

**MINUTES OF THE REGULAR BOARD**  
**MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES**  
**THURSDAY, AUGUST 20, 2009**

**CALL TO ORDER AND ROLL CALL**

President Nunamaker called the meeting to order at 7:01 p.m. in the Municipal Center. Present at roll call were Trustees Figurski, Ireland, Menzel and Tuman. Attorney Donahue, Chief Lukasik, Administrator Osten and Village Clerk Brouder were also present. Trustee Bowman resigned due to moving out of Fox River Grove. Trustee Cramer was absent.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

President Nunamaker informed everyone that resident Tom Kelly, who was a Village Trustee from 1993 until 2001 and also a member of the Plan Commission, was in a serious motorcycle accident and is in critical condition. Please add him to your thoughts.

**APPROVAL OF MINUTES**

~ Trustee Menzel made a motion to approve the minutes of the July 16, 2009 Board Meeting. Trustee Figurski seconded. All were in favor.

~ Trustee Figurski made a motion to approve the minutes of the July 23, 2009 Special Board Meeting. Trustee Ireland seconded. All were in favor.

**VISITOR'S PRESENT**

Resigned Trustee Dennis Bowman and his wife, Lois; Residents Sara Ireland, Steve Knar, and Mike Schiestel; and U.S. Cellular Representative Brian Maguire were all present.

**VILLAGE PRESIDENT'S REPORT**

~ President Nunamaker thanked Dennis Bowman for his resignation letter and six years of service to the Village. Dennis has sold his home and moved from the Village. The Village Board worked hard and accomplished much during Dennis' terms. President Nunamaker presented him with an engraved clock and wished him all the best in his future endeavors. Dennis thanked him and stated he and his family has been part of this great community for 22 years and enjoyed learning about local government and its inner workings. He was privileged to work with such dedicated board members and staff.

~ President Nunamaker would like to appoint resident Steve Knar to replace Dennis Bowman. Trustee Menzel made a motion to concur with the appointment of Steve Knar. Trustee Figurski seconded. Trustee Ireland stated that Mr. Knar could be the absolute right choice, but he had some questions on his bio. The Village has 60 days to appoint another Trustee and he would like to interview Mr. Knar. He also questioned Mr. Knar's position on the School Board. Mr. Knar said he would be resigning. Attorney Donahue informed the Board that by accepting the Village

Board position, it is an automatic resignation for the School Board. Trustee Tuman stated the appointment seems quick. Trustee Figurski thinks he would be a good candidate, but would like to interview him as well. A roll call vote was taken and the motion did not pass. Trustee Menzel voted yes and Trustees Figurski, Ireland and Tuman voted no. After further discussion, it was decided to reconsider the vote and then table it. **Trustee Menzel made a motion to reconsider the vote. Trustee Figurski seconded.** It was approved by a roll call of four yes votes. **Trustee Menzel made a motion to vacate the prior vote. Trustee Figurski seconded.** It was approved by a roll call of four yes votes. **Trustee Menzel made a motion to table the nomination for 30 days. Trustee Figurski seconded.** It was approved by a roll call of four yes votes. It was decided to add this to the agenda for our Special Board Meeting on August 27<sup>th</sup>.

~ President Nunamaker reported Patrick Hughes resigned as Chairman of the Zoning Board of Appeals due to work travel and time constraints. President Nunamaker would like to appoint Zoning Board member Dan Celske to that position. **Trustee Figurski made a motion to concur with President Nunamaker's appointment of Dan Celske as Chairman of the Zoning Board of Appeals. Trustee Ireland seconded.** It was approved by a roll call of four yes votes. President Nunamaker then appointed Dave Dufern to fill the unexpired term of Patrick Hughes. **Trustee Figurski made a motion to concur with President Nunamaker's appointment. Trustee Ireland seconded.** It was approved by a roll call of four yes votes.

~ President Nunamaker read a proclamation for U.S. Census 2010. It is important to have an accurate count for the Village to receive all funds we are entitled to.

~ President Nunamaker stated that August 21<sup>st</sup> is the Village's 90<sup>th</sup> birthday and there will be a cake and ice cream celebration at Foxmoor Jaycee Park from 2 – 7. Dominick's donated the cakes. People will receive a coupon to get an ice cream cone from Dunkin Donuts on Saturday, the 22<sup>nd</sup>. Trustee Tuman asked why the President chose to do this and why it wasn't combined with another event. President Nunamaker stated this is a good way for the Village Board to do some outreach in the community. The 21<sup>st</sup> is the actual date of incorporation.

~ President Nunamaker received a letter from the Northwest Municipal Conference thanking Duane for volunteering to be the Non-Home Rule Committee Chairman.

### **LEGISLATIVE REPORT**

NWMC ~ Trustee Figurski reported the NWMC is still on summer recess. He attended Pension meetings for the IMRF (Illinois Municipal Retirement Fund) regarding police and fire. The Committee put together a letter to use for Village newsletters to make the public aware of how much these pension bills will cost municipalities. We can add this to our September newsletter.

MCCOG ~ President Nunamaker reported they are also on summer break, but there are two meeting events coming up on Health Care - August 26<sup>th</sup> with Don Manzullo and September 2<sup>nd</sup> with Melissa Bean. President Nunamaker also stated MCCOG encouraged taking trips to Springfield to contact legislators.

IML ~ Nothing reported.

### **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 Ireland seconded.** The items on the consent agenda were ~ A. Accounts Payable; B. Lions Park Grills, Pilot Rock for \$479; C. Sealcoating, Parisi for \$14,160; D. Playgrounds Resurfacing Woodchips, eam Reil - \$4,000; E. Crack Sealing, Behm for \$10,000; F. Drinking Fountains, Grainger for \$1,900 (Free Shipping); G. TCE Media Filter, Seimens for \$6,950; H. Service Lines, Intern for \$1,056; I. Veolia Landfill Disposal Agreement; J. Dahm Sludge Hauling Master Agreement; K. Dahm Trailer Equipment Lease. The motion to

accept the consent agenda as presented was passed by a roll call vote of four yes votes. **Trustee Figurski made a motion to approve the items on the consent agenda. Trustee Ireland seconded.** It was approved by a roll call of four yes votes.

~ **Trustee Figurski made a motion to adopt an ordinance granting a special use permit to allow the installation of a cellular communications facility on a Village owned water tank and nearby property (U.S. Cellular). Trustee Menzel seconded.** This ordinance allows U.S. Cellular to locate an antenna on our water tower. It was approved by a roll call of four yes votes. This will be Ordinance 2009-19.

Administrator Osten explained the Village will be entering into a contract with U.S. Cellular. The contract is currently being approved by their attorney. The items that were discussed at Public Works were ~ 1) \$2,500 monthly payment and \$10,000 one-time payment; 2) Three antenna and six coaxial cables will be added; 3) U.S. Cellular will remove the Skytel antennas; and 4) Agreement is contingent on Baxter & Woodman's approval of the Engineering Plans. The contract will be approved with these four items included. **Trustee Figurski made a motion to approve the contract with the four items listed above included and attorney approval. Trustee Menzel seconded.** Trustee Tuman stated this is probably the last antennas that can go on our water tower. U.S. Cellular gave us \$10,000, but they are going to pay 20% less monthly than the other antenna holders on the water tower. He doesn't agree that they should pay less. A roll call vote was taken and Trustees Figurski, Ireland and Menzel voted yes and Trustee Tuman voted no. Since four yes votes are needed to pass this motion, President Nunamaker voted yes.

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

~ **Trustee Menzel made a motion to approve payment not to exceed \$1,500 to Sente, Rubel, Bosman & Lee Architects for design and cost estimates for the Public Works Facility. Trustee Figurski seconded.** Administrator Osten said there will also be a small additional fee from Baxter & Woodman for the design of the detention pond. Trustee Ireland questioned the sense of urgency. We have until 2012 or 2014 and economically the Village is not in a position to fund this new facility. Administrator Osten stated that nothing has been done and the Village needs to find out how much this will cost. Also there is the possibility of using Recovery Zone Economic Development Bonds. We need to look at alternatives and this is one. Money is available and the Village can do this in small steps. President Nunamaker stated the garage is in very bad shape and the Village needs to make an investment in this. Marc Munaretto, the Finance Chair of the County Board said the County has money available and the larger communities are asking for it. He suggested the Village request funds. Trustee Figurski stated the Village does need another plan, the \$8M plan will not work. Administrator Osten stated the Village needs to know their options. The motion was approved by four yes votes.

~ President Nunamaker reported that the County has about \$6M left. The Village needs to send a letter requesting a portion of the money. Then we would appear before the County Board and explain how we would be using the money. We would enlist a Bond Underwriter to send out the bonds. The charge is about 2%. After County Board approval, we would have six months to sell the bonds. This is a very tight time frame. The project must be totally identified when the Village goes before the County Finance Board in about three weeks. Administrator Osten stated he had spoken to Speer Financial, our auditors, and the Village could comfortably request \$1.5M. Each year we budget about \$250K for our road program. We could use \$150K of this for debt service, which would still leave us about \$100K for annual roadwork. This will enable the Village to get the roads done faster and will possibly save the Village on interest costs and the bids for roadwork would probably be less. **Trustee Menzel made a motion to prepare a letter to apply for \$1.5M Recovery Zone Economic Development Bonds for road projects and possibly part of the Public Works facility (vehicle and salt storage, and Administrative offices). Trustee Figurski**

**seconded.** It was approved by a roll call of four yes votes.

~ **Trustee Menzel made a motion to instruct Administrator Osten to send out the RFQ (Request for Quote) for downtown redevelopment. Trustee Figurski seconded.** Trustee Figurski explained there are eight milestones outlining the scope of work and the Village can stop after any of them. They are 1) Review Village's existing vision and data for downtown redevelopment; 2) Determine the market feasibility of vision; 3) Refine land plan vision to match market feasibility; 4) Develop feasible plan to assemble land; 5) Develop feasible financing plan; 6) Prepare a summary document describing 1-5 above, the Village's downtown redevelopment strategy; 7) Solicit potential developer(s); 8) Coordinate developer negotiations with Village. The motion was approved by a roll call of four yes votes. It was decided that President Nunamaker, Trustee Figurski and Administrator Osten will do the reviewing. President Nunamaker thanked Trustee Figurski on a very good job on the Request for Quote packet.

~ Chief Lukasik and President Nunamaker are meeting with Cary Grove High School's principal on August 26<sup>th</sup>. The Village is offering service rather than money. It was asked if an Intergovernmental Agreement with the High School would be needed. Attorney Donahue said it would be beneficial to have one and then all expectations would be outlined. This item will be tabled until the Special Board meeting on August 27<sup>th</sup>.

### **PUBLIC WORKS COMMITTEE REPORT**

~ **Trustee Ireland made a motion to enter into an agreement with Baxter & Woodman, Inc. for the Construction Engineering Services for Algonquin Road Improvements. Trustee Figurski seconded.** It was approved by a roll call of four yes votes.

~ It was reported that the digester cleaning is usually in May and October, but Public Works will try to clean them in April and November, when it is cooler, for better odor control.

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

~ **Trustee Figurski made a motion to adopt an ordinance amending Article VII of Chapter 6, "Signs and Awnings" of the Code of Ordinances of the Village of Fox River Grove. Trustee Menzel seconded.** Administrator Osten said that the temporary signs is still being reviewed and it needs to go before the Zoning Board of Appeals for a Public Hearing. The Village Board needs to refer the Temporary Sign Ordinance to the Zoning Board of Appeals. The motion to adopt an ordinance was approved by a roll call of four yes votes. This will be Ordinance 2009-20.

~ **Trustee Menzel then made a motion to send the Temporary Sign Ordinance to the Zoning Board of Appeals. Trustee Figurski seconded.** All were in favor.

~ **Trustee Figurski made a motion to put the 2008 National Electric Code (NEC) on 30-day notice at the Village Hall. Trustee Ireland seconded.** All were in favor.

### **VILLAGE ATTORNEY'S REPORT**

Attorney Donahue reported the Governor passed the Freedom of Information Act changes and he will be sending us a summary of the changes.

### **VILLAGE ADMINISTRATOR'S REPORT**

There are various individuals and community organizations that use the Village Hall for meetings and some have keys in their possession. Currently, the Rec Council, Chamber, American Legion, PEDC Chair, ZBA Chair and Secretary have keys. To date there have been no problems with keys lost by any community group. However, the cleaning service lost a key and it required 21 new keys, five new master keys, reworking four cylinders, a service call and two hours of labor for a total of \$465. It was suggested that the Committee Chairs and Secretary don't need to have keys because a staff member attends those meetings, too. The community groups who use the room outside of normal work hours can pick up a key the day before and leave the key in the drop box right after the meeting or may hold a key with a \$600 security deposit until the return is requested

by the Village. Trustee Tuman suggested having a signed memo by the group that states they are aware there is a \$600 re-keying fee should they lose their key. All parties that have a key are required to sign a memo. **Trustee Figurski made a motion that all parties who hold a key sign a memo stating they will be responsible for paying the \$600 for re-keying the building. Trustee Ireland seconded.** All were in favor.

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

~ **Trustee Figurski made a motion to waive the park permit fees for the Fox River Grove Community Methodist Church for their annual picnic. Trustee Tuman seconded.** It was approved by a roll call of four yes votes.

~ **Trustee Figurski made a motion to waive the building permit fee for the Rec Council for the road to Norge Soccer Fields. Trustee Ireland seconded.** The motion was approved by a roll call of four yes votes.

### **ANNOUNCEMENTS**

None.

### **OTHER BUSINESS**

None.

### **EXECUTIVE SESSION**

~ **Trustee Figurski made a motion to enter into Executive Session at 8:45 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 9:13 p.m. Trustee Ireland seconded.** All were in favor.

~ **Trustee Figurski made a motion to approve Administrator Osten's merit raise based on his performance review and the schedule associated with the 1% merit increases. Trustee Menzel seconded.** Trustees Figurski, Menzel, Tuman and President Nunamaker voted yes. Trustee Ireland abstained.

### **ADJOURNMENT**

~ **Trustee Menzel made a motion to adjourn the Village Board meeting at 9:14 p.m. Trustee Figurski seconded.** All were in favor.

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Robert J. Nunamaker, Village President

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Date Approved

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Donna M. Brouder, Village Clerk