

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 TUESDAY, DECEMBER 17, 2013, 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 Armstrong, Brennan, Clark, Lane, Maier, Towne and Mayor Urlacher

Absent: None

Mayor Urlacher declared a quorum present.

Also present: Village Administrator Bob Irvin; Scott Anderson, representative of the firm of James Anderson Co., Attorney Gregory T. Smith of Klein Thorpe & Jenkins, Ltd.; Village Clerk, Cathy Nelson, Treasurer Lisa Dieter (partial) and Financial Consultant, Dorothy O'Mary

C. APPROVAL OF MINUTES

Regular Meeting of the Mayor and Board of Trustees: [November 19, 2013](#)

It was moved by Trustee Clark, seconded by Trustee Brennan that the minutes of the Regular Board Meeting of November 19, 2013 be approved as presented.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane, Maier, and Towne

Nay: None

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

D. APPROVAL OF BILLS

1. Bills Submitted for Payment

And

2. Other Bills Paid by the Village Treasurer in Anticipation of This Meeting.

It was moved by Trustee Maier, seconded by Trustee Armstrong to approve bills submitted for payment and other bills paid by the Village Treasurer in anticipation of this meeting for a total amount of \$151,273.42

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane, Maier, and Towne

Nay: None

Mayor Urlacher declared the motion carried.

E. TREASURER'S REPORT

Presentation of the Monthly Report for the Month of November, 2013

It was moved by Trustee Clark, seconded by Trustee Brennan that the Board acknowledge receipt of the November, 2013 Treasurer's Report and place it on file.

Upon a call of the roll, the following voted:

Aye: All

Nay: None

Mayor Urlacher declared the motion carried.

Mayor Urlacher informed the Board that at the end of October the Village showed a cash surplus of \$721,674.00

F. COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

1. Citizens to be Heard Not Listed Elsewhere on This Agenda: No one wished to be heard:

Resident Ron Pink of 27096 N. Southwoods, remarked that the condition of the plowed roads in his area has never been better and he thanked Scott Anderson of Forrest Builders for his efforts.

2. Written communications of citizens to be read:

No communications were read

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

1. Finance Committee: (Note: Items "a" and "b" were taken out of order)

b. Recommendation for Approval of an Ordinance Amending Village of Mettawa's Annual Budget For Fiscal Year 2013-2014

It was moved by Trustee Maier, seconded by Trustee Brennan to approve an "**Ordinance Amending Village of Mettawa's Annual Budget For Fiscal Year 2013-2014**" being **Ordinance No. 744**

Trustee Clark asked that even though the Village has the legal right to revise the budget as necessary throughout the year if the estimate and actual could be more in line with each other. Trustee Maier agreed and explained the appropriations. He requested that when the budget is done for the coming year, the committees give finance a tighter estimate of what they anticipate and that he would like these figures in February, 2014.

After brief discussion and upon a call of the roll, the following voted:

Aye: Trustees Armstrong Brennan, Clark, Lane, Maier and Towne

Nay: None

Mayor Urlacher declared the motion carried

- a. Recommendation For Approval of An Ordinance Authorizing The Levy And Collection Of Taxes For The Corporate And Municipal Purposes Of the Village of Mettawa, Lake County, Illinois, For The Year 2013

It was moved by Trustee Maier, seconded by Trustee Brennan to approve

“An Ordinance Authorizing The Levy And Collection Of Taxes For The Corporate And Municipal Purposes Of the Village of Mettawa, Lake County, Illinois, For The Year 2013” being Ordinance No. 745

Trustee Maier informed the Board that the Levy has not been raised for several years.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane, Maier and Towne

Nay: None

Mayor Urlacher declared the motion carried.

- c. Consideration and Decision on Homestead Status for Property Tax Rebate Application Purposes for 25300 Nektosha Way, Mettawa, Illinois.

Trustee Maier explained the issue to the Board. Mr. Lys had presented materials proving that he was a resident in 2011, and that the homestead exemption was erroneously not obtained. The Finance Committee recommends that a tax rebate be granted only when The Lys shows that he now has his property under exemption.

It was then moved by Trustee Maier, seconded by Trustee Lane that the Board approve a tax rebate for 25300 Nektosha Way, Mettawa, Illinois as it was the legal residence of Mr. and Mrs. Thomas Lys during 2011 and that the rebate will be given only upon written proof that they now have a homestead exemption from Lake County

Discussion ensued.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane, Maier and Towne

Nay: None

Mayor Urlacher declared the motion carried.

d. Other Matters

Trustee Maier reported to the Board that the Tax Rebate distribution is almost finished being processed and once the Lys rebate is sent out, the amount given will be just under \$400,000.00

2. Public Works Committee

a. Update: Bradley Road Paving Project.

Trustee Armstrong updated the Board on the status of the Ciorba engineering work on Bradley Road. In talking with Ciorba engineering, there is direct evidence that the State will grant all our requests. The agreement will not be formally signed until January 1, 2014. Once signed by the State, the Village can look at which option is best...State funding vs. self-funding. Phase Two engineering is estimated to cost \$117,000.00 which is what the Village has paid Ciorba for Phase One. Discussion ensued regarding still privately bidding the project in the spring and the merits and longevity of a total rebuild (State funded) vs. resurfacing (Village funded).

Mayor Urlacher stated that if the new road vs a repave costs are close, a new road would be preferable.

b. Update: Dreikosen House Demolition

Trustee Towne informed the Board that the House is down.

c. Recommendation to Approve an Ordinance Amending Chapter 8 of the Mettawa Code of Ordinances Regarding Private Individual Onsite Sewage Disposal Systems.

It was moved by Trustee Armstrong, seconded by Trustee Brennan to approve an **“Ordinance Amending Chapter 8 of the Mettawa Code of Ordinances Regarding Private Individual Onsite Sewage Disposal Systems”** being **Ordinance No.746.**

After discussion and upon a call of the roll, the following voted:

Aye: Trustees, Armstrong, Brennan, Clark, Lane, Maier and Towne

Nay: None

Mayor Urlacher declared the motion carried.

d. Discussion and Direction Regarding and Ordinance Amending Chapter 2 of the Mettawa Code of Ordinances Regarding Payment of Professional Fees.

Administrator Irvin presented the recommendation to amend the code to change the permit fees structure. Discussion ensued regarding making sure the Village is reimbursed for direct costs and overages, that every application is different and that it should not be made too onerous for residents.

Mayor Urlacher received a consensus from the Board and referred the ordinance back to Legal for a redraft to incorporate their comments.

e. Other Matters: No other matters discussed

3. Parks and Recreation Committee

a. Update by Trustee Towne:

- i. Trustee Towne reported that gates have been put up at Whippoorwill Farm entrances to help stop trespassing and fly-dumping.
- ii. Trustee Towne also reported that the Oasis Berm is continuing nicely.

4. Safety Commissioner

a. Recommendation For Approval of the Purchase of a Defibrillator for Village Safety Vehicle from American AED, Inc. for the Phillips Hearsmart Frx w/Infant Key and Smart Pads in an Amount Not to Exceed \$2,000.00

It was moved by Trustee Clark, seconded by Trustee Brennan to approve the Purchase of a Defibrillator for Village Safety Vehicle from American AED, Inc. for the Phillips Heartsmart Frx w/Infant Key and Smart Pads in an Amount Not to Exceed \$2,000.00

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane, Maier and Towne

Nay: None

Mayor Urlacher declared the motion carried.

b. Trustee Clark reported that the Village has been quiet this month with 87 home “watches” requested.

5. Zoning, Planning and Appeals Commission

a. Recommendation to Approve and Ordinance Amending Chapter 15 of the Mettawa Code of Ordinances in Relation to the Regulation of Medical Cannabis Cultivation Centers and Dispensaries.

It was moved by Trustee Armstrong, seconded by Trustee Brennan to approve **“An Ordinance Amending Chapter 15 of the Mettawa Code of Ordinances**

in Relation to the Regulation of Medical Cannabis Cultivation Centers and Dispensaries” being Ordinance No.747.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane, Maier and Towne

Nay: None

Mayor Urlacher declared the motion carried.

- b. Recommendation to Approve an Ordinance Amending Chapter 15 of the Mettawa Code of Ordinances in Relation to the Regulation of Special Use Permits, Area Standards in the R-1 Single Family Residence District, and the Treatment of Non-Conforming Buildings and Uses

It was moved by Trustee Lane, seconded by Trustee Maier to approve “**An Ordinance Amending Chapter 15 of the Mettawa Code of Ordinances in Relation to the Regulation of Special Use Permits, Area Standards in the R-1 Single Family Residence District, and the Treatment of Non-Conforming Buildings and Uses” being Ordinance No.748**

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane, Maier and Towne

Nay: None

Mayor Urlacher declared the motion carried.

- c. Other Matters: No other matters discussed.

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

1. Mayor’s Report

- a. Discussion and Consideration on the 2014 Community Survey
Mayor Urlacher presented the 2014 survey draft with proposed changes. Trustee Lane requested that an additional option to rent space in a neighboring area be added to the Village Hall options. Discussion ensued regarding the validity of the question without a cost estimate. Mayor Urlacher stated that cost information could be added later once a direction is decided upon. It was felt that name and contact information should be optional. It was decided that only registered voters receive the survey and that it be on colored paper to add control to the results. Results will be posted on the website. It was also confirmed that the option to build a small one story office/storage facility was still on the table. It was agreed to remove the language “raising property values”

- b. Set a Date in January for a Committee of the Whole Meeting:

Trustees Brennan, Lane, Maier, Towne and Mayor Urlacher are available

for a Committee of the Whole meeting regarding open space on January 18, 2014 at 9am.

- c. **Set a Date in January for the First Resident Coffee**
Trustees Brennan or Lane agreed to be available for a resident coffee to be held at Treasurer Lisa Dieter's home on January 11, 2014. Notice will be sent to residents via email.
- d. **Building Report**
Mayor Urlacher thanked Trustee Towne and Mr. Anderson for their report and with no questions being asked, placed it on file.
- e. **Village Administrator's Report**
Village Administrator Bob Irvin reported that the Capital One sign changes have been reviewed and that they meet the code requirements and there are no issues.

Mr. Irvin reported that he met with the County Administrator regarding police services, that they will be meeting again in two weeks and that the county appears to be more open to the Village requests but they have not yet agreed to separate the water/police issue. Discussion ensued and Mayor Urlacher stated that the Village is pushing for a resolution as soon as possible.

2. UNFINISHED BUSINESS:

- a. Approval of an Ordinance Amending Chapter 15 of the Mettawa Code of Ordinances in Relation to the Regulation of Special Use Permits, Area Standards in the R-1 Single Family Residence District, and the Treatment of Non-Conforming Buildings and Uses: Approved earlier in the meeting
- b. Approval of an Ordinance Amending Chapter 15 of the Mettawa Code of Ordinances in Relation to the Regulation of Medical Cannabis Cultivation Centers and Dispensaries: Approved earlier in the meeting

3. NEW BUSINESS

- a. Approval of An Ordinance Authorizing The Levy And Collection Of Taxes For The Corporate And Municipal Purposes Of the Village of Mettawa, Lake County, Illinois, For The Year 2013: Approved earlier in the meeting.
- b. Approval of an Ordinance Amending Village of Mettawa's Annual Budget for Fiscal Year 2013-2014: Approved earlier in the meeting.
- c. Consideration and Decision on Homestead Status for Property Tax Rebate Application Purposes for 25300 Nektosha Way, Mettawa, Illinois: Approved conditionally earlier in the meeting.

- d. Approval of an Ordinance Amending Chapter 8 of the Mettawa Code of Ordinances Regarding Private Individual Onsite Sewage Disposal Systems: Approved earlier in the meeting.
- e. Approval of an Ordinance Amending Chapter 2 of the Mettawa Code of Ordinances Regarding Payment of Professional Fees: Referred to Legal for re-write.
- f. Approval of a Resolution Authorizing the Submission of Proposed Zoning Code Text Amendments and a Rezoning of a Parcel of Property to the Village of Mettawa's Zoning, Planning, and Appeals Commission.

Attorney Smith updated the Board on this item and after discussion, it was unanimously agreed to table the re-draft of the resolution until after the Committee of the Whole meeting on January 18, 2014.

- g. Approval of the Purchase of a Defibrillator for Village Safety Vehicle from American AED, Inc. for the Phillips Heartsmart Frx w/infant key & smart pads in an Amount not to Exceed \$2,000.00: Approved earlier in the meeting.

I. EXECUTIVE SESSION:

At 8:45 PM, the meeting Mayor Urlacher entertained a motion to adjourn the meeting to Executive Session to discuss pending, probable and imminent litigation; land acquisition, section (c) (5): "The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussion whether a particular parcel should be acquired: and review of Executive Session Minutes. It was so moved by Trustee Armstrong, seconded by Trustee Clark

Upon a call of the roll, the following voted:

Aye: Trustees, Armstrong, Brennan, Clark, Lane, Maier and Towne

Nay: None

Mayor Urlacher declared the motion carried and the Board recessed to Executive Session

J. CALL TO RECONVENE

At 10:07 PM, Mayor Urlacher reconvened the public portion of the meeting.

K. ROLL CALL

Upon a call of the roll, the following were:

Present: Trustees Armstrong, Brennan, Clark Lane, Maier Towne and Mayor Urlacher

Absent: None

Also present: Attorney Gregory T. Smith of Klein, Thorpe & Jenkins and Village Clerk, Cathy Nelson and Administrator Bob Irvin

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

No matters presented requiring action

M. ITEMS TO BE REFERRED:

Item H.3.e (amending Chapter 2 of the Village Code regarding payment of professional fees)is referred back to Legal for a re-draft.

N. FOR INFORMATION ONLY: No items discussed

O. ADJOURNMENT

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

In Favor: All

Opposed: None

Mayor Urlacher declared the motion carried and the meeting adjourned at 10:10 PM.

Cathy Nelson, Village Clerk