

MINUTES OF THE REGULAR BOARD
MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES
THURSDAY, OCTOBER 18, 2007

CALL TO ORDER AND ROLL CALL

President Laube called the meeting to order at 7:01 p.m. in the Municipal Center. Present at roll call were Trustees Bowman, Cramer, Figurski, Menzel, Pelletier and Tuman. Also present were Attorney Rosenthal, Lieutenant Lukasik, Administrator Osten and Clerk Brouder.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Trustee Bowman made a motion to approve the Board Minutes of September 20, 2007 and October 2, 2007 meetings. Trustee Menzel seconded. The motion passed by a roll call of six yes votes.

VISITOR'S COMMENTS

Residents Glenn and Paula Kayler and Raymond Scheff were in attendance.

Mr. Kayler stated he saw his name in meeting minutes, but the minutes did not reflect his feelings. He nor the entire Welch's subdivision, does not want the Streets & Parks facility in that location.

Mr. Scheff stated the newspaper shows criminal activity in all the nearby communities, but not in the Village. He spoke to some Cary-Grove High School students about criminal activities happening there. He is concerned about crime coming to Fox River Grove. Mr. Scheff suggested that President Laube speak to Cary's mayor, Mr. Lamal regarding this.

LEGISLATIVE REPORT

Trustee Figurski reported the following for the NWMC ~

- The Northern Illinois Regional Manager for ComEd attended and discussed communications and the storm problems. They plan for more field people and will call them out earlier during large storms. They are also training marketing representatives to assist during large outages and will intensify their emergency operations training. Several communities will be passing an ordinance that trees cannot be taller than twenty feet in the right-of-way ~ trees were falling on the power lines and knocking out the power. NWMC is receiving 500,000 energy efficient light bulbs to distribute to residents.

- At the October 17th Legislative meeting they talked about pensions. State Fire and Police pensions around the state are currently grossly under funded. They need to be 100% funded by year 2030. If 100% funding was required today, it would be cost prohibitive. The problem is legislation which adds to the benefits, and so the costs.

Trustee Pelletier reported the following for McCOG ~

- The County is implementing a new ordinance for developments in McHenry County. If the development consists of 20% or more of oak trees, conservation areas, aquifers, etc., the ordinance will become effective.

Trustee Pelletier will be attending the IML Conference in Chicago on Friday, October 19th. Treasurer Toppel will be attending Saturday.

FINANCE AND ADMINISTRATION COMMITTEE REPORT

~ **Trustee Tuman made a motion to approve the Accounts Payable Report for September 2007. Trustee Menzel seconded.** Trustee Tuman stated that there were many purchases not related to daily activities. The motion was approved by a roll call of six yes votes.

~ **Trustee Tuman made a motion to ratify the purchase of a compressor. Trustee Menzel seconded.** The old compressor broke and needed to be replaced immediately. It was approved by a roll call of six yes votes.

~ **Trustee Tuman made a motion to approve a contract with PTS Pay Phone. Trustee Cramer seconded.** There is no monthly fee. It was approved by a roll call of six yes votes.

~ The Park it on the Fox Car Show fundraiser for the Parks Commission made a profit of \$1,212.28. **Trustee Tuman made a motion to add \$500 to the Special Events line item earmarking it for the Park It On The Fox Fundraiser in 2008 and send remaining \$712.28 to McHenry County Community Foundation for Hunters Farm Park. Trustee Figurski seconded.** It was approved by a roll call of six yes votes.

~ **Trustee Tuman made a motion to enter into a contract with B & F Technical Services for inspections. Trustee Menzel seconded.** B & F already does apartment inspections and would add weed notices and other violations as needed. Budget money is available. It was approved by a roll call of six yes votes.

~ **Trustee Tuman made a motion to enter into a contract with Baxter & Woodman not to exceed \$1,000 to study the Eastgate drainage. Trustee Pelletier seconded.** This is related specifically to the Route 22 culvert. Administrator Osten will find out exactly what it will entail and if the Public Works Chairperson and Village President agree, proceed with project. It was approved by a roll call of six yes votes.

The Village needs a policy for hiring subcontractors for the Village. It will be discussed at the next Public Works meeting.

There was a question about North Point's tap-on fees in Lake Barrington. The fees are 25% higher than the Village's and Lake Barrington keeps the 25%.

There was discussion on hiring our own engineer. Treasurer Toppel will put together a list of Baxter & Woodman invoices. Administrator Osten said the invoices do not show what type of engineering expertise was required. He asked Larry Thomas to identify this for all future bills. He also said hiring our own engineer is generally not cost-effective for small municipalities. This will be discussed further at Finance.

PUBLIC WORKS COMMITTEE REPORT

Trustee Pelletier explained that emergency repairs were necessary for the garage. It would cost more to rent space than to repair the current building. ~ **Trustee Pelletier made a motion to ratify spending \$33,894 to Boller Construction Company for the repair of the Streets & Parks garage. Trustee Bowman seconded.** It was approved by a roll call of six yes votes.

~ **Trustee Pelletier made a motion to ratify the emergency purchase of a grit auger tank replacement in the amount of \$10,393 to Lakeside Equipment. Trustee Menzel seconded.** It was approved by a roll call of six yes votes.

Trustee Pelletier explained the garage program. There was a meeting on Tuesday. Baxter & Woodman, the builder, and the architect will work together. The building might be relocated on the site and will be below County Line Road elevation. There may be two stages of work. The first stage would include the site work, detention pond, garage, unisex bathrooms and wash area. The second stage would include the repair shop, cold storage and spoils storage. The salt storage will be totally separate.

President Laube wants additional screening and landscaping to be added. Trustee Pelletier said a berm will be added. The Village will be getting new pricing two ways. First will be the entire project if done all at once and the second will be if done in two phases. **Trustee Figurski made a motion to approve spending \$13,700 for the costs of the project in one phase or two phases. Trustee Pelletier seconded.** It was approved by a roll call of six yes votes.

Trustee Pelletier also reported that the cost of steel is going up. Pre-cast is very durable and accommodates add-ons. Solar panels are available, but not quite cost-efficient enough, yet. Radiant heat flooring is good and cost-effective but has high up-front costs. The three driveways would be reduced to two.

PUBLIC HEALTH & SAFETY COMMITTEE REPORT

Trustee Menzel reported the following:

- ~ River Pointe and Preferred Development are working together to create one full-access driveway on Route 14 for both buildings.
- ~ The Brunch Cafe and Dunkin Donuts/Baskin Robbins have their building permits.
- ~ A letter will be sent to Moretti's per President Laube. She is concerned that no activity has been done at the building. She also asked if there is any ordinance about the building being open in the back. Administrator Osten will check on this.

Trustee Cramer asked if anything had been heard back from IDOT about lowering the speed limit on Route 22. Acting Chief Lukasik replied he had seen IDOT checking speeds on Route 22, but has not heard anything back at this time.

VILLAGE ATTORNEY'S REPORT

~ **Trustee Figurski made a motion to adopt an ordinance amending Article V "Construction of Utility Facilities in Public Rights-of-way" of Chapter 18 "Streets and Sidewalks" of the Code of Ordinances of the Village of Fox River Grove. Trustee Tuman seconded.** Most communities in Northern Illinois will be adopting it and it is based on the IML model ordinance. This will govern all utilities but was revised to regulate Lightspeed. It was approved by a roll call of six yes votes.

~ **Trustee Figurski made a motion to adopt an ordinance amending Chapter 12 "Licenses, Permits and Business Regulations" of the Code of Ordinances of the Village**

of Fox River Grove by adding a new Article IX “Cable/Video Service Provider Fee.” Trustee Menzel seconded. This requires AT & T and any other video providers to pay a fee and will generate revenue for those that do not have cable franchise fees. It was approved by a roll call of six yes votes.

VILLAGE PRESIDENT’S REPORT

There was a discussion regarding the Employee Appreciation Party. It was decided to give each employee a \$50 gift certificate to the Five O’Clock Steak House. **Trustee Figurski made a motion to replace the Employee Appreciation party with a \$50 gift certificate to the Five O’Clock Steakhouse. Trustee Cramer seconded.** It was approved by a roll call of five yes votes. Trustee Bowman abstained.

There will be a food drive at Dominick’s in Fox River Grove and Jewel in Barrington to benefit the Greater Baton Rouge Food Bank in Baton Rouge, Louisiana on January 5, 2008. There are still thousands of people in need from Hurricane Katrina. They are asking the Village to endorse their endeavor. **Trustee Figurski made a motion to endorse St Matthew Lutheran Church’s food drive to benefit survivors of Hurricane Katrina. Trustee Cramer seconded.** It was approved by a roll call of six yes votes.

President Laube informed the Village Board of a FOIA request from the Northwest Herald that was denied for a number of reasons by our Village Attorney. The reporter from the Northwest Herald filed a formal appeal request and that was denied again. The Village did get a second opinion from another Attorney and he did agree with Attorney Rosenthal.

VILLAGE ADMINISTRATOR’S REPORT

Administrator Osten reported that he has been working with McCOG members to form a medical insurance pool. There is a resolution to pass to show our intent to join. Spring Grove passed theirs last night. Trustee Cramer stated that she highly recommends this – it is a lower cost and gives choices to the employees. Trustee Menzel stated that employees would not need a referral form from their doctor to see a specialist. **Trustee Menzel made a motion to adopt a Resolution of Intent to join the Northern Illinois Municipal Health Benefits Cooperative. Trustee Cramer seconded.** It was approved by a roll call of six yes votes.

Administrator Osten stated that the Finance and Streets & Parks policies are related to both purchasing and the road program. Both will go to the Finance and Public Works Committees.

VILLAGE CLERK’S REPORT

~ **Trustee Cramer made a motion to waive the fidelity bond requirements for the FRG Firefighters annual Turkey Raffle on November 16th, 2007. Trustee Bowman seconded.** It was approved by a roll call of six yes votes.

Clerk Brouder reported that all brick mailbox owners are in compliance.

ANNOUNCEMENTS

The Boy Scouts in attendance had questions about the Public Works building. The Village is not sure how much the costs will be and whether we will do the Garage Building in one phase or two. The property is located on County Line Road behind the Talon Development called Fox Glen. The work is being done at the Building Subcommittee and Public Works Committee meetings before the Village Board meeting.

December 12, 2007 is the next Parks Commission meeting.

OTHER BUSINESS

Tony Novelli entered late and said that the Village Board does not seem to be listening to the residents regarding the new garage. When will the Village know the final costs? President Laube told him we approved a plan earlier in the meeting that the garage will be in two phases. We should have those numbers in December. Mr. Novelli asked how the Village can plan the size until the Village knows how much it will cost. The Village needs to find out the need and then how the Village will pay for it. Administrator Osten stated that the Village first identified the need, the proposed building was designed around the needs, the Village is fine-tuning the cost, and then it will discuss financing options.

EXECUTIVE SESSION

~ **Trustee Bowman made a motion to enter into Executive Session at 8:21 to discuss pending litigation and personnel. Trustee Pelletier seconded.** It was approved by a roll call of six yes votes. Trustees Bowman, Cramer, Figurski, Menzel, Pelletier and Tuman were present along with President Laube, Attorney Rosenthal, Acting Chief Lukasik, Administrator Osten and Clerk Brouder. **Trustee Pelletier made a motion to return to the Village Board meeting at 8:42. Trustee Bowman seconded.** It was approved by a roll call of six yes votes. Present were Trustees Bowman, Cramer, Figurski, Menzel, Pelletier and Tuman. Also present were President Laube, Attorney Rosenthal, Administrator Osten and Clerk Brouder.

~ **Trustee Menzel made a motion to approve a sergeant's position with an annual salary of \$48,000. Trustee Bowman seconded.** It was approved by a roll call of six yes votes.

~ **Trustee Bowman made a motion to appoint Office Michael Domagala to Sergeant as of the next pay period. Trustee Tuman seconded.** It was approved by a roll call of six yes votes.

~ **Trustee Menzel made a motion to change add Martin Luther King holiday for all Fox River Grove employees. Trustee Pelletier seconded.** It was approved by a roll call of six yes votes.

ADJOURNMENT

~ **Trustee Bowman made a motion to adjourn the Village Board meeting at 8:47 p.m. Trustee Cramer seconded.** All were in favor.

Katherine A. Laube, Village President

Date Approved

Donna M. Brouder, Village Clerk