

**Village of Prairie Grove  
Special Meeting Minutes  
March 31, 2009**

**1. Call to Order:** President Breseman called this meeting to order at 7:00 PM.

**2. Roll Call:** Trustees Duda, Connelly, McConnell and President Breseman all present.  
Trustees Baudin, Greenwald and Robak absent.  
Village Administrator Smith, Clerk Minor and Attorney McArdle present.

**3. Public Comment:** None

**4. Consent Agenda:**

**Motion was made by Trustee Duda, 2<sup>nd</sup> by Trustee McConnell** to approve items A through E on the consent agenda. Items A through E include Motion to Approve the Meeting Minutes of February 17, 2009, Expenditure Reports of February 23, & March 6 & 23, 2009, Revenues of February 2009, and the following: Authorization to Disburse Funds to Crystal Lake Chrysler-Jeep for EPA Related Expenses in an Amount Not to Exceed \$26,699.30 and Motion to Approve the First Amendment to the Rt. 176 Corridor Grant Agreement (Time Extension Request).

**Discussion:** Trustee Duda questioned item e. on the consent agenda. He verified that this was only a time extension with the state. This is not the clarity that we made to the residents and neighbors to not go beyond the borders of Prairie Grove. Trustee McConnell agreed and stated that it was never our intention or desire to annex these properties.

**On a Roll Call Vote: Trustees Connelly, Duda, McConnell and President Breseman all voted Aye, Motion carries.**

**5. Committee Reports and Meeting Dates:**

**ARC:** A report was given in the board packet.

**EDC:** Trustee McConnell stated that the EDC recently met on March 11th. They are currently undertaking the Rt. 176 Corridor Plan.

**PARKS:** Chairman Lisa Behm stated that the Easter Egg Hunt will be this Saturday, April 4th at 10:00 AM. Administrator Smith stated that she had contacted the state regarding the OSLAD grant decision and the grants are still pending due to the approval of the states budget.

## **6. Staff/Consultant Reports:**

**Police Department:** Ron Lyons stated that they had received the new lap top that was approved. It has been installed and is working fine. Ron submitted a grant application today for a new squad car to the federal government. If we receive this grant they will pay 75% of the purchase price. Ron is also working on a new grant application from the Federal Government called the Illinois Traffic Challenge due on April 13th. This grant will allow the Police Department to hire additional Officers. Some of these grants are out of the Federal Stimulus Package.

**Administrator:** Administrator Smith stated that she had just received a report from Congresswoman Melissa Bean on the Federal Stimulus Plan and she'd be happy to give anyone a copy of it that would like one or that it was also available on line.

Administrator Smith discussed the approved Stimulus money that Prairie Grove would be receiving to use resurfacing roads. The Village will be resurfacing Barreville Road from Ames Road to the northern Village limits. This is just one of the grants that the Village has received this year.

Administrator Smith stated that she had received the information from Upper Illinois River Valley Development Authority (UIRVDA) and that she will be holding off on this discussion until the next meeting. Administrator Smith stated that the RTA is moving along and that she would be looking for committee members.

Trustee Duda brought up the Rt. 31 safety initiatives \$250,000.00 funding. Administrator Smith stated that with this funding IDOT will be adding turn lanes off of Rt. 31. One off of Rt. 31 to Ames Road and another turn lane off of Rt. 31 to Edgewood Road. This funding is good for 2 years.

President Breseman stated that without Jeannine working on behalf of the Village this Rt. 31 funding and other grants wouldn't be possible. Jeannine has worked directly with State Representatives to make sure that the money stays in Prairie Grove.

Administrator Smith stated that she was looking into moving Comcast to the Village Hall and to areas in Prairie Grove that are either underserved or not served at all in the next few months. Comcast is willing to bring it to the Village for free.

*(Trustee Robak arrives at 7:13 PM)*

## **7. Old Business/Board Comments:**

### **a. Discussion of Draft 2009/2010 Budget:**

Administrator Smith stated that some changes were incorporated to this draft budget. Changes were made to the summary page by adding variance explanations. Administrator Smith stated that she was hoping that this would be approved next month. Most time and money will be spent in Public Works. The items are listed in the Public Works Road Program section along with the MFT fund section.

Public Works Superintendent Tim Carone stated that Nunda Township was going to do some road work to Terra Cotta Road and that they would give us a price to do work on our section of Bay Road. Administrator Smith stated that this wasn't included in the Road Program for this next budget year but we would take a look at it.

Trustee Duda suggested holding a special meeting to discuss the budget. Administrator Smith stated that she would try to set up 2-3 working meetings to discuss the budget further.

**b. Motion to Draw on on Timberhill Subdivision Letters of Credit, LC#552, LC#556, LC#611, LC#612, LC#593, LC#713:**

**Discussion:**

After many attempts to work with Mr. Franz in Timberhill we find that this Development is not complete or in compliance with Pat Bleck's letter dated March 27, 2009. The amounts to be withdrawn from each letter of credit may leave a balance in those letters of credit. In each phase there are only certain defaults.

Trustee McConnell stated that is appropriate and clear as these issues come up time and time again.

Hadley Tidler of Timberhill asked if the letters of credit would cover the cost to complete the entire subdivision. Administrator Smith stated that Unit 3 would be a little over \$40,000.00 short and that currently this is just an estimation.

Lisa Behm asked if the project would be put out to bid. Administrator Smith stated that it would.

President Breseman stated that if we are short the entire Village would bear the cost, not just the residents of Timberhill. A discussion ensued over the estimates to complete Timberhill. The Attorney stated that if the Village is short money in the letters of credit we can still go after the Developer.

Trustee Duda stated that we didn't want to penalize the entire Village so they may look at other alternatives such as an SSA.

A concerned Timberhill resident asked if there was a reduction in the letters of credit that resulted in the situation that we're in now.

Trustee Duda stated that there was a reduction as recommended. They were working in good faith with advice and direction of our retained personnel.

Trustee Robak stated that the economic conditions can change over time and the estimates that we made decisions on over 3 years ago can also change. He also stated that we have more controls in place and that we have become more conservative now than we were before.

Hadley Tidler stated that they have tried to work with Mr. Franz but he doesn't live up to his covenants. She also stated that they really appreciate the Village working on behalf of the Timberhill residents.

A concerned Timberhill resident asked if we had a time frame for completion. Administrator Smith stated that we don't know what the construction season will bring but we will work on getting it completed as soon as we could.

Additional questions were asked about the garbage and debris left on several of the lots in Timberhill. Our Building Inspector sent out official notice to Mr. Franz with a one week time frame to comply.

**Motion by Trustee Duda, 2nd by Trustee Robak** finds that the improvements referenced in the Village Engineers letter dated March 27, 2009 have not been completed and the improvements do not conform to the applicable plans and specifications and the Board thereby directs Administrator Smith to draw on the following letters of credit:

Timberhill Subdivision Letter of Credit #552 in the amount of \$39,792.50

Timberhill Subdivision Letter of Credit #556 in the amount of \$39,503.75

Timberhill Subdivision Letter of Credit #611 in the amount of \$91,575.00

Timberhill Subdivision Letter of Credit #612 in the amount of \$71,225.00

Timberhill Subdivision Letter of Credit #593 in the amount of \$95,191.25

Timberhill Subdivision Letter of Credit #713 in the amount of \$19,255.50

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

**c. Direction Regarding Preserves Subdivision, Presentation by Jay Behnke of S.T.A.T.E. Testing:**

Mr. Behnke stated that he had submitted a preliminary report on the Preserves Subdivision. He doesn't feel that any more cores or analysis will be needed. He stated that he had never seen binder left on this long. His opinion is to leave the existing aggregate base and to increase the surface thickness to two inches along with putting down a fabric layer between the binder and the surface.

Lisa Behm asked if the fabric should be put over the entire roadway or just the cracks. Mr. Behnke suggested doing the entire roadway.

Steve Greenberg stated that he would put the two inches of surface down and place fabric over the bad areas. He said that putting the fabric down on the entire roadway is going above and beyond. Steve questioned where in Mr. Behnke's findings did it say that the road wouldn't perform. His answer to putting the fabric over the entire roadway is no.

President Breseman stated that he thought this was a reasonable solution.

Jay Behnke stated that use of fabric needed to be used in large enough areas, but he still felt that it was best to place the fabric on the entire roadway between the binder and surface courses for the best results.

Steve Greenberg agreed to split the cost of the fabric for the entire road with the Village and he also agreed to install two inches of surface after the fabric is placed on the road. Steve Greenberg stated that once he received the money back for the Letter of credit that he could get the work done within 30 days.

Administrator Smith stated that she will place this on the next agenda.

Lisa Behm asked if our Engineer would inspect the road. Administrator Smith stated that yes he would.

Trustee McConnell had two questions about the agreement. He asked if it was necessary to express what type of material is to be used and was it also necessary to state that there are some areas that need to be replaced.

## **8. New Business/Board Comments:**

**a. Motion to Approve Resolution #2009-04, a Resolution for the Village of Prairie Grove Census 2010 Proclamation: Motion by Trustee Duda, 2nd by Trustee Robak to Approve Resolution #2009-04, a Resolution for the Village of Prairie Grove Census 2010 Proclamation. On a Roll Call Vote: Trustees Connelly, Duda, McConnell and Robak all voted Aye, Motion carries.**

**b. Motion to Approve Resolution #2009-05, A Resolution for Participation in the State of Illinois Federal Surplus Property Program: Motion by Trustee Robak, 2nd by Trustee McConnell to Approve Resolution #2009-05, A Resolution for Participation in the State of Illinois Federal Surplus Property Program. On a Roll Call Vote: Trustees Connelly, Duda, McConnell and Robak all voted Aye, Motion carries.**

**c. Motion to Approve Ordinance #467, Amending the Prairie Grove Municipal Code Regarding the Construction of Subdivision Improvements: Motion by Trustee Robak, 2nd by Trustee Connelly to Approve Ordinance #467, Amending the Prairie Grove Municipal Code Regarding the Construction of Subdivision Improvements. On a Roll Call Vote: Trustees Connelly, Duda, McConnell and Robak all voted Aye, Motion carries.**

**d. Motion to Approve Ordinance #468, An Ordinance Amending Section 23.09-A, General Requirements, of the Prairie Grove Municipal Code: Motion by Trustee McConnell, 2nd by Trustee Duda to Approve Ordinance #468, An Ordinance Amending Section 23.09-A, General Requirements, of the Prairie Grove Municipal Code. On a Roll Call Vote: Trustees Connelly, Duda, McConnell and Robak all voted Aye, Motion carries.**

**e. Motion to Approve the 2009 Zoning Map as Presented: Motion by Trustee McConnell, 2nd by Trustee Robak to Approve the 2009 Zoning Map as Presented.**

**Discussion:**

Administrator Smith stated that there was a change in colors. The color changes relate directly to the intensity of use.

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

*President Breseman moved that we discuss item g. before item f.*

**g. Motion to Approve Ordinance #469, Ordinance Classifying the Ben Arvidson & Sons, Inc., Property at 3209 S. Rt. 31 to IT:**

**Discussion:** A positive recommendation was given by the Planning & Zoning Commission from their Public Hearing on February 17, 2009. The new Ordinance that was prepared since the Public Hearing for Arvidson & Sons was discussed. This new Ordinance incorporated all of the concerns that were addressed at the P&Z Hearing.

Attorney Tom Zanck stated that working with the Village this time since a few years ago has been a pleasure. Having David McArdle, Phil Knudsen and Jeannine Smith to work with has made this a very smooth process.

Trustee McConnell asked if there was a safety concern regarding the setback requirement.

President Breseman asked if anyone in the audience had any questions or comments on this Zoning matter.

Jim Hicks of 4701 Edgewood Road stated that he had three major concerns. He would like to see a fence go up screening his property until the new building is built. The new building should be at least 10 ft. off the lot line. His last item is that he's concerned with water runoff due to all the surface area. Mr. Hicks was told that the water drainage issue would be addressed during the building permit process. After a brief discussion Mr. Hicks stated that he would be ok with a 6 ft. chain link fence that would be installed within 60 days.

Mr. John Swierk of Direct Design on Rt. 31 stated that he was overall in favor of the positive changes that would be made to Arvidson & Sons. He is concerned with the setbacks. He thinks it would be a good idea to see a more exact elevation for the front building. He stated that he believes the outdoor yard display should be eliminated from the front of the building. He stated that the Village should get a copy of the lease agreement for the cell towers and the signs. The last item is that Mr. Swierk would like to see is a time limit put on the front addition.

Trustee Duda stated that we should put in a clause in if he conveys ownership of this property. He would also like to see at the minimum a 10 ft. setback requirement.

Attorney McArdle stated that the revisions would be made to the ordinance and that it could be put on next month's consent agenda for passage.

**f. Motion to Approve the Sales Tax Rebate Agreement between the Village of Prairie Grove & Ben Arvidson & Sons, Inc., E-Leisure Group, LLC: Motion by Trustee Duda, 2nd by Trustee Robak to Approve the Sales Tax Rebate Agreement between the Village of Prairie Grove & Ben Arvidson & Sons, Inc., E-Leisure Group, LLC. On a Roll Call Vote: Trustees Connelly, Duda, McConnell and Robak all voted Aye, Motion carries.**

**9. Executive Session:** None

**10. Adjournment:** Motion made by Trustee Duda, 2<sup>nd</sup> by Trustee Robak to adjourn this Village Board Meeting at 9:43 PM. On a Roll Call Vote: Trustees Connelly, Duda, McConnell and Robak all voted Aye, Motion carries.

Respectfully Submitted by: \_\_\_\_\_  
Kim Minor, Village Clerk