

**MINUTES OF THE REGULAR BOARD**  
**MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES**  
**THURSDAY, NOVEMBER 16, 2006**

**CALL TO ORDER AND ROLL CALL**

President Laube called the meeting to order at 8:01 p.m. in the Municipal Center. Present at roll call were Trustees Bowman, Figurski, Menzel, Pelletier and Tuman. Also present were Attorney Rosenthal, Chief Polston, Administrator Osten, and Clerk Brouder. Trustee Bastidas was absent.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVAL OF MINUTES**

**Trustee Figurski made a motion to approve the Board Minutes of October 19, 2006. Trustee Pelletier seconded.** It was approved by a roll call of five yes votes.

**VISITOR'S COMMENTS**

Present at the meeting were residents Jeanne & Cole Stapleton, Jackie Grosse and Nona Arnold representing the FRG Lioness and Hunters Farm subdivision resident Cindy Cramer. Apartment owners Mr. & Mrs. Ramon Cuevas and Mr. & Mrs. Paul Kondraros to ask about the apartment inspection program. Business owners Adele and Andrew Migdal. Residents Lowell and Mary Ann Cutsforth, Carl and Linda Stengele, Rosemary Blohm, Diane Celske, Don Koss, Dan Shea and Cheryl were present for Lowell Cutsforth's recognition.

**Mr. & Mrs. Cuevas**, 1607 Stag Trail, Cary, stated the charm and location of our town is great. They like that the businesses are making improvements to their appearances. They asked why three units are considered multi family when real estates consider four units as multi family. Also, this will delay renting when they have a tenant looking to rent an open apartment, and can't until it is inspected. Mr. Cuevas stated that his apartments were all inspected before he bought them.

The Village Trustees decided three units or more should be considered multi-family, so our ordinance was prepared for three units as multi family. The Village is concerned with ensuring that fire and safety issues meet code requirements.

**Mr. Kondraros**, 600 Birch Lane, Fox River Grove, stated that he has the same concerns about fire and safety issues being brought to code. His apartments are grandfathered in. He was told that he is not grandfathered in. He stated that with the inspections, he has to pay a fee every year and it is his property and the Village acts like the owner.

Trustee Menzel stated he appreciates what they are saying, but these items should be brought before the Public Health & Safety Committee. It meets the first Tuesday of the month.

Mrs. Cuevas stated there is a very serious drug problem in Fox River Grove and asked which meeting should she bring this to? Public Health & Safety is the appropriate meeting.

Mr. Kondraros asked about the 50/50 sidewalk program. He stated that three years ago, his insurance company paid out \$18,000 for an accident on his property when a lady fell into a hole on the sidewalk. He was told to come to Village Hall to pick up the paperwork for the sidewalk and if he had questions, he could attend Public Health & Safety.

**Cindy Cramer**, 409 Morgan Lane, Fox River Grove, stated she and other residents would like new playground equipment in the Hunters Farm subdivision. She knows budget planning will begin soon and asked that Hunters Farm Park be considered.

### **LEGISLATIVE REPORT**

Trustee Figurski reported the following:

- ~ NWMC hosted two presentations on energy improvements ~ new fuel cells for power plants and the second using wind farms.
- ~ On Legislative committee they discussed the transportation infrastructure capital bill, the Public Safety Employees Benefit Act definition of catastrophic injury and the DROP legislation.
- ~ Wilmette has identified over 3,000 parkway trees infected with the emerald ash borer. The cost to remove them is \$275,000 and the estimate to remove and replace is \$2.5 million.

Trustee Pelletier reported the following for McCOG:

- ~ The adhoc committee on a health insurance pool is preparing a report – should be completed soon.
- ~ They posted an energy RFP for alternate suppliers.
- ~ Two state representatives voted no against cigarette tax increase.
- ~ Transportation committee's report compiled individual responses from municipalities and other organizations.
- ~ Moving Beyond Congestion had a follow up meeting at the Village Hall. There will be another in Woodstock on December 5<sup>th</sup>.

### **FINANCE AND ADMINISTRATION COMMITTEE REPORT**

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

~ **Trustee Menzel made a motion to approve payment to Maxim Construction in the amount of \$103,941 for WWTP Phase 2. Trustee Tuman seconded.** It was approved by a roll call of five yes votes.

~ **Trustee Menzel made a motion to enter into a contract with Advanced Underground Inspection in the amount of \$86,587.08 for sewer rehab. Trustee Figurski seconded.**

Trustee Menzel stated his concern that this was the low bid, and there was such a wide range of bids. He wants to be sure that this project is closely watched. It was approved by a roll call of five yes votes.

~ **Trustee Menzel made a motion to approve payment to Spies in the amount of \$5,512.50 for the Victoria Woods Boundary markers. Trustee Bowman seconded.** It was approved by a roll call of five yes votes.

**Trustee Figurski made a motion to announce the date of 12-21-06 for the Public Hearing for the proposed Tax Levy as set forth in the schedule. Trustee Pelletier seconded.** The hearing will be December 21<sup>st</sup> at the Village Board meeting. The proposed levy will be as stated in the schedule. The proposed property tax amount is \$870,000 for the corporate levy. There are also the Talon (\$19,000), Hunters Farm (\$7,500), Picnic Grove (\$5,000) and Gardner Terrace (\$5,000) Special Service Area levies. It was approved by a roll call of five yes votes.

#### **PUBLIC WORKS COMMITTEE REPORT**

~ **Trustee Figurski made a motion to adopt an ordinance approving an owner construction manager contract with Berglund Construction company for the construction of a new garage, storage and office facility for the Department of Streets and Parks. Trustee Tuman seconded.** It was approved by a roll call of five yes votes. This will be Ordinance 2006-48.

~ **Trustee Figurski made a motion to adopt an ordinance approving a contract with Sente, Rubel, Bosman and Lee Architects for architectural services in connection with the design and construction of a new garage storage and office facility for the Department of Streets and Parks. Trustee Tuman seconded.** It was approved by a roll call of five yes votes. This will be Ordinance 2006-49.

~ **Trustee Figurski made a motion to adopt an ordinance amending Article 1 of Chapter 8 ½ “Flood Damage Prevention” of the Code of Ordinances of the Village of Fox River Grove to comply with FEMA’s National Flood Insurance Program Regulations. Trustee Tuman seconded.** Trustee Figurski stated this ordinance gives the Village authority to regulate building developments 1 ½ miles or halfway to the next municipality, when located in a flood plain. It was approved by a roll call of five yes votes. This will be Ordinance 2006-50.

#### **PUBLIC HEALTH & SAFETY COMMITTEE REPORT**

~ **Trustee Bowman made a motion to adopt an ordinance granting a special use for a drive-up facility in connection with a restaurant and granting variations from off street parking and parking lot landscaping and design requirements (916 Northwest Highway). Trustee Figurski seconded.** It was approved by a roll call of five yes votes. This ordinance will be 2006-50.

#### **VILLAGE ATTORNEY’S REPORT**

Attorney Rosenthal explained the Intergovernmental Agreement with Lake Barrington is still in process, so we will have to table the approval of the agreement until next month.

#### **VILLAGE PRESIDENT’S REPORT**

President Laube reminded everyone of the Employee Appreciation party November 18<sup>th</sup>, and the Tree Lighting on December 2<sup>nd</sup>. Everyone should have completed IS 700 IS 100 disaster training in order for us to be compliant with NIMS. The Village will soon have a bulletin board in the foyer to honor service men and women from Fox River Grove.

#### **VILLAGE ADMINISTRATOR’S REPORT**

~ **Trustee Figurski made a motion to adopt an ordinance of the Village of Fox River Grove, McHenry and Lake Counties, Illinois identifying work contracts to Installment Purchase Agreement. Trustee Bowman seconded.** This ordinance authorizes and provides

for an Installment Purchase Agreement for the purpose of paying the costs of certain capital projects of the Village. It was approved by a roll call of five yes votes. This will be Ordinance 2006-52.

### **VILLAGE CLERK'S REPORT**

Clerk Brouder announced that the Channel 11 show highlighting the Fox Valley region including Fox River Grove sites such as the Norge Ski Jump and the Bettendorf castle will be shown November 28<sup>th</sup>. It was suggested to call Superintendent Jackie Krause to see if she could send it out through the schools.

Clerk Brouder also asked the Trustees to attend the Tree Lighting entertainment. We are hosting Route 66 ~ Chicago's favorite female a cappella quartet, story telling by special FRG citizens and R.C. Juggles, who juggles, makes balloon animals and is the Wisconsin state yo-yo champion.

### **ANNOUNCEMENTS**

None.

### **OTHER BUSINESS**

Barrington area radio-police repeater is on the Verizon pole on our water tower. Because of this Barrington Hills should agree to not put a cell tower on the Foxmoor property that they own.

### **EXECUTIVE SESSION**

**Trustee Pelletier made a motion to enter into Executive Session at 8:59 to discuss pending litigation, personnel and property acquisition. Trustee Bowman seconded.** It was approved by a roll call of five yes votes. Trustees Bowman, Figurski, Menzel, Pelletier and Tuman were present along with Attorney Rosenthal, Chief Polston, Administrator Osten and Clerk Brouder. **Trustee Menzel made a motion to return to Village Board meeting at 9:20. Trustee Bowman seconded.** It was approved by a roll call of five yes votes. Present were Trustees Bowman, Figurski, Menzel, Pelletier and Tuman. Also present were Attorney Rosenthal, Chief Polston, Administrator Osten and Clerk Brouder.

### **ADJOURNMENT**

**~ Trustee Menzel made a motion to adjourn the Village Board meeting at 9:25 p.m. Trustee Pelletier seconded.** All were in favor.

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Katherine A. Laube, Village President

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Date Approved

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Donna M. Brouder, Village Clerk