

**MINUTES OF THE REGULAR MEETING OF  
THE CORPORATE AUTHORITIES OF THE VILLAGE OF CAMPTON HILLS  
DECEMBER 7, 2010  
CAMPTON TOWNSHIP COMMUNITY CENTER  
5N082 OLD LAFOX ROAD, CAMPTON HILLS, ILLINOIS**

President Smith called the Regular Board Meeting of the Corporate Authorities of the Village of Campton Hills to order at 7:57P.M.

Clerk Higgins called the Roll:

- Present in Person: Trustees Andersen, George, Kopec, Lenkaitis, Millette and Strauss
- Absent:
- Also Present: Attorney Braithwaite

President Smith led those present in the Pledge of Allegiance.

Public Comments

Mr. Kenneth Shepro, attorney for the St. Charles Countryside Fire Protection District, stated that was provided a copy of the proposed amendment to the Village Building Code and stated it seemed to be in violation of the Illinois Building Commission Act and the Illinois Municipal Code both of which require a 30-day notice. He also stated the change should be limited to life, safety and construction issues and that the proposed change did not appear to relate to a life safety issue, and that it targeted a particular property. He also stated that there was an Intergovernmental Agreement between the Village and the County and questioned the ability of the Village to change the Building Code while the County was providing building and inspection services.

President Smith removed Item L from the Consent Agenda.

V. Consent Agenda [By a single vote, called an omnibus vote, the Board may approve a number of unrelated items. There may be no discussion, but any Trustee may remove any one or more items from the Consent Agenda, whereupon that item goes on the agenda below.]

- A. Motion to approve payment of bills per Warrant List #11-11.
- B. Motion to approve the minutes from the November 8, 2010 Committee of the Whole Meeting.
- C. Motion to approve the minutes from the November 8, 2010 Regular Board Meeting.
- D. Motion to approve the minutes from the November 16, 2010 Committee of the Whole Meeting.
- E. Motion to approve the minutes from the November 16, 2010 Special Board Meeting.
- F. Motion to approve the minutes from the November 22, 2010 Special Board Meeting.
- G. Motion to approve the minutes from the November 29, 2010 Special Board Meeting.
- H. Motion to apply for the 2011 Kane County Small Cities Grant.
- I. Motion to investigate the "GO TO 2040" Local Technical Assistance Program from CMAP for planning assistance.
- J. Motion to ratify the acceptance of the Fox Creek Subdivision Unit 1 and Unit 2 dedicated roads pursuant to Village President's execution of the Subdivision Road and Storm Drainage Acceptance document of Kane County dated 10-20-09.
- K. Motion to approve the installation of "No Parking" signs and "Congested Traffic Ahead" signs on Beith Road between Anderson Road and Campton Township's Headwaters Park, effective immediately through February 1, 2011, and thereafter, from November 15<sup>th</sup> through February 1<sup>st</sup> of each year per Chief Hoffman's request.
- M. Motion to authorize the Village President to apply for the Illinois Technical Assistance Grant for the Emerald Ash Borer and the Illinois Urban Forest Restoration Grant for Emerald Ash Borers.
- N. Motion to ratify Village President's letter of support of the D303 Safe Route to Schools Grant for Bell-Graham Elementary School.
- O. Motion to authorize the Village President to apply for the CDBG Disaster Recovery "IKE" Program (A Special Allocation of the Community Development Block Grant (CDBG) Program) – Public Infrastructure Program (PI), if it is determined that the Village is eligible to participate.

Trustee Strauss moved to approve the Consent Agenda; seconded by Trustee Andersen.

Clerk Higgins called the Roll:

Trustee Andersen	aye	Trustee George	aye
Trustee Kopec	aye	Trustee Lenkaitis	aye
Trustee Millette	aye	Trustee Strauss	aye

President Smith declared the Consent Agenda approved.

#### Consent Agenda Item L

Trustee George moved to authorize the Village President and Village Treasurer to approve using the Road and Bridge Fund, then the Motor Fuel Tax Fund(after January 1<sup>st</sup> to be repaid prior to the end of the fiscal year), then the Reserve Fund and then, if need be, trigger the Line of Credit with First American Bank; seconded by Trustee Andersen.

Trustee Strauss asked how much money would need to be borrowed. President Smith stated that there is not a need at the current time to borrow any money, but that if the State does not make an income tax payment in the near future, there may be the need to address cash flow issues. Trustee Strauss suggested using the Line of Credit first. Treasurer Slade stated that our Account Receivables for the state shared income tax now had a balance of \$403,000 and that it was unknown when we might collect those funds. Treasurer Slade stated that the next payment we were to receive was \$99,000 and that we may not be able to collect those funds before the next payroll. There was a discussion related to Trustee Strauss' recommendation to pay interest on money borrowed before it was the last resort. Trustee Strauss stated that he felt that it complicates things with the budget when we start shuffling funds between line tems..

Clerk Higgins called the Roll:

Trustee Andersen	aye	Trustee George	aye
Trustee Kopec	aye	Trustee Lenkaitis	aye
Trustee Millette	aye	Trustee Strauss	nay

President Smith declared the motion approved.

President Smith moved Agenda Item XV up on the agenda with the consent of the Board to accommodate the public.

#### Discussion and consideration of an Ordinance amending the Village Building Code relative to brick and masonry construction standards within the Business District:

Attorney Braithwaite addressed the Village Board and audience and stated that there was no subterfuge. The issue was going for quality construction, which currently is being considered by requiring brick and masonry construction materials in commercial areas. This is frequently specified. He also explained that it has been the practice to make the report to the State after the Building Code change but that he will again review the statue. He also stated that he had not anticipated the Board to take any action tonight on the issue. President Smith stated that in the Comprehensive Plan adopted by the Village, the Wasco Business District and the Route 47 Corridor were not addressed so that the committees could take more time to draft plans for those areas and that the Economic Development Committee has been working on the Wasco area for several months. She also stated that in the last 20 years, all construction in the Wasco area was of brick and mortar construction. There was also a discussion as to where to place the borders related to this proposed building code change and it was suggested that the boundaries could follow the Facility Planning Area (FPA).

Trustee Strauss said that he opposes dictating which type of construction material should be used. Trustee Kopec said that it is also an esthetic issue and having future development blend in with the current construction in the Business District would be beneficial. Trustee Strauss stated that he would like to have input from the Economic Development Committee.

Trustee Strauss moved to have the Economic Development Committee make a recommendation related to this topic; seconded by Trustee Lenkaitis.

Trustee Millette stated that masonry has already been brought in during the development in the past 20 years and that he felt the area considered should follow the FPA boundaries. He also stated that he didn't feel that we should force existing structures to use masonry unless the use is being changed to commercial. He stated that the Board had a duty to make the central business district the best it can be. Trustee Kopec asked about the language related to historic preservation. Trustee George asked if this is focused on commercial and residential. Attorney Braithwaite said yes. Trustee George stated that she felt that masonry should apply to businesses, but not the residential homes. President Smith suggested that the Trustees think about what they want.

A voice vote was called and was unanimous. President Smith declared the Building Code issue was referred to the Economic Development Committee for a recommendation.

Continued discussion related to rezoning the proposed Norton Lake Subdivision from F and F-2 to Planned Unit Development (PUD) District:

1. Streetlight selected by Mr. Harrison

President Smith directed the Trustees to Item K of the PUD Ordinance with reference to lighting. Trustee George stated that the light bulb on the Exhibit should be changed to require high-pressure sodium bulbs. It was discussed that Mr. Harrison has the ability to change the fixture as long as it meets all of the criteria outlined in the PUD. The consensus was the language and Exhibit presented was acceptable with the wording change discussed.

2. School Land/Cash Donation

President Smith stated that 2.134 acres will be dedicated to the school district and the balance of cash collected will be based upon the number of bedrooms for each building permit. The issue was how the Exhibit was to be worded to clarify the land/cash dedication. Attorney Braithwaite said he would be happy to prepare some language. Trustee Kopec asked for clarification on the calculation of the land/cash dedication. Mr. Harrison said that he liked having a spreadsheet showing the various cash contributions per 3, 4, or 5 bedroom homes. Mr. Harrison provided a copy of his proposed Exhibit.

3. Per Lot Plat Fee

The payment of the \$700 per lot fee was discussed in accordance with the Subdivision Ordinance and when that payment would be collected. The Subdivision Ordinance language was read relating to Final Plat approval. Because the Village is considering a PUD, it was discussed whether the Final Plat approval language applied since Final Plat approval was included as part of the PUD approval process. Trustee Millette stated that a PUD Ordinance includes all of the allowed uses.

Mr. Harrison stated that his intent is to go ahead in the spring.

President Smith informed the Board that Mr. Harrison had asked the Wasco Sanitary District (WSD) for a commitment to sign the Plat. WSD Attorney Muscarello informed Mr. Harrison that because he had refused to indemnify the sanitary district regarding pending litigation, he was in violation of the Annexation Agreement, the District would not commit to sign the Plat until that issue had been resolved. There was a discussion between Attorney Price, Mr. Harrison and the Board related to the pending litigation of the WSD on this issue.

Attorney Braithwaite stated that the Village's issue was payment for the 66 lots in Unit 1 if the subdivision were approved. President Smith pointed out that due to litigation, it could be years before the \$700 per lot plat fee was collected. President Smith said that as soon as all of the documents and exhibits were completed the Board would receive them. The question as to how and when the Village would receive payment for the \$700 per lot platting fee continued. The three options were: 1.) Pay the \$700 fee upon approval of the PUD Ordinance 2) payment before the Village President signing the Plat, after all other signatures were acquired, or 3) after all the plat signatures were acquired, the Board would vote on the PUD Ordinance and require payment at that time.

Trustee Millette said that the second option was the normal procedure and that he felt we should follow that option. He stated that this development met the criteria and compatibility of our Land Use Plan and that D303 concerns had been met.

It was discussed that if Mr. Harrison were not able to resolve his issues with the WSD within two years, the PUD approval would expire. President Smith suggested an automatic one-year extension with some form of monetary consideration.

Trustee Andersen moved to table the discussion for 30 days; seconded by Trustee George. Trustee George asked Trustee Andersen why she wanted to table it the discussion. Trustee Andersen stated that the pending WSD litigation concerned her and that she felt it would be best if it were settled before the Board took any action on the proposed subdivision.

Clerk Higgins called the Roll:

Trustee Andersen	aye	Trustee George	aye
Trustee Kopec	nay	Trustee Lenkaitis	aye
Trustee Millette	nay	Trustee Strauss	nay
President Smith voting to break the tie.	nay		

President Smith declared the motion failed.

Trustee Millette stated that the Plat does not exist until the Plat is approved, but that until all of the signatures are affixed to the plat, it does not exist. Therefore, payment should be made before the Village signs the plat.

Trustee Strauss moved that Option Two be adopted – if the subdivision is approved by the Board, payment should be paid when the fully executed plat is presented for the Village President's signature: seconded but Trustee Kopec

Clerk Higgins called the Roll:

Trustee Andersen	pass/nay	Trustee George	nay
Trustee Kopec	aye	Trustee Lenkaitis	aye
Trustee Millette	aye	Trustee Strauss	aye

President Smith declared the motion passed.

Trustee Lenkaitis moved not to extend the meeting past 9:30P.M.; the motion failed due to a lack of a second.

Trustee Kopec moved to extend the meeting to 10:30P.M.; seconded by Trustee Strauss.

A voice vote was called and was unanimous. President Smith declared the meeting extended to 10:30P.M.

Trustee Lenkaitis departed the meeting at 9:41P.M.

President Smith stated that the revised documents for the PUD would be delivered to the Trustees' homes when completed.

Trustee Strauss asked again, why the Village wasn't waiting to vote on the proposed subdivision until after the Sanitary District resolves their issues with Mr. Harrison. Attorney Braithwaite stated that the WSD was a separate government entity and that they have to solve their own issues and the Village has to make decisions based upon the merits of the proposed development.

Trustee Millette stated that the WSD's capacity had been an issue for him from the beginning and that he has real concerns about the long-term effects of this subdivision on available capacity and that he felt like there was going to be a race for capacity. He continued however to state that this development would be good for the Village and the D303 School District. He continued to state that he wished the Village had a better evaluation of the long-term viability of the WSD.

Item XII was moved up.

Discussion and consideration of a motion related to meeting on Monday, December 13, 2010 at 7:30P.M. in lieu of December 21, 2010:

President Smith announced that the room had not been reserved for the 13<sup>th</sup> and that neither President Smith nor Attorney Braithwaite was available on the 14<sup>th</sup>, therefore the next meeting will be on the regularly scheduled date of Tuesday December 21<sup>st</sup>.

Mr. Price stated that there were some changes to the definition of home businesses. President Smith stated that the Escrow payment would need to be up-to-day before the vote on the subdivision moved forward. Mr. Price said he would send clean copies of everything with Mr. Braithwaite's wording for the Board to review.

Discussion and consideration of motion to reconsider the purchase of a cell phone and contract for the Village President, previously tabled:

President Smith suggested that it would be better for the Village to give the Village President a flat \$50 per month, like they do for the Police Chief, rather than purchase a Blackberry and commit to a long-term contract. She suggested that they could reconsider this decision after the new Village President's term begins on May 5<sup>th</sup> 2011

Trustee Strauss moved to reimburse the Village President \$50 per month for Cell Phone use for FY 2011; seconded by Trustee Millette.

Clerk Higgins called the Roll:

Trustee Andersen	aye	Trustee George	aye
Trustee Kopec	aye	Trustee Lenkaitis	absent
Trustee Millette	aye	Trustee Strauss	aye

President Smith declared the motion approved.

Trustee Strauss moved to combine previously tabled Items IIX. IX. and X to adopt a "Declaration of Incorporation", "Mission Statement" and "Vision Statement"; seconded by Trustee Millette.

Trustee George suggested a change to the Mission Statement to state:

*Entrusted by its citizens, the Village of Campton Hills is dedicated to delivering municipal services in the most responsive, cost-effective and efficient/proficient manner. Campton Hills is committed to upholding high-quality of life standards by empowering its school districts and maintaining family values, agricultural traditions, preserving natural resources, encouraging environmental stewardship, supporting passive and active recreational opportunities, honoring our rural heritage and generating a strong business foundation for present and future residents and visitors.*

Trustee Strauss amended his motion to include the Mission Statement language presented by Trustee George; Trustee Millette, who seconded the motion, agreed to the change as well. Through discussion, it was suggested that several changes be made and the proposed language was:

*Entrusted by its citizens, the Village of Campton Hills is dedicated to delivering municipal services in the most responsive, cost effective and efficient/proficient manner. Campton Hills is committed to upholding high quality of life standards by supporting its school districts, maintaining family values and agriculture traditions, preserving natural resources, encouraging environmental stewardship, supporting passive and active recreational opportunities, honoring rural heritage and generating a strong business foundation for present and future residents and visitors.*

Trustee Strauss amended his motion again to incorporate the input of the Board; Trustee Millette agreed to the changes.

A voice vote was called and was unanimous. President Smith declared the motion carried.

Motion to enter into the County of Kane Agreement for the 2010 Kane County Small Cities Matching Grant Program:

Trustee Millette moved to authorize the Village President to enter into the County of Kane Agreement for the 2010 Kane County Small Cities Matching Grant Program at her sole discretions with respect to the application; seconded by Trustee Strauss.

Clerk Higgins called the Roll:

Trustee Andersen	aye	Trustee George	aye
Trustee Kopec	aye	Trustee Lenkaitis	absent
Trustee Millette	aye	Trustee Strauss	aye

President Smith declared the motion approved.

Trustee Kopec stated that there needs to be a coordinator for all of the grants that are in process and how important it was to track the in-kind contributions.

President Smith said that she, Rolf Fredrick (Plan Commission Chairman) and Barry Botruff (Economic Development Committee Chairman) were to meet with the County on Friday about the grant and that she would call the Land Planner.

Discussion and consideration of a motion to renew the contract with IMLRMA for risk management coverage for the period of 1-1-11 through 12-31-11:

President Smith informed the Board that she had received a quote from another provider that was for \$58,000 and that IMLRMA was quoting around \$30,000. She also stated that the payment could be made in two (2) installments. Trustee Millette moved to renew the contract with IMLRMA for risk management coverage for the period of 1-1-11 through 12-31-11; seconded by Trustee Strauss.

Clerk Higgins called the Roll:

Trustee Andersen	aye	Trustee George	aye
Trustee Kopec	aye	Trustee Lenkaitis	absent
Trustee Millette	aye	Trustee Strauss	aye

President Smith declared the motion carried.

Discussion and consideration of a motion to adopt an Ordinance amending the Zoning Ordinance relative to the Application of Effluent as a Special Use:

Trustee Strauss moved to adopt an ordinance amending the Zoning Ordinance relative to the application of effluent requiring a Special Use Permit; seconded by Trustee Andersen. President Smith informed the Board that the Plan Commission was recommending the Ordinance before them.

Clerk Higgins called the Roll:

Trustee Andersen	aye	Trustee George	aye
Trustee Kopec	aye	Trustee Lenkaitis	absent
Trustee Millette	aye	Trustee Strauss	aye

President Smith declared the motion carried. O-10-27

Additional Items from Village President, Trustees, Staff or Citizens:

- A. Update on Kane/Kendall Council of Mayors Transportation "Calls for Projects." Trotter and Associates said they would be preparing an application for Anderson Rd. for the Campton Township Highway District if the road meets the standards and that the Village would need to be take the lead since the township cannot apply for funding. EEI was preparing the applications for Bolcum Road, Campton Hills Road and McDonald Road. Mr. Gallucci provided the Village an email stating that his highway district would pay for the costs of design engineering, construction engineering, and the local construction match of 29% local; the Federal match would be 71% for Bolcum and Campton Hills Roads. The projects are to be completed within a five-year period. McDonald Rd would be the obligation of the Village because it is located in Plato Township.

President Smith informed the Board that she and the Village Treasurer would be working on submitting the MFT 2010 Statement of Expenditures and the 2011 MFT Expenditure Estimates before they start on FY12 Budget. She also mentioned that the tax levies for SSA#1 and SSA#3 would be on the next Agenda for approval.

- B. It was announced that the Plan Commission was having a Public Hearing related to amending the Zoning Ordinance requiring a Special Use Permit for Fire and Police Stations on the December 13<sup>th</sup>. President Smith informed the Board that Zoning Officer Ranieri had reviewed the plats and that the WSD Water Tower was on the PUD plat so it seemed to be in conformance. She also told the Board that if the Plan Commission made a recommendation after their December 13<sup>th</sup> meeting, the Board would be considering the change at their December 21<sup>st</sup> meeting. President Smith stated she thought that Public Water Works should be considered for inclusion in the ordinance because the Zoning Ordinance excludes them along with fire and police stations. She also stated that the Village would be seeking a Special Use Permit related to the Village Hall location because the Police Department has offices there.
- C. Update on First American Bank \$250,000 Line of Credit. First American required the Village attorney to submit a letter and that had been completed, so the document just needed to be signed. President Smith explained that there had been a misunderstanding concerning the effective date of the new Line of Credit. The old \$150,000 Line of Credit was good through December 31<sup>st</sup> therefore a new one wasn't needed until January 1<sup>st</sup>. The paperwork drawn up by the bank had an effective date of December 1, 2010, so there is a one month overlap of the two documents.
- D. Update on new solution used for snow removal this season. The new solution includes Beet juice will be used to treat ice at a reduced cost as compare to salt.
- E. President Smith informed the Board that there had been a change of ownership for Milanos and that was why they lost their liquor license for a couple of weeks.
- F. President Smith reviewed several outstanding Notices of Violations.
  - A dilapidated garage and trash.
  - Someone has buried a semi truck in his yard and is using it for storage.
  - Fox Mill Homeowners Open Space maintenance issues and a zoning violation related to the farmhouse on the parcel where the Community Center was located.
- G. President Smith said that there was a person interested in purchasing 3N645 N. Ponderosa Drive if they could get a zoning change. This house has been vacant since the incorporation of the Village. The County evidently allowed a barn to be built in an area where horses are not allowed.
- H. The Village received a letter from the Fox Creek HOA President requesting the Village to pay for the replacement of Ash trees that were removed and replaced. Attorney Braithwaite stated that the Village is not responsible for the maintenance of the trees after his review of the documents.
- I. The state is considering a two-tier pension system for police and firemen that would not affect the current employees.

President Smith asked the Trustees if an invitation should be extended to the Township Board for the party on December 18th. The consensus was that Barb Wojnicki, Al Rottman, the Township Clerk, Roy Pollack and Bern Bertsche as well as the Township Trustees should be invited.

President Smith will be preparing a proclamation for Eagle Scout, Alexander Joseph Waskelo on December 19<sup>th</sup>, Trustee Millette will be attending the event and will read the Proclamation.

Trustee George stated that she had a requested communication in the form or a letter or a newsletter be

distributed to the residents in January. She also stated that the Joint Environmental Resource Committee would like to include some information. President Smith said she had been working on a newsletter for months and that she wasn't sure how much space would be available.

Trustee Andersen stated that there was a training session on January 8, 2011 for Emergency Management.

It was also announced that Metro West was having a rain barrel workshop on Wednesday, January 9<sup>th</sup> in Sugar Grove.

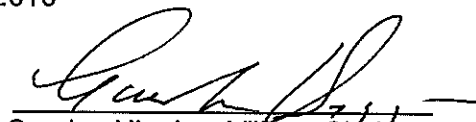
Attorney Braithwaite reminded the Trustees that they should avoid discussing Village business at the party on the 18<sup>th</sup> due to regulations of the Open Meetings Act.

CLOSED SESSION: None

Trustee Strauss moved to adjourn the Regular Meeting of the Village Authorities of the Village of Campton Hills; seconded by Trustee Millette. A voice vote was called and was unanimous. President Smith adjourned the meeting at 11:08P.M.

Approved this 21<sup>st</sup> day of December, 2010

  
Patsy Smith, Village President

  
Carolyn Higgins, Village Clerk

Signed this 22<sup>nd</sup> day of December, 2010