

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF METTAWA, ILLINOIS, HELD AT THE HOUR OF 7:30 P.M. ON FEBRUARY 21, 2017 IN THE COTTONWOOD ROOM OF THE HILTON GARDEN HOTEL, 26225 N. RIVERWOODS BOULEVARD, METTAWA, ILLINOIS

A. CALL TO ORDER

Mayor Urlacher called the meeting to order at 7:30 p.m.

B. ROLL CALL

Upon a call of the roll, the following were:

Present: Trustees Bohm, Brennan, Maier, Pink, Sheldon, Towne and Mayor Urlacher

Absent: None

Mayor Urlacher declared a quorum present.

Also present: Bob Irvin, Village Administrator; Village Clerk, Sandy Gallo; Scott Anderson, Representative of the firm of James Anderson Company; Village Attorneys Greg Smith and Jim Ferolo of Klein Thorpe & Jenkins, Ltd.; Financial Consultant, Dorothy O'Mary; Village Treasurer, Pam Fantus

C. APPROVAL OF MINUTES:

Board Meeting Minutes: January 17, 2017

The Village Board meeting minutes were reviewed. Trustee Pink had a correction on page 5. Trustee Brennan moved and seconded by Trustee Bohm that the minutes of the Board Meeting of January 17, 2017 be approved as revised.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne

Nay: None

Mayor Urlacher declared the motion carried and the minutes approved and be placed on file.

D. APPROVAL OF BILLS

1. Bills Submitted for Payment

Trustee Maier reported the new total amount for payment is \$120,335.65. The Finance Committee had deferred payment on an invoice from Forest Builders last month. This invoice has been approved with a reduction of \$2,300 from the original amount.

It was moved by Trustee Maier and seconded by Trustee Sheldon to approve payment of the bills.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne

Nay: None

Mayor Urlacher declared the motion carried.

E. TREASURER'S REPORT

Presentation of the Treasurer's Summary Report for the Month of January 2017.

It was moved by Trustee Brennan and seconded by Trustee Bohm that the Board acknowledges receipt of the January's 2017 Treasurer's Summary Report and place it in the file.

Upon a call of the roll, the following voted:

Aye: All

Nay: None

Mayor Urlacher declared the motion carried.

F. COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

Tom Heinz (27157 St. Marys Road) suggested the two political parties consider having a debate prior to the election for the residents.

G. COMMISSION AND COMMITTEE REPORTS FOR DISCUSSION, CONSIDERATION AND, IF SO DETERMINED, ACTION UPON

1. Finance Committee

a. Other Matters

Trustee Maier said the Finance Committee is currently working on the annual budget for the 2017-2018 fiscal year. The annual budget will be provided at the March meeting. Secondly, the financial audit is scheduled to start in May.

2. Public Works Committee

a. Update on the Maintenance and Capital Improvements Items for 2017-18 Budget

Trustee Towne said Old School Road construction has been completed and all related expenses have been paid.

b. Update on the Potential Water Main Near North Village Limits

Trustee Towne said this project has not advanced due to the low survey responses received by the 9 residents. Trustee Towne said he will report further details as it unfolds.

c. Update on Village Street Lighting

Trustee Towne said the street lighting project is currently undergoing a study and a review process to determine if the main Village intersections without street lights require them for residents' safety or necessity. Trustee Towne said the cost of the light fixtures and accessibility to the electricity is also being evaluated. No further actions are currently being taken.

d. Other Matters

None

3. Parks and Recreation Committee

a. Update on Maintenance and Capital Improvements Items for 2017-18 Budget

Trustee Sheldon said the Committee is actively looking at the open space lands maintenance and long term goals as they estimate budget amounts.

b. Update on the Open Space Maintenance Program for 2017

None

c. Other Matters

Trustee Towne reported that the project was being redesigned for removal of the boulders and to eliminate the need for Army Corps of Engineers permit. With regards to the trail relocation project, Village Engineer Scott Anderson advised that the Army Corps had received all of the needed documentation.

4. **Safety Commission**

a. Status and Activity Update

Trustee Pink said the Libertyville Fire Protection District Chief will be present at the next meeting to address the Village Board regarding the Knollwood Fire Protection District consolidation and impact on Mettawa residents.

Trustee Pink spoke to the Lincolnshire-Riverwoods Fire Protection District Chief regarding residents address signs. The Chief approved the signs and would like all the residents south of Route 60 to post their address signs on individual post and not have them attached to mailboxes.

Trustee Pink said Howe Security did 136 resident house checks for the month of January.

5. **Zoning, Planning and Appeals Commission Report**

a. Other Matters

Village Attorney Smith said the ZPA met twice, February 8th and February 16th. The February 8th public hearing was scheduled to hear two applications; Farmer-Towne's and Corporate Way. The Farmer-Towne's hearing deliberation resulted in the applicant requesting to submit revised plans. The Farmer-Towner revised plans are currently scheduled to be heard on April 4th. Due to the length of the first applicant hearing, Corporate Way was not heard and continued to the public hearing scheduled for March 7th.

Village Attorney Smith said the February 16th was a continuation of the ZPA workshop on the zoning text amendment review. The ZPA will continue their amendment discussion at the March 7th meeting after Corporate Way's hearing. No public hearing date has been scheduled until all the amendments are reviewed and discussed by the Committee.

Trustee Towne said the ZPA should consider revisiting why amendments were modified in the past in the first place and understand the history of changes. Trustee Towne questioned if the ZPA Commission had the right tools to make deliberations and recommendations. Village Attorney Smith said the ZPA Committee receives a revised memorandum after each workshop with the outcome of their deliberation.

Commissioner Leonard said the ZPA workshop is meant to discuss and deliberate on each text amendment to ensure any recommendations or modifications encompass all matters. The ZPA Committee understands these amendments will take time to finalize.

Richard Fantus (14253 Riteway Rd) said he was able to obtain all necessary meeting documents through a FOIA. All residents interested in the ZPA meeting documents have this option too.

H. BUSINESS FROM THE BOARD FOR DISCUSSION, CONSIDERATION AND, IF SO DETERMINED, ACTION UPON:

1. Mayor's Report

a. Lake Forest Beach Parking Permits

Mayor Urlacher said the Lake Forest Beach Parking Permits can be obtained after April 3rd. One permit per household is allowed at the price of \$85. This is the 3rd year the Village Board has been able to provide Lake Forest Beach Parking permits to the Mettawa residents.

b. Request from Tom and Franziska Lys Regarding Nektosha Way

Mayor Urlacher said the Village Board received a letter from the Lys' Attorney and an update from Village Attorney Ferolo. The Mayor said the Trustees need to decide if they approve that the Village should assume the financial responsibility of the reconstruction of Nektosha Way along with ongoing maintenance. If this matter is carried forward in agreement, the Village Attorney Ferolo will draw-up the necessary legal documents dissolving SSA#10 and SSA#11.

Village Attorney Ferolo said Nektosha Way was confirmed by Chicago Title that this road is a public roadway. The subdividers agreement and the SSAs all have reference to this road being a public roadway. This road was meant to be improved with the standardize requirements as a village road. Village Attorney Ferolo said the Village is not legally bound to dissolve SSA #10 and SSA #11 or carry the burden to assume maintenance of this public road.

Trustee Brennan asked if the Village regains the ownership of Nektosha Way will we need to rebuild the road to the Village standards. Village Attorney Ferolo confirmed the road would need to be rebuilt to code. Village Engineer Scott Anderson said at this time no estimated expenditures have been established on the reconstruct cost for this road.

Tom Lys' Attorney Jim Babowice stated within subdividers agreement and the SSA the documents indicate this road was not a public dedication road. The road had limited access which created no 3rd party beneficiary to the road.

Village Attorney Ferolo said the Nektosha Way road is a public road due to the fact the Lys' asked the Village to vacate this road. Only public roads can be vacated. In addition, only public roads can be assigned SSAs. All the legal Village documents have referred to Nektosha Way as a public road.

Tom Heinz (27157 N. St. Marys Road) said Nektosha Way is only half the width that a standard road should measure, can this limitation still classify it as a public road. Attorney Village Ferolo said Nektosha Way road is a public road by nature listed by Chicago Title.

Terre Cohen Tripoli (777 Bradley Road) asked how the Village Board can vote on reconstructing this road when the true costs have not been provided. Mayor Urlacher said the Board is not voting tonight, they are asked to provide a consensus.

Roberta Bohm (600 Riverwoods Road) said Tom Lys had adequate information to have had made a stronger case for Nektosha Way in prior years.

Mayor Urlacher asked the Board for a consensus if the Village should repeal SSA#10 and SSA#11; Trustees Bohm, Brennan, Maier, Pink and Sheldon said no. Trustee Towne said he needed more information.

c. Building Report

Mayor Urlacher thanked Village Engineer Scott Anderson for the monthly building report and said it would be placed on file.

d. Permit Agreement with Wide Open West

Mayor Urlacher said Wide Open West will be installing a fiber optic cable on Riverwoods Boulevard. This agreement will provide them the permit to start their work.

e. Other Matters

None

f. Village Administrator’s Report

Administrator Irvin said Lake County Forest Preserve will commence the trail connections on Everett Road and Riverwoods Road making a connection to the Daniel Wright Woods Forest Preserve. This trail connection was part of their 20 year vision.

2. UNFINISHED BUSINESS

3. NEW BUSINESS

a. Approval of the Permit Agreement with Wide Open West for Use of Right-of-Way located in Mettawa, Illinois for the installation and Maintenance of Underground Fiber Optic Cables.

It was moved by Trustee Towne and seconded by Trustee Brennan approval of the Permit Agreement with Wide Open West for Use of Right-of-Way located in Mettawa, Illinois for the installation and Maintenance of Underground Fiber Optic Cables.

Upon a call of the roll, the following voted:

Aye: All

Nay: None

Mayor Urlacher declared the motion carried.

I. EXECUTIVE SESSION

J. CALL TO RECONVENE

K. ROLL CALL

L. MATTERS REQUIRING ACTION ARISING AS A RESULT OF THE EXECUTIVE SESSION

M. ITEMS TO BE REFERRED

N. FOR INFORMATION ONLY

O. ADJOURNMENT

With no further business to conduct, it was moved by Trustee Brennan and seconded by Trustee Sheldon that the meeting be adjourned.

Upon a call of the roll, the following voted:

In Favor: All

Opposed: None

Mayor Urlacher declared the motion carried and the meeting adjourned at 8:16 p.m.

Village Clerk, Sandy Gallo