

**Village of Prairie Grove
Special Meeting Minutes
September 23, 2008**

- 1. Call to Order:** President Breseman called the Special Meeting to order at 7:02 PM.
- 2. Roll Call:** Trustees Connelly, Duda, Greenwald, McConnell, Robak and President Breseman all present. Trustee Baudin absent.
Village Administrator Smith, Clerk Minor and Attorney McArdle also present.
- 3. Public Comment:**
No Public Comment.
- 4. Consent Agenda:**
Motion was made by Trustee Duda, 2nd by Trustee McConnell to approve the Meeting Minutes of August 19, 2008, the Expenditure Reports of August 26 & September 8, 2008 and the Revenues of August 2008 and the following Motion: Motion to adopt Resolution #2008-12, Establishing Signatories on Village Bank Accounts.

Trustee Duda asked if the Buss Ford Invoice for the Police Department was for general maintenance. Clerk Minor stated that it was.

On a Roll Call Vote: Trustees Connelly, Duda, Greenwald, McConnell and Robak all voted Aye, Motion carries.
- 5. Committee Reports and Meeting Dates:**
Moved to 6. Staff/consultant reports or comments:
- 6. Staff/consultant reports or comments:**
 - a. Motion to Appoint & Swear in New Treasurer, Jean Smith:**
Administrator Smith introduced Jean Smith. Jean is the President of the Oak Grove Homeowner's Association. She has previously worked as an auditor and comes with a phenomenal background. Jean stated that she has been a Village resident for 5 years, living in Oak Grove. She is married to Mike and has a son Colin and a daughter Claire. Jean is sworn in by Clerk Minor and welcomed to the Village staff.
 - b. Presentation of Retirement Badge to John C. Sosnowski Sr., Lieutenant Bauer:**
Lt. Gordon Bauer presented a plaque and retirement badge to our former Police Chief, John C. Sosnowski Sr. for his 24 years of service. He retired on June 30, 2008. Chief Sosnowski thanked the Village residents, past Presidents, his family and the Village Board for their support during his many years of service as Prairie Grove's Police Chief. At 7:26 PM President Breseman asked that everyone enjoy some cake and punch in honor of John.

7. New Business/Board Comments:

a. Motion to Approve the Village Administrator's Execution of a Contract with Advantage EAP:

Motion by Trustee Duda, 2nd by Trustee Robak to Approve the Village Administrator's Execution of a Contract with Advantage EAP.

Discussion: Administrator Smith's memo outlines the requirement of the Drug Free Workplace Act. This has a mandatory participation in a bone fide Employee Assistance Program. This is through Family Services out of McHenry and they are the least costly. Their program has existed for over 24 years. The goal outlined by Advantage EAP is prevention & wellness for a healthy working environment.

Trustee McConnell wanted to know if this was something that was required by law. Administrator Smith stated that it was.

On a Roll Call Vote: Trustees Connelly, Duda, Greenwald, McConnell and Robak all voted Aye, Motion carries.

Discussion with Village Resident, Margaret Ponga Concerning Village Taxes:

Ms. Ponga thanked the Village Board for the letter asking her to come to a Village Board meeting to discuss her concerns. Ms. Ponga stated that she has been concerned for the past 3 years since the Village became Home Rule. She asked the Village Board how much they have over collected for 2003, 2004 & 2005.

Trustee McConnell stated that he had been looking into this since their last discussion. He has been working on a worksheet for tonight. Prior to this meeting he noticed some inaccuracies and he is still working on completing it.

The Village Board agreed that they have taxed beyond what the non-home rule tax would have allowed. There had been dependence to building permit revenues. Since then the building permit revenues have decreased significantly. The Village shifted that to another source of revenue along with other revenue sources such as annexations for sales tax. This is a smart move if the Community wants to keep the level of services that they have now.

Trustee McConnell stated that the word "over collection" is a debatable point. He's not sure that it's appropriate.

Ms. Ponga stated that what she means by over collected is beyond what the non Home Rule tax cap would have allowed.

Trustee McConnell stated that the tax rates today are the same as they were back in 2001.

Ms. Ponga stated that she has paid over \$475.00 in 2003, 2004 & 2005.

Ms. Ponga stated that if the residents had not approved the Village becoming home rule, the Village would have needed to ask the residents for permission to increase their taxes beyond the tax cap through a referendum.

Trustee Robak stated that the previous Board asked the residents to become a Home Rule community.

Previous Village Trustee, Bill Behm stated that he believed that Home Rule was brought in to help the Village with developers and the Terra Cotta lawsuit.

President Breseman stated that first of all the Village had been dependent on one revenue source and \$12,000.00 in annual sales tax revenue. This was before we took office. Since then the Village now receives approximately \$225,000.00 a year. He stated that before being elected they ran on a platform that they would not be dependent on development revenue to maintain the level of services.

Trustee Robak stated that this is the lowest tax rate for the Village in 8 years.

President Breseman stated that the 2nd component was aggressively annexing businesses such as Chrysler & Leach. We have also annexed in Ray Street and other businesses along Rt. 176. He stated that in one month the Village now receives approximately \$47,000.00 in sales tax revenue, when in the past the Village would only receive \$1000.00 a month. This has been done so the Village wouldn't be beholden to developers.

Trustee Robak stated that other communities raised their sales tax to cover their budget shortfalls. He also stated that this year we lowered ours. This Village spends wisely, forthright and legal.

Ms. Ponga commended the Village on doing a good job and using creative ways to increase sales tax revenues. She stated that the Village has also been expanding their expenses on a Village Administrator. She also stated that in 05, 06 & 07 the Village collected an average of \$308,000.00 from residents. She asked when the residents were going to see that? She stated that the Village should live within its means.

Trustee Robak stated that the Village doesn't live outside of its budget. It would be nice to have perfect hind site. As a government entity the Village spends wisely. He stated that this is why the Village Hall still has 8-year-old builders paint on the walls and 8-year-old chairs. He asked Ms. Ponga what services she would like to see cut?

Ms. Ponga stated that for one thing she would like to see the Village Administrator's position cut.

Trustee McConnell stated that he sees the Village Administrator's position as vitally important to the Village. He also stated that since Administrator Smith has been here the

Village has been able to accomplish things today that we hadn't been able to do in the past.

With Administrator Smith the Village has been able to complete a Special Census. Additionally she has helped increase our sales tax revenues by annexations. Trustee McConnell added that having a Village Administrator was a good return on our investment and that she has more than paid for herself.

President Breseman asked Ms. Ponga what her position was on the over-all tax bill. He asked if Ms. Ponga was on the school task force team.

Margaret stated that she was here to talk about the Village taxes.

President Breseman asked if Ms. Ponga was aware of Village ordinance #362, this was created for school impact fees that gave projections about what school enrollment would be, based on enrollment numbers given from the school. Two years ago, the school went for a referendum based on these enrollment projections. The Village believed that development wouldn't happen as enrollments were projected.

Trustee Robak stated that he was interested in hearing about how to cut services. He asked Ms. Ponga to look at the Village's overall budget. He asked Ms. Ponga to look at it line by line and tell us where our constituents would want us to cut services. He asked Ms. Ponga to provide him something to work with.

Trustee McConnell stated that he was surprised at the Town Hall Meeting to find out that taxes had been raised. He started looking into it right away after becoming elected.

President Breseman stated that the Village is in a stable position to wait and see what happens. This year we have offered the residents new services such as mosquito abatement.

Ms. Ponga stated that her concern is, that you've done all that, without our permission. She also stated that her concern is that the Village has used the Home Rule as a perpetual referendum.

Trustee Robak stated that no rebates would be given. The money has been spent.

Trustee Duda stated that Ms. Ponga's perspective is as one person.

Ms. Ponga stated that the expenditures have gone up exponentially and the residents have never been given the opportunity to vote on it.

Trustee Robak stated that the budget is discussed at every meeting. All Meetings are open to the public.

President Breseman stated that since Ms. Ponga had met with two Trustees previously, the issues discussed were talked about for the next 4 to 5 meetings. He thanked Ms. Ponga for coming to talk to the entire Village Board.

President Breseman stated that all meetings should be done in a public forum, not privately. Others have a right to sit in on these types of discussions.

Rich Rose of Valley View Road stated that the Village services have gone up tremendously. He would like to see this issue tabled to another meeting.

Trustee Duda stated that the Village Board is elected to make decisions for the Village as a whole. The Village Board can't make everyone happy all the time. Anyone can run for a seat on the Village Board and then they can make decisions.

Trustee McConnell stated that he is always looking for ways to cut Village costs. There is no waste here.

Trustee Robak stated that we tape all meetings. If Ms. Ponga would like a copy of these tapes she could go through the FOIA process and request them. She could then see that our budget is discussed month after month. Our meetings are all open to the public. He stated that he would like to discuss something that he could do something about.

Ms. Ponga stated that her taxes have gone up 78% since the Village became a Home Rule community. Our taxes are on their way to doubling.

President Breseman encouraged Ms. Ponga and all of her friends to discuss this in a rational way. He asked Ms. Ponga to bring any concerns to a public meeting. This way we can work together.

Trustee Greenwald stated that we discussed the budget for 4 to 5 months before passing it. He asked Ms. Ponga to come to the meetings to listen to those discussions. He stated that the Village Board is as frugal as possible. If people come to the meetings they can understand as a resident where cuts could be made. The biggest budget is our Police Department. He is not willing to cut services in our Police Department. The Village recently purchased a new Public Works truck for snowplowing. We are always looking for help. Another perspective helps. He additionally stated that he appreciated Ms. Ponga for coming in to talk about her taxes. He thanked her for coming and stated that this way we can understand our differences.

7. New Business/Board Comments Continued:

- b. Motion to Adopt Ordinance #454, Amending Section 1.12-A, Payments of the Prairie Grove Municipal Code Regarding Settlement of Offenses:
Motion by Trustee Duda, 2nd by Trustee McConnell to Adopt Ordinance #454, Amending Section 1.12-A, Payments of the Prairie Grove Municipal Code Regarding Settlement of Offenses.**

Discussion: Trustee McConnell asked what the net impact was for the Village. Administrator Smith stated that Director of Public Safety, Ron Lyons had indicated that this was better for our Police Department.

The first change is that the payment due date has been changed from 7 to 10 days. The second change allows for people that have been cited to pay the fine without appearing in court. Trustee McConnell commended Ron Lyons for finding ways to lower our cost.

On a Roll Call Vote: Trustees Connelly, Duda, Greenwald, McConnell and Robak all voted Aye, Motion carries.

Staff/Consultant Reports or Comments:

Trustee McConnell stated that the EDC Commission is back on track. Currently they have been working on an analysis of the Business District for Wildflowers. They are working toward targeting special businesses. They are working on creating a brochure to bring in those types of businesses. They will be meeting again next month.

Administrator Smith stated that the Parks & Recreation Committee have been meeting regularly. They are currently working on planning for the Fall Festival. The Fall Festival will be held on Sunday, October 5th between 1:00 to 4:00 PM. President Breseman has provided us with a new park pavilion plan. President Breseman has donated the park pavilion rendering to the Village. Administrator Smith stated that this is a great group of very committed residents looking to do more for the Village.

Administrator Smith stated that the Village Board received two different handouts for new fence regulations. Section four applies to the two different versions. This is not for discussion tonight.

Administrator Smith discussed the \$250,000.00 IDOT grant that was for signalization improvements to Rt. 31. Since the signal was not warranted, the Village is looking for other improvements to Rt. 31. IDOT suggested looking into a 30 ft. safety median. Administrator Smith stated that we could look at hosting a Public Forum early next year to get the public's input.

Administrator Smith went to a seminar recently for Conservation Programs. This allows programs to partner with other agencies. She would like to look at getting involved with agencies like MCCD as a public service for residents. She stated that there were great ideas on creating green ordinances.

The Fall/Winter newsletter is being put together. Administrator Smith asked the Village Board what they would like to see in it. Trustee McConnell suggested a tax discussion. President Breseman would like to see something regarding annexations and increased sales tax revenues. Other ideas were the Road program, the Fall Festival, Burning Regulations and the new concepts for the park plan. The park layout could be scanned and added. Administrator Smith asked that any additional items should be given to her by Monday.

Discussion of Wildflowers, Boulder Capital:

Steven Zieff is here from Boulder Capital tonight for a short presentation. Mr. Zieff brought consultants from Greengard Inc. and Hay & Associates with him. Mr. Zieff stated that he had worked with Roy MacDowell since 1993. They work with development and lending to other developers to fund development projects. He stated that since Westminster Swanson couldn't perform on their obligation to Boulder Capital they obtained Wildflowers by default. The Wildflowers property is sound. They have recently given Attorney McArdle and Administrator Smith some proposed methodology to get this project to a higher level.

Mr. Zieff stated that leaving a positive legacy is very important to Boulder Capital. They are proud of their quality and sensitivity to natural developments. They recognize what time has already been put into this project. They are committed into making this a competitive project. Changes would increase the general execution of this project. One item of vital importance to the site is to create a low impact design and to massage certain elements in an appropriate zoning plan. He discussed site restoration and integrating transportation requirements of Rt. 31 to accommodate the new Metra Station. Issues concerning water and the water treatment facility were also discussed briefly. He stated that there would be a need to make some amendments to the annexation agreement. They would like the opportunity to discuss open space and design guidelines at a later date. Mark Eiden suggested preparing a series of short memos to address some of these topics. He would like an opportunity to do some workshop sessions with consultants.

Trustee Greenwald stated that they worked very intensely on this project and he was directly involved with the design guidelines. He would like to see this happen as much as Boulder Capital does. He is dedicated to see this be a premier community. He is willing to put in the time to get this implemented.

Trustee Robak would like Boulder Capital to educate the Village Board on any new proposals. He doesn't feel that Boulder's strategy is off base.

President Breseman stated that he would like to see this plan be equal to or better than the current plan. He doesn't want to re-create the plan but he would like to see some green practices used.

Boulder Capital's objective is to do the Metra Station and to do a quality project that makes sense and fills Prairie Grove's vision for commercial.

President Breseman wants a real downtown area.

Administrator Smith briefly discussed the planning grant that Prairie Grove was awarded for the downtown area by RTA. A grant of \$100,000.00 was awarded with \$25,000.00 match.

Discussion of Preserve Subdivision; Letter of Credit:

Currently we have a letter of credit on file for approximately \$60,000.00 and there is anywhere from \$70,000.00 to \$110,000.00 worth of improvements to make. More core testing is needed to find out exactly how much of a base the roads have. Administrator Smith has met with Mr. Stephen Greenberg the developer of this subdivision and he is aware of the changes that our Engineer, Pat Bleck is asking him to make. The developer stated that he couldn't do the improvements this year. Attorney McArdle stated that the Village is currently at an impasse with this developer. He asked the Village Board for direction. The Village Board would like to get an actual quote on improvement costs and to start the process of suing the developer.

Trustee Greenwald would like Administrator Smith to ask Mr. Franz to attend the next Village Board Meeting to discuss the progress in Timberhill.

8. Executive Session:

Motion by Trustee Greenwald, 2nd by Trustee Duda to enter into Executive Session at 10:39 PM for discussion of potential litigation. **On a Roll Call Vote: Trustees Connelly, Duda, Greenwald, McConnell and Robak all voted Aye, Motion carries.**

No action taken in Executive Session.

Return to open session at 11:04 PM.

Roll Call: Trustees Connelly, Duda, Greenwald, McConnell, Robak and President Breseman all answered aye.

9. Adjournment: Motion was made by Trustee Duda, 2nd by Trustee Greenwald to adjourn Special Village Board Meeting at 11:05 PM. **On a Roll Call Vote: Trustees Connelly, Duda, Greenwald, McConnell and Robak all voted Aye, Motion carries.**

Respectfully Submitted by:

Kim Minor, Village Clerk