidas made a motion to recommend payment to Peter Baker & Son in the amount of \$248,253.52 for Road Program. Trustee Menzel seconded.** It was approved by a roll call of five yes votes.

~ **Trustee Bastidas made a motion to approve repairs on the 1995 Dodge one-ton truck not to exceed \$4,200. Trustee Menzel seconded.** It was approved by a roll call of five yes votes.

PUBLIC WORKS COMMITTEE REPORT

~ **Trustee Tuman made a motion to adopt an ordinance amending Sections 21-40,21-41 and 21-42 of the Village of Fox River Grove Code of Ordinance and changing the title of Division 2 of Chapter 21 of the Village of Fox River Grove Code of Ordinances from "Dutch Elm Disease" to "Diseased Trees". Trustee Menzel seconded.** It was approved by a roll call of five yes votes. This will be Ordinance 2006-43.

~ **Trustee Tuman made a motion to recommend the Village Board authorize the Garage Committee to negotiate a design/build contract not to exceed \$30,000 for Public Works Garage with the condition they circulate to the Trustees the contractor team information.** This motion died without a second. It was decided this will go to Public Works and Finance Committees for Village Board action next month. Administrator Osten will supply a memo to Village Board regarding the choices.

PUBLIC HEALTH & SAFETY COMMITTEE REPORT

~ **Trustee Bowman made a motion to adopt an ordinance adding new Section 3-9 and amending sections 3-25, and 3-27 of the Code of Ordinances for the Village of Fox River Grove for the purpose of creating a Class “AAA” License which allows consumption of wine brought onto the premises of a licensed restaurant. Trustee Bastidas seconded.**

After discussion of fees, it was decided to make the AAA fee \$250 to help cover the expenses of preparing the ordinance. This ordinance was asked for because patrons of the restaurant, who have their own wine cellars, might like to bring their own wine to enjoy with their meal. The remaining wine does stay in the restaurant – they cannot take it home. The restaurant will charge a corkage fee. It was approved by a roll call of four yes votes and one no vote by Trustee Tuman. This will be Ordinance 2006-44.

~ **Trustee Bowman made a motion to have the next Fox River Grove Cycling Challenge on June 24, 2007 from 9 a.m. to 4 p.m. Trustee Pelletier seconded.** It was approved by a roll call of five yes votes.

~ **Trustee Bowman made a motion to adopt an ordinance amending Section 13-112 (a) “Park Use Permit Required” and Section 13-112 (d) “Miscellaneous” of the Code of Ordinances of the Village of Fox River Grove. Trustee Bastidas seconded.** This ordinance states any team that plays on any of our fields needs to have a permit that is issued by the Recreation Council (Rec Council) and proof of insurance naming the Village as additional insured. The Rec Council has the authority to charge a fee because the Rec Council maintains the field and equipment. The permit can be as simple as the schedule. It was approved by a roll call of five yes votes. This will be Ordinance 2006-45.

Trustee Bowman asked Administrator Osten if he had any information from Mr. Dittrich regarding annexing the small parcel on Algonquin Road. Mr. Dittrich said he is not interested in annexing. The Village Board felt that the effort to annex the portion of the Plum Tree/Old Hunt/Algonquin intersection be given further consideration only if the recent creation of a four-way stop there proves ineffective.

VILLAGE ATTORNEY’S REPORT

Attorney Rosenthal explained the Intergovernmental Agreement with Lake Barrington. It states that if the Village does acquire the Elsinore parcel (a two-acre parcel south of Talon Development) Lake Barrington will agree to disconnect it and the Village can annex it. The Village in turn agrees to freeze fees for managing the Lake Barrington water and sewer operations and holding their sewer bill to 133% of the Fox River Grove rate rather than increasing it to 150% as scheduled in the current agreement. **Trustee Menzel made a motion to adopt an ordinance approving and authorizing the execution of an intergovernmental agreement with the Village of Lake Barrington. Trustee Pelletier seconded.** It was approved by a roll call of five yes votes. This will be Ordinance 2006-46.

Attorney Rosenthal explained the ordinance to purchase the Elsinore parcel. The proposed price is \$250,000. The contract won't be signed until Lake Barrington approves the disconnect. The contract also provides for a 30-day due diligence to provide time to run tests (hazardous chemicals, high water table, peat, etc.). **Trustee Menzel made a motion to adopt an ordinance authorizing the Village of Fox River Grove to enter into and implement a contract for the purchase by the Village of certain real estate (Elsinore Parcel – PIN No. 13-21-100-012, 28963 West Highway 22. Trustee Pelletier seconded.** It was approved by five yes votes. This will be Ordinance 2006-47.

VILLAGE PRESIDENT'S REPORT

It was announced that Trustee Figurski would replace Trustee Bastidas on the Union Negotiations Team. Trustee Bastidas is unable to continue as a member due to her heavy travel schedule for work.

VILLAGE ADMINISTRATOR'S REPORT

~ **Trustee Menzel made a motion to approve the increase of garbage collection fees as stated in the October 8th letter from Waste Management. Trustee Bastidas seconded.**

The standard collection rate will increase 2.74% starting February 1, 2007. It was approved by a roll call of five yes votes.

VILLAGE CLERK'S REPORT

~ **Trustee Bastidas made a motion to waive the fidelity bond requirements for the Fire District Raffle. Trustee Pelletier seconded.** It was approved by a roll call of five yes votes.

~ **Trustee Tuman made a motion to waive the fidelity bond requirements for the Fox River Grove Lions Club. Trustee Pelletier seconded.** It was approved by a roll call of five yes votes.

ANNOUNCEMENTS

None.

OTHER BUSINESS

None.

EXECUTIVE SESSION

Trustee Pelletier made a motion to enter into Executive Session at 9:30 to discuss pending litigation and property acquisition. Trustee Menzel seconded. It was approved by a roll call of five yes votes. Trustees Bastidas, Bowman, Menzel, Pelletier and Tuman were present along with Attorney Rosenthal, Chief Polston, Administrator Osten and Clerk Brouder.

Trustee Bastidas made a motion to return to Village Board meeting at 10:13. Trustee Pelletier seconded. It was approved by a roll call of five yes votes. Present were Trustees Bastidas, Bowman, Menzel, Pelletier and Tuman. Also present were Attorney Rosenthal, Chief Polston, Administrator Osten and Clerk Brouder.

ADJOURNMENT

**~ Trustee Bastidas made a motion to adjourn the Village Board meeting at 10:15 p.m.
Trustee Pelletier seconded. All were in favor.**

Dennis Bowman, Acting Village President Date Approved

Donna M. Brouder, Village Clerk