

**MINUTES OF THE REGULAR BOARD**  
**MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES**  
**THURSDAY, DECEMBER 15, 2011**

**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 Blohm, Colletti, Ireland, Knar, Menzel and Schiestel. Attorney Donahue, Administrator Osten and Village Clerk Brouder were also present.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVAL OF MINUTES**

~ Trustee Colletti made a motion to approve the minutes of the November 17, 2011 Village Board Meeting. Trustee Blohm seconded. It was approved by a roll call of six yes votes.

**VISITOR'S PRESENT**

Present were resident Walter Weinert, Aaron Gilson from Waterworks, and two reporters.

Mr. Weinert stated a railroad bridge collapsed in Minnesota years ago. He is concerned the same will happen to our railroad bridge over the river, as it is very rusted. President Nunamaker thanked him and stated he is on the Citizens Advisory Board for Metra and will inform them.

Mr. Aaron Gilson, from Waterworks, was present to answer questions regarding a new radio read system for water meters. Trustees Ireland and Menzel thought this was about the retiring Water & Sewer employee, Ray Cooper, and not about new water meters. They questioned why this wasn't brought through Public Works and instead went through Finance. Trustee Blohm said this project is tied to the Water Conservation project - to replace the old meters with a radio system. The original plan was to change out a group of meters each year over the next 8-9 years. Trustee Blohm explained the Village has \$43,350 budgeted and to do everything at once it would cost \$318,375. She added the retirement of Mr. Cooper does tie together with the new meters, because if we did them, she would probably not replace him. President Nunamaker stated if we were to do the entire project there would be a substantial savings of man-hours for reading the meters.

Trustee Schiestel stated there would be a savings, but we already have \$43,350 budgeted and since it is getting close to budget time now, just do the \$43,350 and discuss it for next year's budget. Instead of an eight-year program, possibly do it in two years.

Trustee Ireland asked about Lake Barrington and the problem of the difference of what the readers are reading and what we actually have. What is the status of that? He is skeptical. There are many

plusses, but he disagrees with Trustee Blohm about not replacing Mr. Cooper. There are still Saturday hours and the readers are only done 5 – 7 days per month.

Trustee Menzel thinks we should do it all at once. The meter reading would be more accurate and take less time. Mr. Gilson stated readings would take about 2 – 3 hours to do the entire Village, would be more accurate and there would be no estimates with a wide swing in usage. He said he has been working with the Village for 16 years and this program has many features to benefit the Village. It is all lead free and the Village would be compliant with Federal regulations.

Trustee Knar added the Village has built up reserves and this would reduce them. The residents would end up paying because we have reduced our reserves. The Village should do what we have planned for and see how it does. If it is feasible and works out, we can finish it sooner.

Trustee Ireland asked how long it would take to set it up. Mr. Gilson stated all the installations are done by appointment (residents receive a letter to call an 800 number or go online to set up appointments), and would take 2 – 4 months. They can start in January and be done in April. President Nunamaker added the new budget begins in May. Mr. Gilson was asked if not done all at once, would the prices increase. He said the cost of the meters can be locked in for two years, but installation rates will increase. Trustee Ireland added the cost of the unit is about the same, but the installation will go up about \$2. He asked about the warranty. The first ten years is full warranty, and 11 – 20 years a percentage of warranty. There are no catches. Trustee Knar stated we are asking residents to increase sales tax for downtown, but then the Village is going to amend the budget \$250,000 – it makes the Village look bad.

**Trustee Menzel made a motion to pay \$318,375 through a budget adjustment to install radio-read meters throughout the Village. Trustee Ireland seconded.** Trustees Menzel and Ireland voted yes and Trustees Blohm, Colletti, Knar and Schiestel voted no. The motion did not pass. **Trustee Blohm made a motion to approve \$43,350 for 176 meters in the Village. Trustee Schiestel seconded.** It was approved by a roll call of six yes votes. President Nunamaker thanked Mr. Gilson for attending.

### **VILLAGE PRESIDENT’S REPORT**

~ President Nunamaker did a presentation regarding the tax levy. He explained that in times past different governments spread municipal costs by different items ~ the number of windows in a house, how many rooms a house has, how much street frontage. In our county we use the value of the home. The more expensive homes pay more. However, last year many people have had their homes reassessed and had their taxes lowered. Others did not, so now, not everyone is paying their fair share. Real estate taxes are a big problem for many people. The State is delinquent on their payments to municipalities by four months, the police pension rules are out of line, Springfield raised taxes 33% and then capped our tax by cost of living or 5%, whichever is less. PTL – property tax increase is based on the prior year. To not levy tax, will really cost the Village in the future, by approximately \$130,000. He used a chart showing the different amounts realized each year. The Village has done good things for the residents with the aggregated electrical costs and the new garbage program. He put forth a plan for the Village to give back to the residents a rebate, like the first vehicle sticker in a household free, but the Village does need to pass the tax levy.

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

**Open Public Hearing at 7:34 p.m. for the 2011 Property Tax Levy.** Mr. Weinert asked if all the new stores give the Village money. Yes, they do, but the levy protects future revenue streams of money. The Public Hearing closed at 7:35 p.m.

~ **Trustee Blohm made a motion to adopt an ordinance providing for the levy, assessment and collection of taxes for the fiscal year beginning May 1, 2011 and ending April 30, 2012.**

**Trustee Schiestel seconded.** The amount is \$983,804 and would be an increase of 1.725% (1.5% for infrastructure and .225 for property). Trustee Menzel stated this would have the same impact for residents as the water meter replacement purchase. This is also about perception. Trustee Knar added we would be fiscally irresponsible in amending our budget. Trustees Ireland and Menzel voted no and Trustees Blohm, Colletti, Knar and Schiestel voted yes. The motion passed.

Trustee Ireland stated that in the public sector this is just a regular day, whereas the private sector, people are taking wage cuts, losing retirement and suffering. It would seem that if all the downtown development comes through, the Village would make up the \$130,000 difference we would lose if not passing this levy. This recession is not going to recover until government stops doing this. It is a no win situation. This will be Ordinance 2011-28.

~ **Trustee Blohm made a motion to adopt an ordinance providing for the levy, assessment and collection of taxes for the Gardner Terrace Special Service Area of the Village of Fox River Grove, Lake and McHenry Counties, Illinois for the fiscal year beginning May 1, 2012 and ending April 30, 2012. Trustee Knar seconded.** The amount is \$5,000. It was approved by a roll call of six yes votes. This will be Ordinance 2011-29.

~ **Trustee Blohm made a motion to adopt an ordinance providing for the levy, assessment and collection of taxes for the Picnic Grove Special Service Area of the Village of Fox River Grove, Lake and McHenry Counties, Illinois for the fiscal year beginning May 1, 2012 and ending April 30, 2012. Trustee Schiestel seconded.** The amount is \$1,000. It was approved by a roll call of six yes votes. This will be Ordinance 2011-30.

~ **Trustee Blohm made a motion to adopt an ordinance providing for the levy, assessment and collection of taxes for the Hunters Farm Special Service Area of the Village of fox River Grove, Lake and McHenry Counties, Illinois, for the fiscal year beginning May 1, 2011 and ending April 30, 2012. Trustee Knar seconded.** The amount is for \$5,000. It was approved by a roll call of six yes votes. This will be Ordinance 2011-31.

~ **Trustee Blohm made a motion to adopt an ordinance providing for the levy, assessment and collection of taxes for the Talon Subdivision Special Service Area of the Village of Fox River Grove, Lake and McHenry Counties, Illinois, for the fiscal year beginning May 1, 2011 and ending April 30, 2012. Trustee Ireland seconded.** The amount is for \$2,000. It was approved by a roll call of six yes votes. This will be Ordinance 2011-32.

~ **Trustee Blohm made a motion to adopt an ordinance abating the tax hereto levied for the year 2011 to pay the principal of and interest on \$1,238,000 Taxable General Obligation Bonds (Alternate Revenue Source), Series 2010A (Recovery Zone Economic Development Bonds – Direct Payment), of the Village of Fox River Grove, McHenry and Lake Counties, Illinois. Trustee Ireland seconded.** The Revenue Bond is based on the Water & Sewer rates as collateral. If not abating it, it goes on real estate taxes. Attorney Donahue added that having a Revenue Bond backed by general obligation collateral gets a lower rate. The motion was approved by a roll call of six yes votes. This will be Ordinance 2011-33.

## **LEGISLATIVE REPORT**

There have been no meetings for Northwest Municipal Conference or McHenry County Council of Governments. President Nunamaker reported he had a meeting on the Water Committee and the EPA may be softening the time frame for compliance changes.

### **CONSENT AGENDA**

**Trustee Knar made a motion to establish the consent agenda. Trustee Colletti seconded.** The motion was approved by a roll call of six yes votes. The agenda includes ~ A. Accounts Payable November 2011; B. Snow Plow Blades, Bonnell -- \$1,906\*; C. Harrison & Associates, Legal Issues -- \$2,560//\$9,500//\$12,500\*; D. Manhole Rehab, Advanced Underground Inspections -- \$9,880\*; E. PW Facility Construction Services, B & W -- \$1,447.08//\$2,314.14//\$65,356\*; F. TIF Teska Associates -- \$3,462.50//\$6,125//\$23,000\*; G. International Harvester 4900 Truck Repair –Spring Align of Palatine -- \$2,597.73; H. LCT Design Group -- \$752.50\*. **Trustee Blohm made a motion to approve the consent agenda. Trustee Ireland seconded.** It was approved by a roll call of six yes votes.

### **VILLAGE PRESIDENTS REPORT (Cont.)**

A vote was not taken on the free vehicle sticker. **Trustee Blohm made a motion to reduce 2012 Vehicle Stickers by 25% off for all stickers. Trustee Menzel seconded.** Trustees Menzel and Colletti voted yes and Trustees Blohm, Ireland, Knar and Schiestel voted no. The motion did not pass. Trustee Knar would like to give one free sticker per household as a rebate back to the residents. Trustee Ireland added vehicle stickers give the Village about \$60,000 that goes to the road fund. Many towns do not have vehicle stickers. Trustee Knar stated he has lived in the Chicagoland area and has always had a vehicle sticker. He also thanked Administrator Osten for the memo he sent out on the vehicle sticker abatement. President Nunamaker added this is a good thing to do. **Trustee Knar made a motion to give one free vehicle sticker per household for the 2012 year and to send this to the January Finance meeting next month to decide how to implement. Trustee Colletti seconded.** It was approved by a roll call of six yes votes.

~ Trustee Blohm reported the ordinance on weed violations was a housekeeping item. There was redundancy and all vegetation and plants are now added. Trustee Ireland stated this was never on the Public Works agenda and it should be discussed at Public Works. **Trustee Schiestel made a motion to send the weed violation ordinance to Public Works. Trustee Knar seconded.** It was approved by a roll call of six yes votes.

~ A Water & Sewer employee is retiring January 1, 2012. There has been no recommendation from Public Works or Finance Committee regarding the replacement of the position. There are several choices. We could not replace him; replace him with full time; or not replace and eliminate Saturday and Sunday as regular work days and bring back overtime. Trustee Schiestel stated this should go to the Public Works Committee for discussion. Trustee Ireland added Mr. Cooper is the only license holder at Public Works. Two others are taking the testing for their license this month, but don't know if they'll pass and it could be 3 – 4 months before they know. There would be a gap between Mr. Cooper leaving and their passing the test. We may have to hire Baxter & Woodman for their services or have Mr. Cooper come back. Baxter & Woodman charge \$2,000 per month. President Nunamaker told the Trustees that there is a lunch for Mr. Cooper on next Thursday for his retirement. He also suggested all Trustees make the Public Works meeting in January to discuss this. Trustee Colletti asked for a job description for Mr. Cooper's job. Attorney Donahue added there may be a problem for Mr. Cooper if he has started taking his IMRF benefit. He would need to talk to them directly. He could be penalized by IMRF. Trustee Ireland asked if Mr. Cooper could remain as an employee until April. This is going back to Public Works and all are asked to attend.

~ Trustee Blohm reported she sent out an updated summary of revenues and expenses and the items discussed. The remaining issues are in progress. This updates all and at the next Finance meeting there will be more decisions.

### **PUBLIC WORKS REPORT**

~ Trustee Ireland reported the street parking and pads have been a hot topic. A draft letter was prepared, Administrator Osten has tweaked it, and it was sent to the Police Chief, Public Works, School District, and Fire District asking them to help identify roads with street parking problems. The deadline is the end of January. He expects there to be 10 – 15 roads and will prioritize them.

~ Trustee Ireland reported the following ~

- Blower installation was done on time.
- 2011 Road Program has resident complaints. The Village and Engineers made a punch list and made corrections. The restoration will be done in the spring.
- Engineer Thomas reported there are IEPA upcoming regulations and changes regarding phosphorus. Everything is possible, but there have been no movements taking place.
- Obama has stepped away from emissions standards.

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

~ There is nothing significant to report.

~ Trustee Blohm added that in the Building & Zoning memo, Section 6, five other ordinances will be going to each committee first and then to Finance next month.

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

~ Attorney Donahue explained the sales tax referendum ordinance. The election will be held on March 20, 2012 at the General Primary. The question reads “ Shall the Village of Fox River Grove impose a 1/4 percent (1/4 of 1%) non-home rule Municipal Retailers Occupation Tax and non-home rule Municipal Service Occupation Tax for the purpose of funding public infrastructure?” This ordinance has to be filed in both the Lake and McHenry County Clerks offices. After a discussion on the wording, it was decided to change it to “Shall the Village of Fox River Grove impose a 1/4 percent non-home rule Municipal Retailers Occupation Tax and non-home rule Municipal Service Occupation Tax (1/4 of 1% Sales Tax) for the purpose of funding public infrastructure in business zones?”

**Trustee Blohm made a motion to amend the wording for the question in the ordinance as presented above. Trustee Knar seconded.** The motion was approved by a roll call of six yes votes.

**Trustee Menzel made a motion to adopt an ordinance providing for and requiring the submission of a proposition at the General Primary Election to be held on the 20<sup>th</sup> day of March 2012 on whether the Village of Fox River Grove shall have the authority to impose a non-home rule municipal retailers occupation tax and a non-home rule municipal service occupation tax. Trustee Colletti seconded.** It was approved by a roll call of six yes votes. This will be Ordinance 2011-34.

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

~ Administrator Osten reported the Joint Review Board met and the minutes will go out in the next couple days. They did recommend proceeding.

**VILLAGE CLERK'S REPORT**

No report.

**OTHER BUSINESS AND ANNOUNCEMENTS**

- ~ President Nunamaker asked if anything had been found out regarding the Village sign at the old New Hope Church. The sign is on the new Church's property and they would like to use it. Administrator Osten will contact the Lions, who originally bought the sign.
- ~ President Nunamaker reported the library is considering giving up their time and temperature sign.
- ~ Trustee Menzel asked about the No Parking signs on Doyle Road – they are facing the wrong way. This will go back to Public Health & Safety in January.

**EXECUTIVE SESSION**

- ~ **Trustee Menzel made a motion to enter into Executive Session at 8:45 p.m. to discuss litigation, collective bargaining and personnel. Trustee Colletti seconded. All were in favor. Trustee Schiestel made a motion to leave Executive Session and return to Village Board meeting at 9:05 p.m. Trustee Colletti seconded. All were in favor.**

**ADJOURNMENT**

- ~ **Trustee Knar made a motion to adjourn the Village Board meeting at 9:05 p.m. Trustee Colletti 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