

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 JANUARY 15, 2019 IN THE COTTONWOOD ROOM OF THE HILTON GARDEN INN 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 and Mayor Urlacher

Absent: Trustee Towne

Mayor Urlacher declared a quorum present.

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

C. APPROVAL OF MINUTES:

Board Meeting Minutes: December 18, 2018

The Village Board meeting minutes were reviewed. It was moved by Trustee Sheldon and seconded by Trustee Brennan that the minutes of the Board Meeting of December 18, 2018 be approved and be placed on file.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

D. APPROVAL OF BILLS

Trustee Maier reported the amount for bills to be paid is \$1,013,730.64. Trustee Maier stated this month's bills include the last bond payment for SSA#2 in the amount of \$925,928.13.

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

Upon a call of the roll, the following voted:
Aye: Trustees Bohm, Brennan, Maier, Pink and Sheldon
Nay: None
Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

E. TREASURER'S REPORT

Presentation of the Treasurer's Summary Report for the Month of December 2018.

It was moved by Trustee Brennan and seconded by Trustee Sheldon that the Board acknowledges receipt of the December 2018 Treasurer's Summary Report and it be placed on file.

Upon a call of the roll, the following voted:
Aye: Trustees Bohm, Brennan, Maier, Pink and Sheldon
Nay: None
Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

F. PUBLIC HEARING

G. COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

Resident, Tom Heinz (27157 N. St. Marys Road) stated his garage was broken into on Monday night. The intruders confirmed no one was in the house prior to breaking into the garage. The garage door window was punched into and used as the form of entry. A snowblower and a 4-foot ladder was stolen. Lake County Sheriff arrived on the premises to document the incident. Mr. Heinz asked the residents to report any peculiar behavior in the community.

Trustee Brennan said she saw a dark van on her street and called the non-emergency number to report the car. The Lake County dispatcher indicated that car had already been reported and took no action regarding Trustee Brennan's questioning.

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

1. Finance Committee

- a. Review of the Cancelled Tax Rebate Checks

Trustee Maier stated the Committee reviewed the listing of cancelled tax rebate checks from the last two years. The results indicated no trend nor were the same residents requesting new checks to be reissued. The only real concern was determined that the post office was not mailing the checks in a timely manner.

b. Recommendation of a Revised Agreement with James Anderson Engineering

Trustee Maier said the Committee recommends the revised agreement with James Anderson. The revised agreement is being reduced from \$15,500 to \$10,000 as the monthly payment with the variable based upon the permits. The final outcome will result in a savings.

Village Administrator Irvin said the last 5 years the Village had a number of different agreements with James Anderson. The final hybrid agreement for this year will have a monthly fixed cost and the remaining cost will be based on actual permits. In the last two years, the agreement was based on a flat monthly fee for all building permits. The hybrid agreement goal is to eliminate paying more for building permits service than the permit revenue received. This new agreement formula will help ensure the Village can not payout more than permit revenues received. Village Administrator Irvin said he agrees with the Finance Committee and he recommends the approval of this agreement.

Trustee Maier said he would like to recognize James Anderson Engineering willingness to work with the Village to ensure we are served and our expenses are monitored and not escalating.

c. Update on Oasis Businesses Walkthrough

Trustee Maier said the Village has a listing of all the business operating at the Oasis. The Finance Committee compared the listing of businesses against the Illinois Department of Revenue report. The Village Administrator validated the businesses listing and matched them to the Illinois Department of Revenue report.

d. Other Matters

2. Public Works Committee

Trustee Towne was unable to attend today's meeting. Village Administrator Irvin provided the Public Works Committee report.

a. Update on the Potential Water Main Extension of Route 60 Along St. Marys Road and Other Water Main Inquiries

Village Administrator Irvin said the Committee continues to review two main areas, along St. Marys Road north and south of Route 60. On the water main extension south of Route 60, the options are being finalized with the new possibilities discussed. At the February meeting, an updated resident letter with new cost amounts will be discussed. In addition, the new survey card will be ready to be sent to determine if residents are interested in creating a special service area for an extension.

With regards to the north water main, in 2011 the Village explored an extension in this area. One major change since 2011 includes, Sanctuary Estates subdivision and a few properties along Route 60, have connected. As a result, the remaining number of properties potentially to connect have been reduced. Gewalt Hamilton provided updated cost for this area and undoubtedly the amount has increased since the 2011 study. Subsequently, the reduction in properties has increased the cost per property to exceed over \$100,000 for the next 20 years. Village Administrator Irvin reached out to a resident who was interested in completing the water main connection and discussed the various options for a connection. The high cost connection is a result of a low-density area with rising interest rates trend.

b. Update on Various Drainage Issues

Village Administrator Irvin said the two residents on Mettawa Lane have been notified that the culvert in their area will be replaced in the spring.

A second drainage issue study is being completed north of the Oasis access road on the Mettawa Trail. This area will be addressed this spring too.

A third drainage issue is located on the shoulder of Old School Road west of the railroad. This location is experiencing some heavy erosion. This area is also being discussed with the Village Engineer.

c. Other Matters

Village Administrator Irvin mentioned at the February Committee meeting, the draft Budget for 2019-2020 will be reviewed.

3. Parks and Recreation Committee

a. Update on the Landscape Plans for the Oasis Park

Trustee Bohm said he obtained the name of the architect who completed the landscaping at the North Park in Lincolnshire. Trustee Bohm added he has requested from this company proposals and landscaping ideas to plant along the new trail at the Oasis Park. Trustee Bohm has also requested some landscaping ideas and a proposal from David Johannesson from Anderson Engineering. Proposals will be provided for

the next Committee meeting. Trustee Sheldon said the plantings scheme will follow Teska's planning that has been in place.

b. Update on the Village's Property Located on Route 60 and St. Marys Road

Trustee Sheldon said last year the Committee considered clearing the buckthorn on the Village property located on Route 60 and St. Marys Road. The Committee would like to have some consideration of building a berm on this corner. The Committee would also like to include a budget to remove the buckthorn from the Village's corner lot.

c. Update on Potential Farming Uses on the Grainger Property

Trustee Sheldon said once the acquisition of the Grainger property is complete, the Committee would like to farm the land and recondition the soil to plant some corn. The timing of recondition the soil is critical in order to plant in the spring.

Trustee Bohm said this area will require the soil to be reconditioned over the next few years in order to get a good crop. We may even consider rotating the crop over a 3-year period to enhance the soil. Trustee Sheldon said the farmer who has been working with the Village indicated he would be able to help farm this area too.

d. Other Matters

Village Administrator Irvin added this Committee will also be reviewing their draft Budget for 2019-2020 in February.

4. Safety Commission

a. Status and Activity Update

Trustee Pink said the street signs are being installed despite the weather.

Trustee Pink said with the new management at the Lake County Sheriff's office and the newly announced Under Sheriff, the department is open to discuss the Village's special detail services and consideration for a patrolling radio to be a possibility. Trustee Pink said Village Administrator Irvin just recently received an email from the Sherriff's department looking to discuss the special details agreement without restrictions.

Mr. Heinz added after his garage break-in, the Sherriff Deputy mentioned the patrol along St. Marys Road was going to be heightened. Trustee Pink said she was delighted that the new Sheriff is open to work with the Village's safety needs and increase their patrol units to insure the residents security. Trustee Pink said Howe

Security is in need of a hand-held light for evening hours due to the new truck's limitations of mounting a light on the truck.

Resident, Carol Armstrong asked if the Lake County police will be in contact with Howe Security patrol. Mayor Urlacher said we hope to make that connection.

Resident, Dr. Richard Fantus asked if there will be a public service announcement regarding the resident break-in. Mayor Urlacher said yes, along with some Forest Haven communications.

Trustee Pink asked the residents to call 911 to report any issues.

5. Zoning, Planning and Appeals Commission Report

- a. Presentation Regarding the Findings of Fact and Recommendation of the Zoning Planning and Appeals Commission for Docket 18-SU-PUD-1 and Direction of the Board

Mayor Urlacher stated at the January ZPA meeting that some residents indicated the Board was not transparent with the Grainger's land purchase. Mayor Urlacher said he wanted to read the Village Attorney Ferolo remarks that were said at the August 21st Board meeting regarding this transaction; the rezoning will also accommodate the development approvals that Grainger had received from Lake County in 1996. The second matter included the option to have a 90-foot building height for a potential building as indicated in Exhibit D of the annexation agreement which was agreed upon in August. The Board has been transparent since August. Mayor Urlacher said he would like to remind everyone this annexation has countless benefits for the Village. The 120-acres of land which is being acquired is protecting the Village from commercial development and the tax sharing agreement is a great benefit for the residents. The 1996 agreement was in place prior to the August annexation and of the current elected Board members.

Village Attorney Ferolo said before the Board tonight is the Findings and Facts from the ZPA. Tonight's meeting is not to make a final decision but for direction from the Board. On August 21, 2018 the Village Board held a public hearing to approve an annexation agreement and annexation ordinance which effectively annexed Grainger's 152-acres into the Village of Mettawa. The annexation agreement contains certain obligations of the Village and of Grainger; the obligation on the Village was to agree to rezone the property from a Residential district to the Office Hotel district. Additionally, Grainger sought within the annexation agreement to approve a special use final Planned Unit Development to allow Grainger to continue to operate their corporate headquarters with variations that were inclusive and had been approved in the 1996 agreement. The 1996 settlement agreement included the approval received from Lake County. Grainger's approvals will be accommodated in a number of variations. Grainger has sought to develop up to a total of 1,500,000 square feet of office space; they currently have

developed 850,000 square feet. Prior approval was granted for Grainger to develop, this is not a new development. Within Grainger's 1996 settlement agreement, their 1st building could be as high as 80-feet and any subsequently buildings could reach 90-feet. This is included in Exhibit D. As for the width of their parking spaces, Grainger currently has 8.5 feet, the Village requires 9 feet. Grainger also sought relief for a variation to allow 2.5 parking spaces for 1,000 of square feet of floor area, the Village code requirement is 5. Grainger also sought relief to accommodate the number of loading berths. Grainger's listed items are prior approvals received through the 1996 settlement agreement and the development rights achieved from Lake County. These were the conditions for annexation between Grainger and the Village of Mettawa. Village Attorney Ferolo said a large portion of the sales tax will be used over the next 5 years to pay back the loan.

A public hearing was held on January 8th. At the January 8th meeting, it was discovered that about 20 letters were sent out to vacant properties that did not have a mailbox. Grainger obtained over 150 pins/address and sent out 150 notifications to property owners within 2,000 square feet from the property seeking rezoning. The ZPA heard testimony and they made a recommendation to approve the zoning relief being sought by Grainger.

The recommendation being made tonight is for Grainger to send out new notices to those addresses that were returned. The Board should consider a motion to refer this matter back to the ZPA, so that Grainger can resend the 20 or so property owners whose property notices that were returned. The new notification will provide the property owners the new ZPA meeting date of February 11, 2019. The rehearing will allow these property owners to appear before ZPA to provide testimony regarding the rezoning application.

A motion to refer the matter back to the ZPA, to allow Grainger to re-notice the property owners for whom the notice was *Return to Sender*, of a subsequent meeting being held before the ZPA on February 11, 2019 to consider any additional evidence. This will also allow the ZPA, to decide whether or not its original recommendation will stand. The motion was moved by Trustee Maier and seconded by Trustee Brennan.

Trustee Maier asked how were the property owners addressed obtained. Village Attorney Ferolo said the information was received from Lake County and through Chicago Title and Trust. The new notices will be sent to the tax payers address for those properties.

Resident, Patricia Cork (26453 N Farewell Road) said she never received a notification at the 26453 address which is her home with a mailbox. The notification was sent to my vacant lot with no mailbox. However, Mrs. Cork was able to sign for the vacant lot notification.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

A second motion was made to direct the Village Attorney to draft an ordinance approving the Grainger rezoning application from the February 11th meeting, contingent upon a recommendation to approve being affirmed by the ZPA at their February meeting. The motion was moved by Trustee Maier and seconded by Trustee Bohm.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

b. Other Matters

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

1. Mayor's Report

a. Agreement with Camiros for Zoning Ordinance Consulting Services

Mayor Urlacher said the Board received a memo from the Village Administrator summarizing the benefits Camiros will provide with the rewriting of the zoning ordinances.

b. Building Report

Mayor Urlacher said the building report was sent in late; however, he was able to review the report. The report will be sent to the Trustees tomorrow.

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

c. Other Matters

d. Village Administrator’s Report

Village Administrator Irvin said the January Village Newsletter is currently in progress and will be sent by the end of the month.

Village Administrator Irvin added last August the Village approved the moratorium to defer issuing citations for poultry in the Village for 120 days. This period has ended. The question at hand, should this matter be sent back to the ZPA. Mayor Urlacher recommended this matter be referred back to the ZPA.

Trustee Bohm asked if the moratorium also included live stock. Mayor Urlacher said no it only included the poultry.

A motion was made to refer the discussion of the moratorium on the issue of citation for raising and feeding to the ZPA at their February meeting. The motion was moved by Trustee Maier and seconded by Trustee Brennan.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

2. UNFINISHED BUSINESS

3. NEW BUSINESS

a. Approval of a Revised Agreement with James Anderson Engineering

It was moved by Trustee Brennan and seconded by Trustee Bohm to approve the revised agreement with James Anderson Engineering.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

b. Approval of the Agreement with Camiros for Zoning Ordinance Consulting Services

It was moved by Trustee Bohm and seconded by Trustee Maier to approve the agreement with Camiros for Zoning Ordinance Consulting services.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

J. EXECUTIVE SESSION

K. CALL TO RECONVENE

L. ROLL CALL

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

N. ITEMS TO BE REFERRED

O. FOR INFORMATION ONLY

P. ADJOURNMENT

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

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

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

Sandy Gallo, Village Clerk