

MINUTES OF THE REGULAR BOARD
MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES
THURSDAY, JULY 16, 2009

CALL TO ORDER AND ROLL CALL

President Nunamaker called the meeting to order at 7:00 p.m. in the Municipal Center. Present at roll call were Trustees Bowman, Cramer, Figurski, Ireland, Menzel and Tuman. Attorney Donahue, Chief Lukasik, Administrator Osten and Village Clerk Brouder were also present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

~ **Trustee Cramer made a motion to approve the minutes of the June 18, 2009 Board Meeting. Trustee Ireland seconded.** The motion passed by a roll call of six yes votes.

~ **Trustee Ireland made a motion to approve the minutes of the June 22, 2009 Special Board Meeting. Trustee Cramer seconded.** This motion passed by a roll call of five yes votes. Trustee Tuman abstained.

VISITOR'S PRESENT

Bob Swanson, of Swanson Painting attended as the Chamber representative.

VILLAGE PRESIDENT'S REPORT

~ President Nunamaker reported there is a Fox River Grove history display at the Memorial Library. Linda Stengele did an addendum to the original history book that now includes addresses of places mentioned in the book.

~ Fireworks Show went very well. He has had many positive comments. He thanked Acting Superintendent Huizinga, Administrator Osten, Chief Lukasik, and Clerk Brouder for making it happen.

~ Five O'Clock Steakhouse had an early morning fire Sunday that is suspicious in nature. Our Fire and Police Departments worked securing the scene Sunday, Monday and Tuesday.

~ President Nunamaker informed the Board he will be recommending residents Steve Harris for Planning & Economic Development Commission and Dave Dufern for the Zoning Board of Appeals at our next Board meeting for their consideration. Also to be discussed next month will be the Cary Police Officer that is staffed at Cary-Grove High School. The Village of Cary is asking for money toward this. Cary Mayor Tom Kierna stated they are dividing it by the student population of the community. Trout Valley, District #155, Cary and Fox River Grove would each pay a portion.

~ President Nunamaker stating he has been working toward controlling costs for the Village. He met with Algonquin Township Highway Commissioner Bob Miller regarding plowing the Village streets and storing Village road salt. He can't help us with either of those, but would be happy to assist with our truck repairs. President Nunamaker also spoke with Cuba Township Highway

Commissioner Tom Gooch and he also would be happy to assist with truck repairs and salt storage. Cary Mayor Tom Kierna suggested collaborating on other items, such as outsourcing grass cutting and snow plowing for the Metra and municipal lots. He thought we may be able to get better pricing working together. President Nunamaker has asked Trustee Ireland and Administrator Osten to work with Cary to see if we can do something. Trustee Menzel asked if the Village of Cary eliminated any jobs by outsourcing this and what was the impact on the employees. No one knows. Trustee Ireland stated we are just gathering facts at this time and will present it to the Village Board. Trustee Bowman stated Fox River Grove already contracts out for the Village Hall, train station and Water & Sewer plant. Trustee Cramer added special service areas, too.

~ President Nunamaker stated the CMAP Study has been completed and they have given the Village three options working along the river area. He encourages each Trustee to view the options. He, Administrator Osten and Trustee Figurski had meetings with three different planners and they each recommend the following ~ 1) Do a market study of the area and make sure the market can support what is built. 2) Do a detailed plan – as detailed as including curb cuts and driveways. 3) Develop a Tax Increment Financing area. The market study will cost approximately \$5,000 to \$10,000. This will be discussed in more detail at the July 23rd meeting.

LEGISLATIVE REPORT

NWMC ~ Trustee Figurski reported the following on the NWMC:

- HB 225 allows video poker machines in local taverns, truck stops, veteran and fraternal organizations where liquor is served for consumption. Non home rule communities can't impose fees of more than \$25 per machine and they also will get a portion of the proceeds from Illinois from the local Government Video Gaming Distributive Fund. Municipalities that do not permit video gaming will not receive this revenue.
- The State Budget approved \$31B of which we will see some in McHenry County. \$82M for Algonquin bypass route of Route 31 west of downtown Algonquin, \$19M for additional lanes for Algonquin Road from Eastings Way to Penny Road, \$36M to Lake County College to construct the student services building, \$672,000 to McHenry County College to construct a greenhouse, \$3B for the school construction program; \$200M for the school maintenance program, \$100M for a new school energy efficiency retrofit program, \$300M for park and recreational facilities and \$250M for projects such as levees, flood walls and drainage structures. Administrator Osten stated some money will be coming to Fox River Grove, but he was unsure of the amount. Trustee Figurski said 473,000 jobs will be kept.
- Trustee Figurski is the Chairperson of the Non-Home Rule Committee for NWMC and he volunteered to be on the Pension Committee, but it hasn't been confirmed yet.
- President Nunamaker asked for a show of hands who would be in favor of the video poker machines. Trustees Figurski, Ireland and Tuman would like more information before they made a decision. Trustees Cramer, Menzel, Bowman and President Nunamaker would not like to have them. Attorney Donahue stated that about 30% of the money goes to the State, which in turn gives back 1/6 or about 5% to the municipalities. The State does provide legislation to prohibit video poker machines.

MCCOG ~ President Nunamaker informed everyone of the MCCOG (McHenry County Council of Governments) workshop "The Sustainable Community" which will be September 11th at Boulder Ridge Country Club. It will be from 8 a.m. to 3:45 and he encourages all to attend.

IML ~ President Nunamaker asked if anyone wanted to follow the IML and report to the Village Board. Trustee Cramer informed him that is the Mayor's job.

CONSENT AGENDA

President Nunamaker read the items listed for approval on the consent agenda and asked if anyone would like any items removed. There were none. **Trustee Figurski made a motion to approve the consent agenda as presented. Trustee Cramer seconded.** The items on the consent agenda were ~ A. Accounts Payable; B. MCMRMA Risk Management Insurance Payment for \$72,400; C. Lower Four Water Service Lines, Intern for \$4,224; D. Stanger Park Slide, NuToys for \$4,385 (Split 50/50 with School District #3); E. This is a duplicate item of Letter B; F. Holiday Decorations, Temple Display for \$4,490; G. GIS: Water System Data, B & W for \$8,400; H. Sludge Water Press Pump, Dryden Equipment for \$11,326; I. Foxmoor Guarantee Bond release. The motion was approved by a roll call vote of six yes votes.

FINANCE AND ADMINISTRATION COMMITTEE REPORT

~ **Trustee Menzel made a motion to approve Administrator Osten as the Grassroots Advocacy contact person. Trustee Figurski seconded.** Administrator Osten explained this benefits the Village by lobbying with other municipalities and that the IML is looking for two commitments from the Village. The first is identifying someone on the management team as the designated contact person. The second is to empower this individual to coordinate and follow-up on any official requests for information. There is no financial cost to the Village. The motion was approved by a roll call of six yes votes.

~ Open meetings Act ~ There was a discussion on e-mails. Attorney Donahue reminded all that any discussion by more than three Trustees should be held at a public meeting.

~ **Trustee Menzel made a motion to recommend the Route 14 Curb/sidewalk replacement grant application be delayed until October because it doesn't have to be submitted until December. Trustee Figurski seconded.** It was approved by a roll call of five yes votes and one no vote. Trustee Ireland voted no.

PUBLIC WORKS COMMITTEE REPORT

~ **Trustee Bowman made a motion to adopt an ordinance amending Sections 23-2, 23-43(d) and 23-44(f) of Chapter 23, "Water and Sewers" of the Code of Ordinances of the Village of Fox River Grove. Trustee Figurski seconded.** Trustee Bowman explained this ordinance has the homeowner extend water lines across the full frontage of their property and is a housekeeping item. It was approved by a roll call of six yes votes.

~ **Trustee Bowman made a motion to recommend the installation of a crosswalk at 418 Lincoln Avenue to be in compliance with the State and not have parking spaces within twenty feet of a crosswalk. Trustee Cramer seconded.** This is in front of King Pin Lanes. Trustee Bowman reported the Village is not in compliance with the State. Chief Lukasik stated patrons currently park in the gravel lot behind King Pin. It was approved by a roll call of six yes votes. Administrator Osten will let the owner of King Pin know.

PUBLIC HEALTH & SAFETY COMMITTEE REPORT

~ Trustee Cramer stated she is very concerned about the sign pollution in Fox River Grove. She passed around a photo she had taken earlier in the day of the Lions sign and Recreation Council sign both within a few feet of each other and the Village sign shown in the background. She reported this was discussed at the Public Health & Safety meeting and it was recommended allowing one temporary sign for 14 days, up to eight times per year, to be shared with other community groups and the Village can waive the fees. **Trustee Figurski made a motion to allow a temporary sign for fourteen (14) days each event, up to eight times per year for commercial, residential and not-for-profit organizations and waive the fee for not-for-profit community organizations on the temporary sign in a permanent location on Village property. Trustee Menzel seconded.** It was approved by a roll call of four yes votes and three no votes. Trustees Cramer, Ireland and Tuman voted no. Trustee Ireland's concerns were the frequency of the signs

and questioned waiving the fees. Trustee Bowman stated that if the Village continues charging not-for-profit groups, the groups will stop doing things in town. **Trustee Menzel made a motion to eliminate the section of the ordinance for an annual temporary sign permit. Trustee Figurski seconded.** It was approved by a roll call of six yes votes.

There was further discussion regarding the temporary sign, if a message should be on more than one sign at a time and the placement of the temporary sign – is it in right-of-way. Trustee Figurski stated it is important to each event to advertise as much as possible. President Nunamaker stated temporary signs add nothing to our Village amenities, but we are trying to accommodate our different community groups. Administrator Osten asked if the motion made by Trustee Figurski regarding the temporary signs included that not-for-profit civic organizations would be prohibited from using any other temporary signs. It was not included. **Trustee Bowman made a motion to prohibit not-for-profit civic organizations from using any other temporary signs other than the sign at the lift station and two community signs the Village owns unless specifically authorized by the Village Board. Trustee Ireland seconded.** All Trustees were in favor.

~ Residential Property Maintenance, 903 Lincoln Avenue - **Trustee Cramer made a motion that the fencing located in the front yard needed to be removed immediately and the owner had 90 days to remove the construction debris and piles of bricks, stones and dirt. Trustee Figurski seconded.** Trustees Tuman, Cramer and Menzel want an ordinance describing what kind of fencing is allowed. It was suggested having Public, Health & Safety review our fence regulations with what type of fences are allowed. Trustee Menzel stated there is fencing in the front yard at 602 Barberry Trail. If the Village is enforcing no fences in the front yard, 602 Barberry Trail needs to take their fence down. Administrator Osten stated there is a process the Village needs to follow. The motion was approved by a roll call of six yes votes.

~ River food sales – The Village will not pursue this at this time. Also, Trustee Cramer stated the police will continue to monitor the parks for anyone breaking the law.

VILLAGE ATTORNEY’S REPORT

Attorney Donahue will report in Executive Session.

VILLAGE ADMINISTRATOR’S REPORT

The merit pay awards will be discussed after Executive Session.

VILLAGE CLERK’S REPORT

~ **Trustee Figurski made a motion to waive the park and sound permit fees and requirements for the FRG Lions Arts & Craft Fair on Sunday, July 19th. Trustee Ireland seconded.** It was approved by a roll call of six yes votes.

~ **Trustee Figurski made a motion to waive the fidelity bond requirements for the FRG Lions Raffle that will be held on Sunday, July 19th. Trustee Ireland seconded.** The motion was approved by a roll call of six yes votes.

~ **Trustee Figurski made a motion to waive the park and sound permit fees and requirements for the FRG Memorial Library on Saturday, August 15th. Trustee Ireland seconded.** It was approved by a roll call of six yes votes.

ANNOUNCEMENTS

Reminder for the Special Board meeting Thursday, July 23rd at 6:30 p.m. at Village Hall. Trustees Cramer and Bowman will not be in attendance. The others will.

OTHER BUSINESS

~ Trustee Cramer was very excited that the banners have arrived and look great. There are thirty banners of which 27 have been purchased by our local businesses. Resident Melinda Brown designed them. Resident Kim Prell from PEDC also worked on them.

~ The Lions Arts and Crafts Fair is Sunday, July 19th.

~ The MCCOG dinner is August 6th.

~ Trustee Tuman suggested the Village Board revisit their decision to install a red light camera on Routes 14 & 22. Trustee Figurski disagreed. People do not stop there and are breaking the law. Trustee Cramer also noted that people block the intersection. A camera at the railroad crossing would make more sense. IDOT and Metra would not approve a camera at a railroad crossing. After further discussion, Chief Lukasik was asked to present accident data from that intersection.

EXECUTIVE SESSION

~ **Trustee Figurski made a motion to enter into Executive Session at 8:26 p.m. to discuss pending litigation, personnel and property acquisition. Trustee Ireland seconded. All were in favor. Trustee Figurski made a motion to return to the Village Board meeting at 9:20 p.m. Trustee Ireland seconded. All were in favor.**

~ **Trustee Menzel made a motion to recommend merit salary adjustments as submitted by staff. Trustee Cramer seconded.** The motion was approved by a roll call of four yes votes and three no votes. Trustees Bowman, Figurski and Ireland voted no.

~ **Trustee Cramer made a motion to accept the evaluation for Chief Lukasik as presented and corresponding merit increase. Trustee Menzel seconded.** It was approved by a roll call of five yes votes and one no vote. Trustee Bowman voted no.

ADJOURNMENT

~ **Trustee Menzel made a motion to adjourn the Village Board meeting at 9:23 p.m. Trustee Cramer seconded. All were in favor.**

Robert J. Nunamaker, Village President

Date Approved

Donna M. Brouder, Village Clerk