

MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development

DATE: August 19, 2010

SUBJECT: **300-310 S. Main Street (Prairie Path Villas) – TACO Agreement**

At the June 17, 2010 Village Board meeting, staff introduced a Resolution to Rescind a Tiered Approach to Corrective Action Objectives (TACO) Agreement previously entered into by the Village and the developer (Gap Development, LLC) of the property at 300-310 S. Main Street, commonly known as Prairie Path Villas. At the meeting, representatives for the majority unit owner and the President of the Prairie Path Villas Association requested that the matter be continued to address their issues. The Village Board continued the matter to August 19, 2010 to accommodate their request.

Subsequent to the meeting, the Association and staff has made significant progress on the remaining building code issues within the common areas. Tanner Environmental, the entity that undertook the remediation analysis in 2007, provided an estimate regarding costs to evaluate and/or remediate current levels, and the cost estimates and issues were shared with the parties.

To date, staff has not received direction from the parties as to how they intend to proceed. Staff received correspondence late last week from the Association stating that they have retained Counsel regarding this matter. Village Counsel has been informed of the same and will be responding accordingly. However, in order to address the concerns addressed by their attorney, staff recommends that this matter be continued to the September 2, 2010 Village Board meeting.

Should you have any questions, please feel free to contact me.