

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF METTAWA, ILLINOIS, HELD AT THE HOUR OF 7:00 P.M. ON SEPTEMBER 19, 2023 AT THE HILTON GARDEN INN COTTONWOOD ROOM

A. CALL TO ORDER

Mayor Urlacher called the meeting to order at 7:00 p.m.

B. ROLL CALL

Upon a call of the roll, the following were:

Present: Trustees Armstrong, Clark, Maier, Pelech, Smolic, Towne and Mayor Urlacher

Absent: None

Mayor Urlacher declared a quorum present.

In Attendance: Village Attorney, Jim Rhodes of Klein Thorpe & Jenkins, Ltd; Village Administrator, Mandi Florip; Village Clerk, Sandy Gallo; Representative from James Anderson Company, Scott Anderson; Village Treasure, Amy Weiland; Representative of Sikich, Brian LeFevre

Residents Present: John Bradley, Karen Carruthers

C. APPROVAL OF THE MINUTES

1. Regular Meeting Minutes of August 15, 2023

The Village Board reviewed the Regular Board meeting minutes of August 15, 2023. It was moved by Trustee Towne and seconded by Trustee Smolic that the minutes of the Regular Board meeting of August 15, 2023 be approved and be placed on file.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Clark, Maier, Pelech, Smolic and Towne

Nay: None

Absent: None

Mayor Urlacher declared the motion carried.

D. APPROVAL OF THE BILLS

Trustee Maier indicated the Committee reviewed and approved of the bills being presented for payment. The bill total for this month is \$160,493.63.

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

Upon a call of the roll, the following voted:

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Clark, Maier, Pelech, Smolic and Towne

Nay: None

Absent: None

Mayor Urlacher declared the motion carried and the bills will be paid.

E. TREASURER’S REPORT

Sikich Representative, Brian LeFevre presented the August 31, 2023 Treasurer’s Report. Mr. LeFevre stated this month’s report marks the first quarter for the fiscal year. Mr. LeFevre added investment income is reflecting a significantly higher amount from the same period last year. In 2022, the amount reflected was \$58K versus this year \$244K. In addition, this month’s expenditures reflect the Grainger land acquisition and the loan obtained.

It was moved by Trustee Maier and seconded by Trustee Pelech that the Board acknowledge receipt of the August 31, 2023 Treasurer’s Report and it will be placed on file.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Clark, Maier, Pelech, Smolic and Towne

Nay: None

Absent: None

Mayor Urlacher declared the motion carried.

F. PUBLIC HEARING

G. COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

1. Citizens to be heard not listed elsewhere on this Agenda
2. Written Communications of Citizens to be Read

H. COMMISSION AND COMMITTEE AND OTHER REPORTS

1. Finance Committee

- a. Presentation of the FY2022-2023 Annual Financial Report

Martha Trotter from the Sikich’s Audit Team provided two audit reports to the Board. A copy of the two audit reports can be obtained from the Village Clerk Gallo. Mrs. Trotter stated the audit procedures were reviewed and concluded in July with minimal follow-up items. All items requested from the village staff were received in a timely manner. The audit was concluded as a clean and unmodified audit, which is the highest level of assurance to be reported for a municipality. No further questions from the Board were directed to Mrs. Trotter. Trustee Maier added he was delighted that the audit was completed with no deficiencies from prior years.

- b. Update on the 2023 Tax Rebate Program

Village Treasurer Weiland indicated she has received 101 qualifying applicants to date. Ms. Weiland added 45 qualifying residents have not submitted their application. Ms. Weiland followed-up and indicated the Village Clerk will be sending out a final communication to the remaining qualifying residents utilizing BlackBoard Connect. This communication will include a text, voice message and email to the remaining residents.

c. Other Matters

Trustee Maier added during the bill reviewing process the Committee discussed the USIC invoice reflecting the Oasis Business Center having higher service calls than normal. As a result, the Committee asked the Village Attorney to review the intergovernmental agreement with the Oasis Business Center to determine if any related expenses can be recovered.

2. Public Works Committee

a. Update on the Little St. Marys Road and Little Melody Lane Paving

Trustee Smolic asked the Village Engineer Scott Anderson if a start date has been determined on the pavement project for the two roads. Village Engineer Anderson replied a pre-construction meeting was held today but no start date was planned. Mayor Urlacher asked the Village Engineer to provide the Villag Clerk the construction start date to inform the impacted residents.

b. Recommendation to Approve American Vactor for the Culvert Cleaning Project in the Amount Not to Exceed \$20,000

Trustee Smolic indicated the Committee reviewed the proposals received by the three contractors for the culvert cleaning. The Committee awarded the project to American Vactor. The Village Engineer agreed American Vactor was the best contractor for the job. The approved amount will include a 5-day work week.

c. Recommendation to Approve Dunlap Tree Experts for the Right-of-Way Trees Removal Project in the Amount of \$15,850

Trustee Smolic stated the tree removal project will be completed after the fall leaves have been cleared from the trees. The Committee approved of Dunlap Tree Experts as a winter project.

d. Other Matters

Trustee Maier stated an orange powerline/cord is exposed at the corner of Twin Drive and Bradley Road. This line has been exposed since last year. Village Engineer Scott Anderson replied he will investigate this matter.

Mayor Urlacher asked that the brush pile located at the southeast corner of Old School Road and St. Marys Road be cleared. Village Engineer Scott Anderson replied he would clear the debris.

Village Treasurer Weiland asked if the leaning tree located at the southeast property of Old School Road and St. Marys Road was a safety hazard. The mayor asked the Village Clerk to follow-up to determine if the tree is on the right-of-way or the resident's property.

3. Parks and Recreation Committee

- a. Recommendation to Approve Dunlap Tree Experts for the Park Trees Removal Project in the Amount of \$10,100

Trustee Clark indicated the Committee approved of the park trees to be removed by Chris Dunlap. This project will be also be completed as a late fall or winter program.

- b. Recommendation on the New Name for Grainger Purchased Property

Trustee Clark mentioned the Committee discussed the different name to be considered for the newly acquired Grainger property. The consensus resulted in the name, Mettawa Savanna.

- c. Update on the Mowing of the Village lot 24880 N. Riverwoods Road and 13700 W Everett Road

Trustee Clark stated the Board members were emailed if Bob Haraden could commence mowing the village lot at 24880 N. Riverwoods Road, the consensus was yes. Mr. Haraden is the same farmer that currently mows, 701 Riverwoods Road. A third of the lot has been mowed to date. Unfortunately, Mr. Haraden hit a concrete block while mowing and is awaiting his blade to be repair. A three-year contract is being sought for these parcels. The three-year agreement will allow soy beans to be planted to improve the soil components for further farming. Mr. Haraden will treat the property with herbicide prior to planting soy beans. The goal is to have the savanna maintenance free.

Trustee Clark added she has been able to obtain two proposals to remove the buckthorn and dead trees from these two lots. The two proposals will be further discussed at the next Committee meeting.

Village Attorney Rhodes added he contacted Grainger to obtain a copy of their agreement that was held with BMW golfing event in 2013. The agreement will be reviewed for any terms that may have been included for the land restoration. Trustee Clark added she spoke to the contractor who laid the asphalt for the golf event and he has roughly estimated it will take 140 truckloads to remove the material at \$460 a truck load. Trustee Clark commented if the village moves forward in having this material removed, this job will need to go out to bid.

- d. Update on the Village Berm Located on Route 60 and St. Marys Road

Trustee Clark indicated she has been working closely with the contractor to ensure the clearing and berm construction to be nearly completed for the October 1st deadline. The contractor is experiencing some medical matters, but will be finishing shortly after the deadline. The remaining work includes, the removal of two dead trees, a small area to be pruned, additional top soil to be delivered prior to seeding the whole lot. The mayor agreed the contractor has improved the conditions of this lot drastically in the last two weeks.

e. Recommendation of the Eubanks Environmental Proposal Second Buckthorn

Trustee Clark stated Eubanks Environmental completed the initial buckthorn removal last spring. Today's proposal is the second buckthorn treatment at Oak Hill Lane. The Committee discussed this program and approved of the treatment.

f. Update on the Whippoorwill Park Storm Sewer Improvement

Trustee Clark mentioned during the village picnic the mayor pointed-out a damaged storm sewer that is causing some flooding in a section at Whippoorwill Park. This sewer's repairs will be addressed next spring.

g. Other Matters

4. Public Safety

a. Update on the No Right-Hand Turn onto Riverwoods Boulevard

Trustee Towne indicated the agenda item should read no right-hand turn can be performed from the AbbVie and the hotel parking lots. Both locations, currently have a sign indicating no right-hand turns can be completed during the hours of 4:00-6:00 pm. The Village Administrator Florip contacted AbbVie regarding the ordinance stating this regulation. Trustee Towne indicated he has seen a vast improvement from the AbbVie employees following the village's request.

b. Other Matters

5. Zoning, Planning and Appeals Commission Report

Mayor Urlacher announced there is nothing to report for ZPA.

a. Other Matter

I. BUSINESS FROM THE BOARD:

1. Mayor's Report

a. Presentation from the Village of Lincolnshire

Chief Joseph Leonas and Commander Jim Watson presented the Board a summary table of Lincolnshire's traffic enforcement activity from the last two weeks. Mayor Urlacher added he is very pleased to see the presence of Lincolnshire's vehicles has had on the reduction of speeding. Chief Leonas indicated their officers issued 21 warnings within the fourteen-day grace period outside of issuing 46 speeding tickets. Commander Jim Watson indicated he is available to attend ongoing Board meetings to provide feedback and report monthly activity. Chief Leonas indicated the hours of patrolling will vary throughout the month. Chief Leonas added safety is the optimal goal to service the village during their shifts. Trustee Armstrong asked how will they handle holiday shifts. Chief Leonas replied a schedule will be set accordingly. The only limitation will be if Lincolnshire is hosting an event that will require additional officers onsite. Chief Leonas commented the Lake County Sheriff's office will continue to respond to all 911 calls. If an urgent call is received, the Lincolnshire officer will assist the Lake County Sheriff. Lake County will be the lead on all 911 calls. Mayor Urlacher thanked both representatives for their report and servicing Mettawa.

b. Discuss the Aero Sport RC Club Agreement

Mayor Urlacher asked the Trustees to provide their direction to the Aero Sport RC Club agreement to aid the Village Attorney information on how to draft an updated document. The mayor added at the last Executive Session the shed on the property was mentioned and the Village Attorney was instructed to draft a license agreement for the club. Village Attorney Rhodes added an agreement was drafted and sent to the club for their review. A meeting was to be scheduled to further discuss the agreement or any other issues. Trustee Clark asked if terms are still negotiable with the club. Village Attorney Rhodes confirmed, yes. Trustee Clark asked if the club could be given a 30-day notice. Village Attorney Rhodes responded the club is under the perception they have a longer period than 30-days, maybe a year. Village Attorney Rhodes added parameters can be set in the agreement. Trustee Clark commented she is in agreement if the end date term was July of 2024. However, the three structures on the parcel would need to be removed prior to this date as they create a hazard. In addition, the removal of the piles of dead wood and the truck with a snow plow parked in their parking lot. Village Attorney Rhodes said he spoke to Village Engineer Yamin regarding any issued permits for the buildings on this parcel. It appears no permits were obtained and with further investigation on the GIS maps these buildings predate Mettawa's annexation. Village Engineer Scott Anderson indicated James Anderson will request permits issued by Lake County. Trustee Clark added they can finish this year at the location. However, the village will need to be granted access to the lot, as it is currently locked. The site also has two mailboxes and the various private property signs that will need to be removed. The snow plowing truck and tracker on the property will also need to be relocated. The truck is operable but should be off-sight. The lot will require a dumpster to clear all the debris from the club area. Trustee Clark said the wood burning stove is her biggest concern, as this site is surrounded by a dry forest and residents. Trustee Clark approved of the agreement terms through July 2024. Trustee Pelech asked the Zoning, Planning and Appeals Chairman Leonard to attend the Committee meeting. The Chairman reported at the

meeting, her concern was the structures are not in compliance with the current zoning code. Trustee Pelech agreed the club should remove any buildings that are considered fire hazard. All buildings should be constructed according to the zoning code. Trustee Pelech commented this parcel needs to be cleaned out too. However, Trustee Pelech would approve of allowing the club to utilize the open space area until they find a new home. Trustee Pelech added she would like to handle this relocation with grace and she approves of the July 2024 as their end period. Trustee Armstrong stated when she visited the parcel, her biggest concern was the stove burning building. Trustee Armstrong added she would like to end this agreement in favorable terms as Mettawa is neighborly village. Trustee Armstrong added she would like to reduce the grace period to April rather than July. Aero Sport RC Club is a large organization that should be able to find a new location. Trustee Armstrong stated she received feedback from a resident indicating aircrafts crash and land in her yard often. A resident should not be experiencing strangers walk around their home and into their backyard to obtain their aircrafts. Trustee Maier added he has no issues for the club to remain at this location through July. Trustee Maier indicated he shares the same concerns of the charging batteries and an open burning stove in a same proximity. Trustee Smolic added it is a fire hazard parcel. He saw 12 marine grade batteries being charged by light bulbs. This was concerning. Trustee Smolic stated he agreed the whole site will need to be cleared and the vehicles need to be relocated. Trustee Smolic indicated he has no issues if the club members wanted to return to fly their aircrafts after the village cleared the parcel. Trustee Smolic replied he has no preference for an end date. The club can utilize the lot through July 2026 as the village is restoring the land. Trustee Towne remarked in Executive Session he did state parameters will need to be set for the club. Trustee Towne recognizes even though the building contains a stove burning fireplace, no fire has been reported at this location. In addition, this parcel is a non-conforming use. This is a public parcel and we should ensure no alcohol is being consumed onsite. Trustee Towne added this agreement should indicate it is a non-confirming use and the village is allowing this type of use through July 2024.

Resident, Karen Carruthers (25220 Shagbark Road) indicated she had reached out to the Parks and Recreation Committee when the village first announced the acquisition of this land. Mrs. Carruthers stated she is in opposition of the club continuing their usage on this village lot. Trustee Clark added Mrs. Carruthers property is a neighboring parcel to this club, she often has strangers looking for crashed aircrafts coming through.

Mayor Urlacher stated the census outcome is to allow Aero Sport RC Club through July of 2024. The Village Attorney will draft an updated agreement to provide to the Board members for their review. The Trustees are encouraged to provide comments to the terms prior to resending an updated agreement to Aero Sport RC Club. Village Attorney Rhodes added the agreement will indicate the village's terms and if actions if not acted upon by a set period, they will need to vacate the location.

c. Discuss the Website

Mayor Urlacher indicated an additional \$5,000 is being requested to complete the website update.

d. Discuss the Stormwater Management Commission and Wetland Certifications

Mayor Urlacher indicated on July 11, 2023 Lake County adopted new amendments to its Watershed Development ordinance. On August 15, 2023 the village adopted these amendments into the Stormwater Management ordinance. To remain in good standing with FEMA, the village will now need to maintain their certification status. I recommend that the Board approve the petition for certification with the Lake County Stormwater Management Commission and Isolated Wetland Certification.

e. Building Report

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

f. Other Matters

g. Village Administrator's Report

Village Administrator Florip thanked all those who contributed to the audit completion. In addition, the Oasis Business Center revenue was substantial higher this month than last year. This month's amount reflected \$12K higher. This amount maybe due to the higher gas prices. Trustee Maier replied the amount is significantly higher than normal. Trustee Maier asked the Village Administrator to view if sales tax jurisdiction was incorrectly allocated.

2. UNFINISHED BUSINESS

Mayor Urlacher added the following two items will remain tabled and are not part of the Consent Agenda approvals.

- a. A Motion to Remove from the Table an Ordinance Amending the Village of Mettawa Code of Ordinances, Chapter 15, Zoning Regulations, Article 11, Special Uses, Section 15.1106, Additional Regulations for Public Assemblies
- b. Discussion of an Ordinance Amending the Village of Mettawa Code of Ordinances, Chapter 15, Zoning Regulations, Article 11, Special Uses, Section 15.1106, Additional Regulations for Public Assemblies

3. SELECTION OF CONSENT AGENDA

The Chair would like to entertain establishing a consent agenda for any or all the items listed under New Business on the agenda. The mayor asked if there were any items listed under the New Business that a Trustee does not wish to approve under the Consent Agenda.

- a. Approval of the FY2022-2023 Annual Financial Report

- b. Approval of the American Vactor for the Culvert Cleaning Project in the Amount Not to Exceed \$20,000
- c. Approval of Dunlap Tree Experts for the Right-of-Way Tree Removal Project in the Amount of \$15,850
- d. Approval of Dunlap Tree Experts for the Park Tree Removal Project in the Amount of \$10,100
- e. Approval of the New Name for Grainger Purchased Property
- f. Approval of Eubanks Environmental Proposal Second Buckthorn Treatment at Oak Hill Lane in the Amount of \$1,872
- g. Approval of an Additional Funding for the Website Design in the Amount of \$5,000
- h. Approval of the Petition for Stormwater Management Commission Certification and Petition for Isolated Wetland Certification

A motion was made by Trustee Maier and seconded by Trustee Armstrong to approve the following agenda items by the consent agenda.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Clark, Maier, Pelech, Smolic and Towne

Nay: None

Absent: None

Mayor Urlacher declared the motion carried.

A motion was made by Trustee Maier and seconded by Trustee Towne to approve the following agenda items by the omnibus vote.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Clark, Maier, Pelech, Smolic and Towne

Nay: None

Absent: None

Mayor Urlacher declared the motion carried.

J. EXECUTIVE SESSION

At 8:00 p.m., it was moved by Trustee Armstrong seconded by Trustee Maier to adjourn the meeting to Executive Session to discuss meeting minutes and litigation.

Upon a call of the roll, the following were:

Present: Trustees Armstrong, Clark, Maier, Pelech, Smolic and Towne

Absent: None

Mayor Urlacher declared the motion carried.

K. CALL TO RECONVENE

At 8:16 p.m., Mayor Urlacher reconvened the public portion of the meeting.

L. ROLL CALL

Upon a call of the roll, the following were:

Present: Trustees Armstrong, Clark, Maier, Pelech, Smolic, Towne and Mayor Urlacher

Absent: None

Mayor Urlacher declared a quorum present.

Also, present: Village Administrator, Mandi Florip; Village Clerk, Sandy Gallo and Village Attorney Jim Rhodes of Klein Thorpe and Jenkins

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

N. ITEMS TO BE REFERRED

O. FOR INFORMATION ONLY

P. ADJOURNMENT

The motion was made by Trustee Towne and seconded by Trustee Smolic. With no further business to conduct, the meeting was adjourned by Ayes.

Aye: Trustees Armstrong, Clark, Maier, Pelech, Smolic and Towne

Nay: None

Mayor Urlacher declared the motion carried and the meeting adjourned at 8:17 p.m.

Sandy Gallo, Village Clerk