

MINUTES OF THE REGULAR BOARD
MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES
THURSDAY, JULY 15, 2010

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, Figurski, Ireland, Knar, 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 Figurski made a motion to approve the minutes of the June 17, 2010 Village Board Meeting. Trustee Blohm seconded. It was approved by a roll call of six yes votes.

VISITOR'S PRESENT

Bob Swanson, Chamber representative was present.

VILLAGE PRESIDENT'S REPORT

Nothing to report.

LEGISLATIVE REPORT

President Nunamaker stated the Northwest Municipal Conference is on summer sabbatical and McHenry County Council of Governments is not active on anything at this time. There is no input from Illinois Municipal League.

CONSENT AGENDA

Trustee Menzel made a motion to establish the consent agenda. Trustee Figurski seconded.

The agenda includes ~

- A. Accounts Payable June 2010
- B. McCOG Dues -- \$1,298.05
- C. Eder, Casella Audit Fee -- \$15,000
- D. McMRMA 1st of 2 Liability Insurance Pool Premium -- \$96,206
- E. B&W Public Works Garage Planning -- \$2,826
- F. B&W PW Facility Site Improvements -- \$1,669/\$27,000
- G. B&W 2010 Rd Program -- \$6,036.35/14,572.40/105,000
- H. B&W Algonquin Rd ARRA Construction - \$11,794.41/13,355.59/28,318.40
- I. B&W ARRA Blower Grant -- \$540
- J. B&W FRG Downtown Planning -- \$270
- K. SRBL Architects -- \$15,000/205,000
- L. Hand Held GPS -- \$5,550

The motion to establish the consent agenda was approved by a roll call of six yes votes. **Trustee Menzel made a motion to approve the consent agenda. Trustee Figurski seconded.** It was approved by a roll call of six yes votes.

FINANCE AND ADMINISTRATION COMMITTEE REPORT

~ **Trustee Menzel made a motion to adopt an ordinance authorizing the Village of Fox River Grove to enter into a franchise agreement by and between Comcast of Northern Illinois, Inc. and the Village of Fox River Grove, Illinois (Comcast Cable). Trustee Ireland seconded.** It was approved by a roll call of six yes votes. This will be Ordinance 2010-24.

~ **Trustee Menzel made a motion to approve payment in the amount of \$9,500 to Harrison & Associates for downtown development appraisal. Trustee Figurski seconded.** Trustee Menzel stated Mr. Terrell gave a short presentation about why the appraisals for Area 2 (Library area) should be done now. The appraisals would be more accurate for Task #5 Feasibility Financial Planning, instead of using the assessments. The financial analyst feels this is needed information and it is included in the budget – whether now or later. This passed at Finance 3–0 with one member missing. Discussion followed. Trustee Knar stated he had reviewed the emails from the consultants and has the opinion there are mixed feelings on doing this now. Trustee Menzel stated there was a lengthy discussion at the Finance meeting and the three members felt this was the appropriate thing to do. Trustee Knar said it seems that with the experts we hired there seems to be some dissention among them, whether it is necessary at this time because they felt that any development that would come to those properties will be several years and it may just be better to wait. Trustee Menzel stated it will not be several years away. Administrator Osten said there was discussion back and forth, but they all said it should be done, the question was when. Since the person that actually needs the documents, feels he needs it now, the committee felt it would be better to get it done now. Trustee Blohm asked if there was an option to appraise just a certain section of properties. Trustee Menzel stated this is it. Ken Busse, who is going to do the work, feels he needs this info now. They will also be talking to the people across the tracks now. Trustee Figurski stated this will give a baseline to work with now. Trustee Blohm asked if we would have to do it again if we do it now. Trustee Figurski explained we should not have to because we will deal with the baseline. If things go up then that would be part of the negotiations with the particular seller. Trustee Ireland asked how many properties are included in this appraisal. There are thirteen properties that will be appraised. Trustee Knar stated that while he would like to see some activity happening, with this economy, the chances of anything happening in the next few years is next to impossible, so why would we spend this money when property values are so low. Trustee Figurski does not agree. This is getting a baseline, so we know where we are going. He is planning on talking with those people in the next month or so and one of the statements made to him from the residents stated they wanted fair market price. **Trustee Menzel called the question at this time.** Trustees Blohm, Ireland and Knar voted no and Trustees Figurski, Menzel and Tuman voted yes. President Nunamaker voted no. Discussion continued. President Nunamaker stated that the assessor does not account for rental income – only property replacement. The Village needs a baseline and it will change over time. You can go back and modify that baseline with property values, and southeast McHenry County have gone up five percent the last two years, and apply a correction factor. The consultants feel that bringing this to any person who may want to develop it, they would need a baseline of what these properties are worth. This is \$9,500 to see if someone will bite on this now and we all agree that if this happens a long time down the road, this will not be a good number, but right now we don't have a number at all from the assessor. The consultants have convinced President Nunamaker this is something they need. Administrator Osten added that if it is two years from now, an updated number can be done for a relatively low cost. Trustee Blohm mentions that in the emails they say they could do a partial appraisal – near Algonquin Road and the

train tracks described as Phase I of Area 2. Is that option any less costly? Trustee Knar stated that would be the Grove Plating area. That seems more realistic. A company in a prime location, they might be willing to take their business out to a collar county where the cost of doing business is less. They may want to move out. President Nunamaker made a good point about the apartment buildings - that you can't quantify the cash flow in an appraisal. Trustee Knar would like to do a partial appraisal of Phase I or Area 2, to get this kicked off, as opposed to spending \$9,500 for all. Administrator Osten stated that Mike Hoffman is a land planner and designer for Teska where Terry Jenkins is a financial expert. He would put more stock in the financial experts. Trustee Ireland stated these appraisals will have to be redone. There is also an asking price, and he does want to see this move forward, but he believes strongly that all developers are waiting to see what the Village will provide as an inducement. He feels this is a good idea, but also, that this is the cart in front of the horse. If there were developers or someone who expressed a strong interest, it would probably sway him, but he believes we'll spend some money and will have to spend more. Trustee Figurski added that when the consultants go to a developer and tell him about this property, his first question is "what does this property appraise for" and from there starts a negotiation between the developer and property owner. If you have a baseline appraisal, you can do it. We are looking at the whole area. If they have to come back in a year and restart another appraisal, it will just be more money for the Village. President Nunamaker said this appraisal is for thirteen properties for \$9,500. He feels this is worth it. Trustee Figurski added that the overall cost is about \$700 per property. That is not a lot of money when appraising property. ~ **Trustee Menzel repeated his motion to approve payment in the amount of \$9,500 to Harrison & Associates for downtown development appraisal. Trustee Figurski seconded.** It was approved by a roll call of four yes votes and two no votes. Trustees Ireland and Knar voted no.

~ **Trustee Menzel made a motion to have Baxter & Woodman apply for the ITEP (Illinois Transportation Enhancement Program) Landscaping Grant for Route 14 between Route 22 and School Street. Trustee Figurski seconded.** There will be no cost to the Village. This had been applied for before and they will just be updating the previous application. The motion was approved by a roll call of six yes votes.

~ **Trustee Menzel made a motion to approve payment of \$4,000 to Teska for an ITEP (Illinois Transportation Enhancement Program) Landscaping Grant Application for Route 14 from Illinois to Lincoln Avenue. The price has been reduced from \$4,627.50. Trustee Figurski seconded.** Trustee Blohm asked if this was for writing the grant. Administrator Osten explained that we applied for a grant in 2005 and Baxter & Woodman is going to refine the design and construction costs from that grant, so there is no cost. The Village will have a better chance at the grants if we do two parts of town together. Teska will be doing the Northwest Highway area grant. This is a great opportunity for the Village because the grants would be 80/20 split and come from the Federal Government. If we are not funded, we will have the application ready for a later date. Trustee Knar pointed out the cost could be \$1M that the Village would have to front. Administrator Osten said we could get a short term loan for it or make a special service area. Trustee Knar asked if we wouldn't be duplicating the work, since Northwest Highway is already being assembled. Trustee Blohm added it was difficult getting the special service area for Crawford Alley, and Administrator Osten agreed with her, but said at least the property owners were already familiar with special service areas. Trustee Ireland added that if we make a TIF district, it will include the streetscape of Phase 1 Development. Trustee Knar agreed with him. Administrator Osten said that if we aren't able to do a TIF or a special service area, the Village can still refuse the grant. It was asked where the \$4,000 would be coming from. In Village Board Consultants we have \$40,000 budgeted. President Nunamaker added this is an expensive grant to get. If we do receive it, we will need to establish a special service area to fund the 80/20 grant. Do we want to spend the \$4,000? A vote was taken and Trustees Menzel, Figurski and Tuman voted yes and Trustees Blohm, Ireland and Knar voted no. President Nunamaker voted no. The motion did not pass.

~ **Trustee Menzel made a motion to approve a letter of support for the Spring Creek**

Watershed Partnership and Plan. Trustee Tuman seconded. It was approved by a roll call vote of six yes votes.

~ **Trustee Menzel made a motion to approve the Union Pacific Railroad Lease Renewal. Trustee Tuman seconded.** It was approved by a roll call of six yes votes.

PUBLIC WORKS REPORT

~ **Trustee Ireland made a motion to move forward with the garbage violation door hangers and order 500 for \$90. Trustee Knar seconded.** This is to improve the process for the Public Works Department when they have to give notification to a residence regarding their garbage – a friendly reminder to stay within the ordinance. The Village logo has been added. It was approved by a roll call of six yes votes.

The Road Program is not happening at this time due to the Union strike. There was a Union meeting yesterday. The Village is fortunate we did not have roads torn up like some other communities. President Nunamaker said the next meeting is Monday. Administrator Osten stated that some of the smaller asphalt companies are open and we are able to get some smaller jobs done.

PUBLIC HEALTH & SAFETY COMMITTEE REPORT

~ **Trustee Figurski made a motion to adopt an ordinance amending Chapter 15 of the Village of Fox River Grove's Code of Ordinances to add new Article IX (Towing Vehicles). Trustee Knar seconded.** This will allow the Police Department to charge a \$250 administrative fee for arrest situations and other circumstances where we have to tow vehicles. It was approved by a roll call of six yes votes. This will be Ordinance 2010-25.

~ **Trustee Figurski made a motion approving sending a letter for Picnic Grove easement violations to the homeowner. Trustee Menzel seconded.** Violations include mowing, grass clippings and building things in the conservation area. The motion passed with a roll call of six yes votes.

VILLAGE ATTORNEY'S REPORT

He will report in Executive Session.

VILLAGE ADMINISTRATOR'S REPORT

Administrator Osten asked the Village Board for their support of the Village's design team meeting with the subcommittee to discuss the Zoning Board's recommendations and the long-term functionality. The Trustees all had questions and concerns. Trustee Ireland questioned the detention basin. He is concerned we have not gotten approval from Lake County yet. Trustee Blohm stated that all of the Trustees may have questions at some point. Trustee Tuman asked if we need a second opinion on what Baxter & Woodman is assessing. He also added that it was not true that there was not going to be any change to the basin. Trustee Figurski added that common sense would know that something would have to be done with the water. President Nunamaker said we have spent time and money for consultants. The Zoning Board got testimony. The Village needs to see how we can accommodate their recommendations. Trustee Knar asked if we made an error spending money on the plans before Zoning Board and Lake County approval and now we have to get everyone re-involved to accommodate the recommendations. Trustee Menzel stated that the Zoning Board reviews several points and then gives their recommendations. The concern is the cost involved in making these changes happen. Trustee Menzel said some of the items can be accepted and some can't. Administrator Osten would like to provide the financials for the recommendations so the Village can make an intelligent answer. He wants to measure the pros and cons of each item and their practicality. Trustee Figurski stated we need to go to the experts since we do not have engineers, attorneys and planners on staff. Trustee Ireland agreed. President Nunamaker suggested

having a special Village Board meeting to discuss the recommendations of the Zoning Board. It was decided to hold a meeting on Thursday, July 22nd at 6:00 p.m.

VILLAGE CLERK’S REPORT

~ Trustee Figurski made a motion to waive the fidelity bond requirements for the FRG Lions Raffle at the Arts & Crafts Fair. Trustee Knar seconded. It was approved by a roll call of six yes votes.

OTHER BUSINESS AND ANNOUNCEMENTS

- ~ Lions Arts & Crafts Fair is Sunday, July 18th at Lions Park.
- ~ The Cary Grove Area Chamber of Commerce Garden Walk is Saturday, July 17th.
- ~ McHenry County Council of Governments golf outing is looking for golfers.

EXECUTIVE SESSION

~ Trustee Blohm made a motion to enter into Executive Session at 8:10 p.m. Trustee Knar seconded. All were in favor. Trustee Figurski made a motion to leave Executive Session and return to Village Board meeting at 8:34 p.m. Trustee Knar seconded. All were in favor.

ADJOURNMENT

~ Trustee Menzel made a motion to adjourn the Village Board meeting at 8:35 p.m. Trustee Knar seconded. All were in favor.

Robert J. Nunamaker, Village President

Date Approved

Donna M. Brouder, Village Clerk