

**Village of Prairie Grove
Special Meeting Minutes
October 28, 2008**

Hicks Annexation Hearing:

- 1. Call to Order:** President Breseman called the Special Meeting to order at 7:02 PM.
- 2. Roll Call:** Trustees Baudin, Connelly, McConnell, Robak and President Breseman all present. Trustees Duda and Greenwald absent.
Village Administrator Smith, Clerk Minor and Attorney McArdle also present.
- 3. Public Comment:**
John Blanchard (NASA) of 3305 Rt. 31 an adjacent property owner of Hicks came to state his opinion. Mr. Blanchard stated that he doesn't live in Prairie Grove and his business is not in Prairie Grove. He stated that after the Hick's annexation he would be forced into the Village. He doesn't want to be in Prairie Grove. He doesn't see any benefit into being annexed by Prairie Grove. He stated that he would have no representation on taxing or no voting rights. He currently has I-1 zoning in McHenry County. Mr. Blanchard stated that he would keep his zoning and protect his property.
- 4. Close Annexation Hearing:**
Motion made by Trustee Baudin, 2nd by Trustee McConnell to adjourn the Annexation Hearing at 7:10 PM. **On a Roll Call Vote: Trustees Baudin, Connelly, McConnell and Robak all voted Aye, Motion carries.**

(Trustee Greenwald entered the Meeting at 7:10 PM.)

Regular Board Meeting:

- 1. Call to Order:** President Breseman called the Special Meeting to order at 7:13 PM.
- 2. Roll Call:** Trustees Baudin, Connelly, Greenwald, McConnell, Robak and President Breseman all present. Trustee Duda absent.
Village Administrator Smith, Clerk Minor and Attorney McArdle also present.
- 3. Public Comment:**
Lisa Behm stated that the roadwork looks good.
- 4. Consent Agenda:**
Motion was made by Trustee Baudin, 2nd by Trustee Greenwald to approve items A through G on the consent agenda.

Trustee McConnell stated that he had asked for some revisions to the Meeting Minutes. Item A, Special Meeting Minutes of September 23, 2008 will be removed and passed at the next meeting.

Trustee Baudin amended his Motion and 2nd by Trustee Greenwald to approve items B through G on the consent agenda. Items B through G include the Expenditure Reports of September 22, 2008 and October 2 & 21, 2008, Revenues of September 2008, and the following Motions: Motion to adopt Resolution #2008-13, Supporting The City of Chicago's Bid for the 2016 Olympic and Paralympic Games, Ordinance #455, Authorizing the Execution of Hicks Annexation Agreement, Ordinance #456, Authorizing Annexing Hicks Property, Ordinance #457, Authorizing Zoning Hicks Property.

Discussion: Trustee McConnell asked if the Resolution to support the City of Chicago was for any type of financial support. Administrator Smith stated that this was just in support of the City of Chicago hosting the 2016 Olympic games.

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

5. Committee Reports and Meeting Dates:

Rt. 176 Corridor Plan: The meeting scheduled for yesterday was cancelled and a new date will be set in the next couple of weeks.

EDC: They haven't met since last month. Trustee McConnell stated that they would be meeting in the next couple of days.

Parks Committee: They will be meeting again next month to discuss sending a letter out for fundraising of the new park. The Fall Festival went well even with the weather not cooperating.

6. Staff/Consultant Reports or Comments:

a. Refund of Road Bond, 3220 Arbor Lane, Lot 67, Timberhill:

The Young's purchased lot 67 four years ago and they have had many issues with their initial builder Burnham Custom Homes. A letter has been received from the Young's Attorney, Lee Poteracki regarding a direct refund of the road bond for Lot 67. According to the letter a request is being made that the road bond be refunded directly to the Young's. The Young's issued a check to Burnham Custom Homes to purchase their building permit and road bond. According to Village policy once the home is issued a Certificate of Occupancy, the Village returns the road bond refund to the person they have listed as having paid it. The Young's are willing to indemnify and hold harmless the Village from any exposure in this matter. The Village Board gave direction that the refund can be given to the Young's once we receive the signed indemnification agreement from their Attorney.

b. Direction Regarding Reimbursement of 2007 Taxes to Liberty Self Storage:

Administrator Smith stated that Jack Schaffer of Liberty Self Storage has asked for a rebate for 2007 property taxes for his Ray Street parcel in addition to the taxes he will be

rebated once the Real Estate Tax Abatement Agreement is executed. Administrator Smith stated that after Mr. Schaffer came to the Village Board a few months ago she contacted the County regarding the 2007 taxes for the Ray Street properties. Mr. Schaffer has been taxed properly however some of the Ray Street parcels were not. McHenry County made an error not taxing every parcel owner on Ray Street the same. They are not willing to correct it.

President Breseman stated that if we rebate for him we have to do it for all others.

Trustee McConnell stated that we've met our obligation.

Trustee Robak stated that we move to table this to our next meeting.

Administrator Smith will follow up with Bill LeFew at McHenry County.

c. Discussion Regarding Non-Profit Flyer Distribution to List Serv & Website Posting:

Administrator Smith stated that over the last year we've had several requests to post flyers on our website and send out to our list serv. She has put together a new Public Flyer Policy for discussion tonight.

Trustee McConnell stated that his only concern is postage. He's fine with it as long as it doesn't cost the Village extra postage.

Trustee Robak stated that this policy is headed in the right direction. He doesn't believe that this should be used for the means of someone advertising businesses. It should only be used to benefit our residents.

Trustee Baudin stated that if people receive too many emails from the Village they might start ignoring them. He asked that it be limited to Special Events.

Administrator Smith asked that any additional comments be sent to her regarding this policy.

Police: Ron Lyons, Director of Public Safety highlighted some of the changes he has implemented in the Police Department. Regular maintenance was virtually non-existent for the Police fleet of cars. He has had all cars in for a comprehensive maintenance safety inspection. A maintenance schedule has been developed for the Police fleet. This will provide for scheduled lube, oil and filter changes. During the scheduled maintenance a mechanic will inspect tires, brakes and look for any safety issues. This will allow Prairie Grove to retain the Crown Victoria's longer than previously. To maintain our image he would like to have the cars re-stripped so that all cars are uniform in appearance. Currently all cars are in need of re-stripping, the letters and stripes are wearing off.

The Police Department is now taking part in some Community projects. During Red Ribbon Week our Police Department will be hosting an assembly at the middle school.

On October 21st Officer John Pikrone transported two students by squad car from School District 46 up to Lou Bianchi's Office to take part in the Red Ribbon press conference. Director Lyons is researching how to start a DARE program for the 8th graders in School District 46.

The Prairie Grove Police Department has been awarded a \$5,000.00 non-matching grant for the purchase of hand held night vision device.

President Breseman thanked Director Lyons for implementing positive changes to make the Police Department more efficient. These changes also allow our officers to spend more time on the streets. President Breseman would like to see this type of information highlighted in our next newsletter.

Public Works: Superintendent Tim Carone stated that they have been concentrating on patching the roads. President Breseman stated that they have done a great job patching, far superior to other municipalities. He would like Superintendent Carone to come up with some type of long-term program for patching for next year.

Trustee McConnell asked if when patching, would it be a good investment to do an entire lane instead?

Superintendent Carone wanted to thank Bill Behm and Nunda Township Road District for the use of their equipment and support in doing some of the roadwork.

Administrators Report: Administrator Smith stated that she has done a fiscal report for the Fall Festival. The event had donations and food sales in the amount of \$972.07 and expenses totaling \$838.51. This leaves the Parks Committee a total of \$133.56 towards future events.

Administrator Smith stated that she and Trevor Dick from Houseal and Lavigne went to Springfield to do a presentation for the OSLAD grant. Administrator Smith stated that she feels confident that the Village would receive the \$400,000.00 grant for the Village Hall Park. The Village will have two years to raise the money and complete the park. We have applied for the maximum amount.

Administrator Smith has been working intensely with Treasurer Jean Smith and the new Auditor to complete the 2007 audit. Since the Village hired a new auditing firm the new Auditor is having trouble making sense of the past Village Treasurers numbers and the past Auditors numbers. They have been going back about 8 years.

Trustee Robak stated that he is aware of the issues that Administrator Smith and Treasurer Smith are facing. This predates this Village Board and dates back to 1998. Previously expenditures and revenues have not been tracked properly. After this audit is complete, it should finally be reconciled.

7. New Business/Board Comments:

None

8. Old Business/Board Comments:

a. Discussion of Timberhill Subdivision, Mr. William Franz:

Mr. Franz stated that he hasn't sold a lot in over two years. Not all the roads in Timberhill have the final lift on them. He would like Board permission to put the final lift on next year. He has corrected the Engineering in Timberhill and after substantial rains the drainage system seems to be working well.

Trustee Greenwald asked Mr. Franz when he would be finishing the punch list of 65 items that he received on May 28th from our Engineer, Pat Bleck.

Mr. Franz stated that he would deal with it in good time. He has done the items that appeared to be urgent. Mr. Franz would like to put the Homeowners Association in place.

President Breseman stated that Timberhill is in the same place as it was two years ago. He asked Pat Bleck what improvements Mr. Franz has made in Timberhill.

Village Engineer, Pat Bleck stated that Mr. Franz had taken care of the drainage issues.

President Breseman stated that he was hoping Mr. Franz would move a little faster on the engineering punch list. The Village has never received a schedule from Mr. Franz regarding his improvements.

Mr. Franz stated that Units I & II have the final lift on the roads. Mr. Franz doesn't feel as though the punch list items are reasonable. He stated that he would be willing to meet to go over the engineering punch list.

Administrator Smith will call Mr. Franz to set up a meeting.

b. Discussion of the Preserve, Mr. Steve Greenberg:

Administrator Smith stated that she and Pat Bleck had met earlier today with Mr. Greenberg. He presented them with new core samples. He will meet with Pat Bleck again on Friday. He would like to put the final lift on next spring.

Attorney McArdle would like to look at beefing up our Letters of Credit.

Administrator Smith stated that she is consistently receiving the same three objections. The Village is working with a new Engineer, the housing market stinks and the subdivision was brought in under another subdivision control ordinance.

Heritage Hills, Mr. Michael Graft:

Mr. Graft stated that Geske had built his roads along with Jim Condon. Frank Cuda measured them. Village Engineer, Pat Bleck has asked that we have 10 core samples done at a cost of \$2000.00. This is an expense Mr. Graft doesn't feel he should have to

bare. He would like to put the final lift on his roads. Mr. Graft stated that he has a punch list of 5 or 6 items to complete. Mr. Graft stated that he would complete items on his punch list. Mr. Graft stated that coring would be done on Saturday. He stated that they should either meet or surpass the standards. He is asking the Village Board for reassurance that once the roads are on maintenance for a year, the Village would accept them. Mr. Graft is currently at only 65% build out. Mr. Graft asked for Village Board direction regarding the few residents in Heritage Hills that have sod to the edge of the road. Mr. Graft stated that those few residents that have grass to the road would like to keep it.

President Breseman asked Lisa Behm her opinion on the sod versus gravel issue. Lisa Behm stated that a gravel shoulder was best for the edge of the road. President Breseman stated that he would like to see an agreement worked out between the homeowners and the Village.

Trustee Robak stated he was not objectionable at this point.

President Breseman recommended letting the lots that have grass up to the pavement stay that way. He stated that by adding the final lift to the road it would add additional strength to the edge of the road.

Trustee Greenwald asked if it was essential to do the cores? He asked Pat Bleck if it would be acceptable to do a visual inspection or cores of the areas of the road that would be torn up for repairs.

Pat Bleck stated that it would be okay to do the visual inspection and if there were any areas of concern they would ask for additional cores.

The Village Board recommended that we would allow the 3 or 4 lots that have grass to the edge of the road to stay that way. We will ask the homeowner to assume the risk that if work needed to be done on the easement that they would need to assume the liability. Administrator Smith will send a letter to the homeowners informing the residents that they would need to assume the liability.

Pat Bleck stated that this would deviate from our Village code.

Trustee McConnell agreed that we should give the homeowners the option.

Administrator Smith stated that working and coming to terms with Mr. Graft was enjoyable.

Mr. Graft will do his best to complete everything this year, weather permitting.

c. Discussion of Hellyer Violation:

Attorney McArde stated that Mr. Hellyer has been given a court order to clean up his property. He has until November 10, 2008 to clean it up. If Mr. Hellyer doesn't clean it

up the Village could go in and do it at our expense. Attorney McArdle suggested asking the nearby property owners that are being adversely affected by Mr. Hellyers property to pay for the repair and clean up.

Administrator Smith stated that she would talk to Crystal Lake Chrysler.

Pat Bleck stated that the property has approximately an 8000 square foot hole to fill in. The cost could be approximately \$20,000.00 to do the work needed.

Attorney McArdle stated that once the work is complete we could then put a lien the property. Once the property has been liened the Village could ask for a foreclosure on the judgment. Attorney McArdle will look into this further.

9. Executive Session:

Motion by Trustee Baudin, 2nd by Trustee Greenwald to enter into Executive Session at 9:34 PM for discussion of Personnel Issues. **On a Roll Call Vote: Trustees Baudin, Connelly, Greenwald, McConnell and Robak all voted Aye, Motion carries.**

No action taken in Executive Session.

Return to open session at 9:49 PM.

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

10. Adjournment: Motion was made by Trustee Baudin, 2nd by Trustee Greenwald to adjourn Special Village Board Meeting at 10:00 PM. **On a Roll Call Vote: Trustees Baudin, Connelly, Greenwald, McConnell and Robak all voted Aye, Motion carries.**

Respectfully Submitted by:

Kim Minor, Village Clerk