

**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, MARCH 18, 2014 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 7:36 p.m.

**B. ROLL CALL**

Upon a call of the roll, the following were:

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

Absent: Trustee Maier

Mayor Urlacher declared a quorum present.

Also present: Village Administrator Bob Irvin; Scott Anderson, representative of the firm of James Anderson Co., Village Attorney James V. Ferolo of Klein Thorpe & Jenkins, Ltd.; Village Clerk Cathy Nelson, Treasurer Lisa Dieter and Financial Consultant, Dorothy O'Mary

**C. APPROVAL OF MINUTES:**

**Regular Meeting of the Mayor and Board of Trustees: February 18, 2014**

It was moved by Trustee Armstrong, seconded by Trustee Clark that the minutes of the Regular Meeting of February 18, 2013 be approved as presented.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane, 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 Brennan, 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 \$144,015.72

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane, and Towne  
Nay: None

**E. TREASURER'S REPORT**

Presentation of the Monthly Report for the Month of February, 2014

It was moved by Trustee Armstrong, seconded by Trustee Brennan that the Board acknowledge receipt of the February, 2014 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 and informed the Board that year- to- date the Village shows a cash surplus of \$986,283.00

**F. 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:  
No communications were read

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

1. Finance Committee:

- a. Consideration and Discussion of the Proposed FY2014-15 Budget.

In Finance Chairman Maier's absence, Administrator Irvin took the Board through the proposed Budget FY2014-15, and highlighted additions to be made prior to approval at the April Board meeting: 1) change in email from Google to Paid Microsoft at an estimated \$2,500.00, 2) snow removal in Special Service Area 9 for an increase of \$6,000.00, and 3) new accounting software to be approved at the April Board meeting for \$10,000.00.

Discussion ensued.

- b. Other Matters:

Administrator Irvin recommended several uses for the Motor Fuel Tax in the future. He also informed the Board that after reviewing the Village tax and fee structure, he recommends no increase at this time.

2. Public Works Committee

- a. Discussion and Recommendation of the Approval of a Resolution Authorizing the Village President and Clerk to Execute an Agreement With Lake County for Retail Water Supply Services to Mettawa Old School Road Service Area.

Trustee Armstrong updated the Board on the progress on both the water and police agreements with Lake County, pointing out that the agreements are now separate.

Administrator Irvin then highlighted items in the Water Agreement and stated that subject to some language tweaking, it is acceptable.

Attorney Ferolo gave his input and discussion ensued regarding the no-penalty clause and the minimum/maximum number of units required. It was agreed that the maximum number of units for this area be included.

Mayor Urlacher felt that the agreement needed the maximum number of units included and it was agreed to go with the number presented the Engineering Firm of Dewalt Hamilton.

- b. Approval of the Village's Participation in the Illinois Central Management Services Bulk Rock Salt Program.

Trustee Armstrong detailed the extension of this program with an increase in amount from 100 tons to 150 tons of salt. The current contract cannot be renewed, so there will be a new contract to approve.

- g. Other Matters:

- i. Trustee Armstrong informed the Board that the Bradley Road project bid numbers will be presented at the April Board meeting.
- ii. Trustee Armstrong recommended the Board approve architect Rick Phillips to continue with the development of plans for a Village Hall at a cost not to exceed \$5,500.00; to be ratified at the April Board meeting. It was the unanimous consensus of the Board to approve this recommendation.

### 3. Parks and Recreation Committee

- a. Recommendation to Approve a Proposal to Change Ordinances Requiring Trails South of Route 60 on Private Property and Trail Easements From Residents in Exchange for Building Permits.

Trustee Towne explained the recommendation to revise the Comprehensive Plan regarding Trails south of Route 60, east of St. Marys Road, west of Riverwoods Road, south of Riverwoods Boulevard and north of Everett Road on private property and trail easement from residents in exchange for building permits. With the new construction of Riverwoods Boulevard adding bicycle and pedestrian friendly paths and the Des Plaines River trail to the east, there is no longer a necessity for trails through private property. The Comprehensive Plan

needs to be looked at for revisions. He reminded the Board that residents in this area sign a petition that there be no trails through private property in this area. It is recommended that a change needs to be sent to the Zoning, Planning and Appeals Commission for consideration.

Attorney Ferolo stated that the Board could make a motion to refer the issue to the Zoning, Planning and Appeals commission for consideration to amendments to the Comprehensive Plan.

After a poll of the Board was the unanimous consensus of the Board to update the Comprehensive Plan to not include trails in future resident plans and vacate existing trail easements.

Administrator Irvin suggested that all Comprehensive Plan updates being considered be sent to the Zoning Planning and Appeals Commission together, so there could be one Public Hearing. Discussion ensued.

Administrator Irvin informed the Board that there is no current ordinance requiring trail easements in exchange for building permits. More discussion ensued regarding the adopted "Mettawa Trails" book. It was suggest that it be looked at.

Trustee Towne stated that he wants to be consistent in his dealing with current applicants for permits. Discussion continued as to how Mr. Towne best handle applicants until the Plan is changed.

Trustee Clark stated that in meetings with residents it was made very clear to them that despite the Comprehensive Plan language, the Village has no intent to build more trails in the area south of Route 60.

Mayor Urlacher summarized that all outstanding items for change in the Comprehensive Plan, including items being worked on by Teska Associate, should be submitted together to the Zoning Planning and Appeals Commission, He asked for a consensus to update the Comprehensive Plan to eliminate the trails south of Route 60 that existing trail easements will be vacated and that moving forward trail easements on private property will not be required.

Mayor Urlacher asked for a consensus from the Board on the above and all Trustees agreed to submit the Comprehensive Plan update work done by Teska Associates and the elimination of Trails items to the Zoning Planning and Appeals Commission for consideration and recommendation. The Board was in unanimous agreement.

- b. Recommendation to Approve Sending the Teska Associates Plan for Whippoorwill Park Out for Bid.

Trustee Towne detailed modification of the Plan and recommendation to send it out for bid in the spring.

- c. Recommendation to Waive Competitive Bidding and to Approve a Proposal From Integrated Lakes Management, Inc. of Waukegan, Illinois; to Maintain Whippoorwill Farm Preserve as Well as Begin Restoration on the New Berm and the Restaurant Property Parcel for 2014 through 2015 in an Amount Not to Exceed \$23,451.25; Pending Legal Review.

Discussion ensued regarding modification of the proposal in light of the upcoming management plan. Integrated Lakes Management is willing to work within the parameters of the Plan. Mayor Urlacher recommended approval of a one year proposal in an amount not to exceed \$12,600.00 and discussion ensued.

- d. Discussion of park and open space management plan and recommendation of a Saturday in May, 2014 for Committee of The Whole Meeting to Hear Proposals.

After an update by Trustee Towne as to proposals received and discussion of the best way to proceed with the Committee of the Whole meeting so the proposals can be presented and discussed. It was agreed that the proposals would be posted online prior to the meeting. It was also agreed to revisit this item at the April Board meeting to set a date for the meeting in July or August so that residents can pre-visit the sites being discussed.

- e. Other Matters: Trustee Towne informed the Board that the preliminary design work has begun for the trail extension west on Route 60 from Deerpath to St. Marys Road and that James Anderson Co. is waiting to hear from the State of Illinois regarding this project as the majority of the trail will be in the right-of-way.

Trustee Towne also Confirmed that the 701 S. Riverwoods Road property hay field will be cut this year and hay sold with residents getting first chance to purchase hay.

4. Safety Commission:

- a. Discussion and Consideration of the Approval of a Resolution Authorizing the Village President and Clerk to Execute and Intergovernmental Agreement for Contract Police Services by and Among The Village of Mettawa, The county of Lake and The Lake County Sheriff; Pending Legal Review.

Administrator Irvin continued the discussion held earlier in the meeting regarding the Police Services Agreement with the Lake County Sheriff and Lake County.

He stated that the Village has come a long way in negotiating lower fees, and detailed the recommended agreement.

- b. Trustee Clark gave his update: There were four serious incident calls this month; one being a fire in the second barn at Always Faithful Stables, with no injuries to people or animals and the other three being police issues
- c. Resident Tom Lys questioned gun shots being heard at night in the Riverwoods Road/ Everett Road area and it was determined that it was most likely the Forest Preserve culling the deer population.

5. Zoning, Planning and Appeals Commission

Mayor Urlacher reported that there will be a Zoning, Planning and Appeals workshop meeting 1, 2014 to continue discussion regarding the Board's resolution referral on Text amendments and re-zoning to be voted upon later in this meeting

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

1. Mayor's Report

- a. Consideration and Recommendation to Approve a Resolution Establishing and *Ad Hoc* Committee to Investigate and Make Recommendations to the President and Board of Trustees in Regard to the Drafting of an Open Land Plan for the Village of Mettawa.

Mayor Urlacher stated that there were only two questions resident Denis Bohm asked of the Board: 1) Can one person on the committee be a specialist and 2) can there be two committee members who are non-residents. After discussion it was agreed that there may be two non-voting non-residents along with five voting resident members. Denis Bohm will be the Chairman. The Committee appointments will be made at the April 15, 2014 Board meeting. Attorney Ferolo will re-word the motion for the vote under "New Business"

- b. Appointment of Resident Tony Donato, CPA, to Deputy Treasurer

President Urlacher nominated Tony Donato as Deputy Treasurer of the Village of Mettawa. He presented Mr. Donato's resume and discussion ensued.

- c. Discussion of Next Village Coffee Date on Either April 19 or April 26, 2014 at the Home of Residents Ron and Pam Lapins.

Mayor Urlacher asked for a volunteer Trustee to attend and recommended April 19<sup>th</sup> at 9:00am as the date for the coffee. Trustee Brennan or Clark is potentially available.

- 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**
  - i. **Discussion and Recommendation to Change Email Service From Google to Hosted Microsoft Exchange Service, Rackspace in an amount not to Exceed \$2,500.00 a year.** Joe Siepka who runs the Village website and technical support explained the reasoning behind moving away from a free Google service to the Microsoft Exchange Service and discussion ensued. Mr. Siepka will set up the email accounts and will assist village officials with any issues that may arise. Everyone can keep their "Mettawa.org" address and existing mail can be transferred onto it. Once the account is set up, a start date will be chosen.
  
  - ii. **Administrator Irvin updated the Board that he has received confirmation from Hamilton Partners that they will complete the Woodland Falls trail on Route 60 and Riverwoods Boulevard. They are updating the easement language that will be the upcoming agenda. Any remainder of the funds would go into the Bond fund and the Village Attorney is looking into whether the village can make tax abatement in 2014 as opposed to waiting to 2019.**  
  

Discussion ensued regarding the remaining trail connections. Administrator Irvin informed the Board that the Grant application has been submitted to Commonwealth Edison for the Route 60 hook-up to St. Marys Road, and that the Village will have an approval answer by June 5, 2014.
  
  - iii. **Canadian National Railroad will be out in May to fix the Old School crossing and also assessing it for potential capital replacement.**
  
  - iv. **Discussion ensued regarding looking at examples of Village Halls.**
  
  - v. **Administrator Irving informed the Board the Zoning Planning and Appeals Commission will continue their workshop meeting on Open Space rezoning.**

**2. UNFINISHED BUSINESS:** None Presented

**3. NEW BUSINESS**

- a. **Approval of a Resolution Authorizing the Village President and Village Clerk to Execute a Settlement Agreement Regarding the Pegaso Farm Litigation.**

Attorney Ferolo detailed highlights of the settlement and amended Special Use Permit. He explained the process for finalization of the agreement and Special Use Permit and discussion ensued.

It was moved by Trustee Brennan, seconded by Trustee Clark to approve “**A Resolution Authorizing the Village President and Village Clerk to Execute a Settlement Agreement Regarding the Pegaso Farm Litigation.**” Being **Resolution No. 14-4**

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Maier

Mayor Urlacher declared the motion carried.

b. Approval of the Proposed FY204-2015 Budget

It was moved by Trustee Lane, seconded by Trustee Armstrong to approve the Proposed FY 2014-2015 Budget as presented

Mayor Urlacher stated that the proposed budget will be available online, in the lobby of the Hilton Garden Inn and at the Clerk’s office for review. The Public Hearing on the proposed budget will be held on April 15, 2014 at the Regular Board meeting.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Maier

Mayor Urlacher declared the motion carried

c. Approval of a Resolution Authorizing the Village President and Clerk to Execute an Agreement With Lake County for Retail Water Supply Services to Mettawa Old School Road Service Area; Pending Legal Review.

It was moved by Trustee Armstrong, seconded by Trustee Brennan to approve “**A Resolution Authorizing the Village President and Clerk to Execute an Agreement With Lake County for Retail Water Supply Services to Mettawa Old School Road Service Area.**” Pending Legal Review; being **Resolution 14-3**

Upon a call of the roll, the following voted:



Aye: Trustees Armstrong, Brennan, Clark, Lane and Towne  
Nay: None  
Absent: Trustee Maier  
Mayor Urlacher declared the motion carried.

- d. Approval of a Proposal to Change Ordinances Requiring Trails South of Route 60 on Private Property and Trail Easements From Residents in Exchange for Building Permits.

After discussion, it was moved by Trustee Armstrong, seconded by Trustee Brennan to approve a referral to the Zoning, Planning and Appeals Commission of amendments to the Comprehensive Plan regarding the elimination of trails south of Route 60.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane and Towne  
Nay: None  
Absent: Trustee Maier

- e. Approval to Waive Competitive Bidding and to Approve a Proposal From Integrated Lakes Management, Inc. of Waukegan, Illinois; to Maintain Whippoorwill Farm Preserve as Well as Begin Restoration on the New Berm and the Restaurant Property Parcel for 2014 through 2015 in an Amount Not to Exceed \$23,451.25; Pending Legal Review.

It was moved by Trustee Lane, seconded by Trustee Brennan to Waive Competitive Bidding and to Approve a Proposal From Integrated Lakes Management, Inc. of Waukegan, Illinois; to Maintain Whippoorwill Farm Preserve as Well as Begin Restoration on the New Berm and the Restaurant Property Parcel for Fiscal Year 2014/2015 in an Amount Not to Exceed \$12,600.00 Pending Legal Review.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Brennan, Clark, Lane and Towne  
Nay: None  
Absent: Trustee Maier

- f. Approval of a Resolution Authorizing the Village President and Clerk to Execute an Intergovernmental Agreement for Contract Police Services by and Among The Village of Mettawa, The County of Lake and The Lake County Sheriff; Pending Legal Review.

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

**“A Resolution Authorizing the Village President and Clerk to Execute an Intergovernmental Agreement for Contract Police Services by and Among The Village of Mettawa, The County of Lake and The Lake County Sheriff;” Pending Legal Review, being Resolution 14-5.**

Upon a call of the roll, the following voted:  
Aye: Trustees Armstrong, Brennan, Clark, Lane and Towne  
Nay: None  
Absent: Trustee Maier

Mayor Urlacher declared the motion carried.

- g. Approval of Mayor Urlachers’ nomination of Resident Tony Donato to Deputy Village Treasurer.

It was moved by Trustee Lane, seconded by Trustee Towne to approve the Mayoral nomination of Tony Donato as Deputy Village Treasurer

Upon a call of the roll, the following voted:  
Aye: Trustees Armstrong, Brennan, Clark, Lane and Towne  
Nay: None  
Absent: Trustee Maier

Mayor Urlacher declared the motion carried.

- h. Approval of a Proposal to Change Email Service from Google to Microsoft Hosted Exchange Service in an Amount not to Exceed \$3,500.00 per Year.

After discussion, it was moved by Trustee Lane, seconded by Trustee Towne to approve a proposal to change email service from Google to Microsoft Exchange in an amount not to exceed \$2,500.00 per year.

- i. Consideration and Recommendation to Approve a Resolution Establishing an *Ad Hoc* Committee to Investigate and Make Recommendations to the President and Board of Trustees in Regard to the Drafting of an Open Land Plan for the Village of Mettawa.

After earlier discussion, it was recommended by Attorney Ferolo to have two motions. First, a motion to amend the resolution and second a motion to approve the resolution as amended.

It was then moved by Trustee Brennan, seconded by Trustee Armstrong to amend the above Resolution. (H.3.i)

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Maier

Mayor Urlacher declared the motion carried.

It was then moved by Trustee Armstrong, seconded by Trustee Brennan to approve as amended below: **“A Resolution Establishing an *Ad Hoc* Committee to Investigate and Make Recommendations to the President and Board of Trustees in Regard to the Drafting of an Open Land Plan for the Village of Mettawa”** being **Resolution 14-6.**

Attorney Ferolo explained the design and purpose of and *Ad Hoc* Committee and its limited lifespan, in this case, to draft an open land plan and select an open land planner. Discussion ensued on completion dates and recommendation dates. It was agreed on December 31, 2015 as the date when its recommendation and final report be submitted to the Parks and Recreation Committee. Date for Board to review the recommendation of June 1, 2016 was also agreed upon. Attorney Ferolo stated that these are target dates and can change if necessary. He went thru the Resolution line by line to highlight changes:

Paragraph A: Changed to read “the panel shall consist of seven members who may be removed from the Panel by the Village President prior to the first meeting of the Panel. Of the seven persons to be appointed, two may be non-residents of the village.”

Paragraph B: Changed to read “There will be five resident voting members of the Panel.”

Paragraph C: Amended to read: “The Village President shall appoint the Chairperson of the Panel.”

Paragraph F: Amended to read: “The Panel shall submit its final report and recommendations to the Parks and Recreation Committee no later the December 21, 2015 and the President and Board of Trustees shall consider the Panel’s final report and recommendations no later than June, 1, 2016, after submitting its report the Panel shall dissolve without further action by the President and Board of Trustees

Discussion ensued and Attorney Ferolo stated that the seven member Panel is chosen by the Mayor with the advice and consent of the Board and the Mayor then picks one of the seven as Chairperson.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Maier

Mayor Urlacher declared the motion carried.

- j. Approval of the Village's Participation in the Illinois Central Management Services Bulk Rock Salt Program.

It was moved by Trustee Armstrong, seconded by Trustee Brennan to approve the Village participation in the Illinois Central Management Services bulk salt program choosing the 80-120% option

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Maier

Mayor Urlacher declared the motion carried.

- I. EXECUTIVE SESSION:** With no items to be discussed, no Executive Session was held  
And items "J" through "L" were unnecessary.

- M. ITEMS TO BE REFERRED:** No items referred

- 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 9:08 PM.

Cathy Nelson, Village Clerk