

**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, AUGUST 19, 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 7:30 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., Village Attorneys James V. Ferolo and Gregory T. Smith 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 Regular Meeting of the Board: July 15, 2014**

It was moved by Trustee Maier seconded by Trustee Clark that the minutes of the Regular Meeting of July 15, 2014 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.

**Committee of the Whole Meeting: July 19, 2014**

It was moved by Trustee Armstrong seconded by Trustee Lane that the minutes of the Committee of the Whole Meeting of July 15, 2014 be approved as presented and placed on file.

Upon a call of the roll, the following voted:

Aye: Trustees Armstrong, Lane, Maier and Towne

Nay: None

Abstained: Trustees Brennan and Clark were not in attendance at this meeting.

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 Lane to approve bills submitted for payment and other bills paid by the Village Treasurer in anticipation of this meeting for a total amount of \$128,605.15

Trustee Clark questioned the amount paid in inspection fees and whether the Village should investigate other options. Trustee Towne stated that the fees are in line with the increase in building activity recently and other firm's fee schedules.

Upon a call of the roll, the following voted:

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

Nay: None

**E. TREASURER'S REPORT**

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

It was moved by Trustee Maier, seconded by Trustee Brennan that the Board acknowledge receipt of the July, 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.

**F. COMMUNICATIONS AND PETITIONS FROM THE PUBLIC**

1. Citizens to be Heard Not Listed Elsewhere on This Agenda:

Jon Streich of AbbVie, the new tenants of the HSBC Building on Riverwoods Road, presented a drawing with specifications and request for signage on the west face of the AbbVie building.

Administrator Irvin stated that this signage would take an amendment or variance to the Village sign code and he would recommend an amendment. It will not affect any other buildings or barns in the village.

Discussion ensued and with Trustee concurrence, Mr. Irvin was directed to bring an amended ordinance to the Board for approval at the September board meeting.

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. Update: Village Fiscal Responsibility Act and Possible Tax Rebate:  
Treasurer Dieter informed the Board that the Rebate application form and FAQ sheet along with the recommended rebate amount will be ready for Board approval at the September meeting.
- b. Update: Software Conversion and Financial Reporting Formats:  
Trustee Brennan reported that the updates will be completed and functioning within the next few months.
- c. Update: Collateral Agreement with the Northern Trust Bank:  
Trustee Maier reported that he is in the process of editing this agreement. After discussion Attorney Ferolo stated that he will have a resolution to approve the agreement at the September Board meeting.
- d. Other Matters: None Presented

2. Public Works Committee

- a. Recommendation to Approve an Estimate From Dunlap Tree Experts of Antioch, Illinois in an Amount Not to Exceed \$18,900.00 as Low Responsible Bid for Removal of all Brush; and Trim the Brush Along The Village Right-of-Way, and Perform All Work as Described by James Anderson Co. Regarding Order #16550; Pending Legal Review.  
Trustee Armstrong explained to the Board the necessity for two amended motions waiving competitive bidding on the Tree work estimates from Dunlap Tree Experts. He noted that Dunlap will also do private work while they are on site and will give residents cost estimates if requested.
- b. Recommendation to Approve an Estimate From Dunlap Tree Experts of Antioch, Illinois in an Amount Not to Exceed \$24,480.00 as Low Responsible Bid for Removal of 170 Trees and perform All of Work Per the Engineer's Instructions Regarding Order #16550; Pending Legal Review.  
Competitive bidding will also need to be waived for this work.
- c. Presentation and Discussion of Village Hall Options  
Trustee Armstrong and Rick Phillips presented the drawings for the proposed Village Hall project and explained the increase in room size and its costs to accommodate board meetings.  
Trustee Armstrong then took the Board through his spreadsheets on cost analysis and scorecards for options of building, renting in the CDW building and remaining status quo. He stated that none of these figures were in concrete but merely a starting point for discussion.

Discussion ensued regarding costs of each option, necessity of a Village Hall, resident opinions as voiced in the 2014 survey, site selection, possible future obsolescence, and financing options.

Mayor Urlacher feels that the Village needs a place of establishment and that location is key. He will call a Committee of The Whole meeting for resident opinions when the Public Works Committee gets further along on firming up options.

The next step is discussion in the Public Works Committee on location and financing options

- d. Recommendation to Approve a Proposal from Pearson, Brown & Associates of Libertyville, Illinois in an Amount Not to Exceed \$9,500.00 for Oasis Park Pedestrian Trail Design Engineering; Pending Legal Review.  
Trustee Armstrong presented this recommendation and explained the scope of the engineering work from Forest Drive to south of the Oasis Park and including several drainage issues.
- e. Update: Village Water Lines Project  
Trustee Armstrong updated the Board on the lack of progress on two areas considering water, due to resident's summer vacation plans. He stated that Mr. Heinz will need to get a resident meeting for a decision before the end of September. Drawings need also to be done for Area 7, south of Route 60.
- f. Update: 2014 Maintenance Activities  
Trustee Armstrong informed the Board that Lake County is behind on their mowing schedule and they may not be able to do a second mowing this year.
- g. Other Matters  
Trustee Armstrong updated the Board on the progress of the Bradley Road resurfacing project. There will be a pre-construction meeting on Wednesday, August 20<sup>th</sup>. Once a start date is confirmed with detail, the Village Clerk will send out updates to residents via email.

### **3. Parks and Recreation Committee:**

- a. Update: Whippoorwill and Oasis Park Projects  
Trustee Towne reported that Whippoorwill Park is completed and looking good. The Oasis Park Project: Dirt delivery is completed and the berm is now being shaped.
- b. Recommendation to Approve WRD/Steve Christy as Village Open Land Planner and Request a Proposal.  
Trustee Towne presented the recommendation from the Open Lands Ad Hoc Panel and Parks and Recreation Committee to approve WRD with Steve Christy as a sub-contractor thru WRD to prepare a formal proposal for village lands.  
Discussion ensued and it was agreed that the village is requesting a proposal so that a direction can be agreed upon prior to bidding out work.

Ad Hoc Panel member Pan Lapins explained that the panel/village needs to start a plan and at this time, needs to know what is needed and appropriate for these open spaces. Bids should be requested on the work recommended not the plan.

After a poll of the Board, the following preferred:

WRD/Steve Christy: Trustees Armstrong, Towne and Mayor Urlacher  
Conserve Lake County: Trustee Lane  
Not present at COW meeting so no opinion: Trustees Brennan and Clark

- c. Update: Mettawa Open Lands Association (MOLA) project on Southeast Corner of Route 60 and Riverwoods Road:  
Trustee Towne informed the Board that MOLA is interested in working on this property and will wait for the recommendations from WRD.
- d. Update: Mettawa Trail Progress for Extension of Trail West of Deerpath Farm Along The North Side of Route 60 to St. Marys Road.  
Trustee Towne stated that Forest Builders is starting survey work on this project and that the preliminary plans have been completed.
- e. Other Matters: No other matters presented.

4. Safety Commission:

- a. Trustee Clark reported that it has been quiet in the village and that it appears that the bike traffic congestion is on the decline. The Sheriff will be changing schedules to work during weekends into September. Mailbox “baseball” incidents on Old School Road seem to have ended.

Resident Pam Fantus stated that the railroad tracks on Old School Road have still not been repaired. Administrator Irvin replied that the rebuild has been moved to 2015, but there is supposed to be repair work done and he will call to check on the status.

5. Zoning, Planning and Appeals Commission

- a. Findings of Fact and Recommendation, Case No. 14-SU-S-3: Consideration of Finding of Fact and Recommendation, and Direction to Village Attorney Regarding a Request for a Special Use Permit at 25575 N. St. Marys Road by William T. O’Donnell, Jr. and Lezlie O’Donnell.

Village Attorney Smith presented the ZPA report and recommendation regarding the Special Use Permit Request. The property currently has an undeveloped three parcel planned unit development. They have requested eliminating the PUD and consolidating the property into one lot of record. He detailed the five (5) approvals as follows:

1. An addition to the existing stable of six (6) additional horse stalls added to the existing five (5) horse stalls, for a total of eleven (11) stalls
2. A riding arena as an accessory use.
3. A caretaker’s residence as a servant’s quarters
4. A future guest house in the location depicted on the plans submitted with the Application.
5. Waiver of the residence requirement.

The O'Donnell's are also asking that the Village consider releasing the Trail Easement that runs along the west side of the property. This trail has not been constructed.

The ZPA voted unanimously to approve the O'Donnell's request pending six (6) conditions being met.

1. The special use permit will only become effective on and after the date that:  
(1) the existing planned development permit granted in Ordinance 552, and recorded on title to the Subject Property as Lake County Recorder document number 5935883, is repealed and released from title to the Subject Property;  
(2) the existing Subdivider's agreement approved in Ordinance 551, and recorded on title to the Subject Property as Lake County Recorder document number 5935880, is repealed and released from title; (3) a plat of subdivision for the Subject Property is approved consolidating the three (3) lots of record into one(1) lot of record; and (4) the scenic easement on title to the Subject Property, as Lake County Recorder document number 5935882; be corrected with regard to an error in the legal description therein.
2. That the Applicant take all steps necessary to consolidate the three (3) property index numbers on the Subject Property into a single property index number within a reasonable time after the plat of subdivision related to the Application is recorded.
3. That the temporary service road set forth in the Application, if built, shall only exist for the limited duration of construction of improvements authorized by the special use permit on the Subject Property.
4. That prior to issuance of any building permit for the future guest house, the Applicant shall appear before the ZPA, and then the Village Board, for site plan and appearance review and approval at a meeting of the Commission, at which the Commission shall make a recommendation to approve or deny the site plan and appearance to the President and Board of Trustees, with no special mailed, posted, or published notice being first required. The Applicant shall provide such information as requested by the Village Administrator, the Village Engineer, the Commission, the Village President and/or the Village Board of Trustees as is required to complete the site plan and appearance approval.
5. That, whenever there are more than five (5) horses on the Subject Property, a full-time caretaker shall reside on the Subject Property, whose contact information is provided, and updated a necessary, to the Village Administrator or another person designated by the Village President.
6. That no commercial use of the Subject Property be made, except as allowed by the Zoning Ordinance and the Village Code.

The O'Donnell's team in attendance: William and Lezlie O'Donnell of 25575 St. Marys Road, Mettawa, Illinois, Thomas Roszak and Mariano Barragan of Thomas

Roszak Architecture, Chicago, Illinois and Gary Weiss, P.E. of Spaceco Inc. Rosemont, Illinois. Mr. Roszak stated that they were present to answer any question the Board may have. He updated the Board on the approval by Lake County of a temporary service road off of St. Marys Road. Lake County has not approved the request.

Discussion ensued regarding the size and pre-approval of the guest house to be built in the future.

Trustee Towne requested pictures of the buildings be shown to the Board and the site plans and updated drawing of the barn were presented by Mr. Roszak.

Mayor Urlacher requested size details on the proposed guest house and discussion ensued regarding the size of the guest house which is over the code limit and would need a special use permit; and the pre-approval of the house.

Administrator Irvin stated that the code states that all guest houses need a special use permit.

Trustee Towne asked about the driveway being extended to the arena and it was confirmed that it is in the plans.

Mr. Roszak stated that the septic design will include both the guest and caretaker house requirements.

Discussion continued regarding the waiver of residency and the guest house.

Trustee Towne felt the Board needed to be careful about setting precedence that go against the code, but that it would not be onerous for the O'Donnell's to come back and go through the process for a special use permit for the guest house when they decide to build.

After further discussion Attorney Ferolo stated that it is acceptable to approve the recommendation and draft an ordinance excluding conditions 3 and 4 as stated above.

Mayor Urlacher stated that the Board does not want to slow down the building process and that if agreeable to everyone, the recommendation can be approved and the ordinance drafted for approval at the September Board meeting as stated by Attorney Ferolo.

The Easement issue was then discussed. The easement will need to be corrected. Some confusion regarding trail easements around the property were raised and will be looked into prior to consolidation.

The O'Donnell's are requesting the trail easement along St. Marys be vacated.

It was agreed that all existing trail easements in the area also be reviewed.

Mayor Urlacher directed the Village Attorney to draft the required ordinances for approval at the September Board meeting.

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

1. Mayor's Report

- a. Update: Village Picnic at St. Basil's Church, August 23<sup>rd</sup>  
Mayor Urlacher informed the Board that the picnic will be from 11am to 2pm on the 23<sup>rd</sup>.
- b. Appointments of Commissioners to the Zoning, Planning and Appeals Commission:
  1. Liz Leonard – term to expire May 19, 2015
  2. Bob Busscher – term to expire May 19, 2015
  3. Orren Pickell – term to expire May 19, 2016
  4. Mark Meluso – term to expire May 19, 2016
  5. Matt Miller – term to expire May 20, 2017
  6. Holly Hirsch – term to expire May 20, 2017

It was moved by Trustee Maier, seconded by Trustee Clark to take approval of Appointments to the ZPA Commissioners No. 1 through 6 as an Omnibus Vote:

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.

It was then moved by Trustee Armstrong, seconded by Trustee Brennan to approve the following appointment to the Zoning, Planning and Appeals Commission:

OMNIBUS VOTE

1. Liz Leonard – term to expire May 19, 2015  
OMNIBUS VOTE
2. Bob Busscher – term to expire May 19, 2015  
OMNIBUS VOTE
3. Orren Pickell – term to expire May 19, 2016  
OMNIBUS VOTE
4. Mark Meluso – term to expire May 19, 2016  
OMNIBUS VOTE
5. Matt Miller – term to expire May 20, 2017  
OMNIBUS VOTE
6. Holly Hirsch – term to expire May 20, 2017



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. Update: Wine and Cheese Resident Get Together: Mayor Urlacher informed the Board that the get together at the Leahy's home was a great success with more than 40 residents in attendance.
- d. Set Date for Next Resident Get Together at the Rojas Residence: The next get together is tentatively scheduled for early November at the Rojas home. Details to follow.
- e. Building Report: Mayor Urlacher thanked Village Engineer Anderson and Trustee Towne for the report and placed it on file.
- f. Village Administrator's Report:
  - i. Mr. Irvin informed the Board that he is reviewing the Village Codes for updates and will present suggested edit shortly. One item on the list is the recapture agreement code.
  - ii. Update: Path East over the Tollway on Route 60. Lake County/Lake Forest are in stage one of proposals and they are planned for completion in the fall.
  - iii. Update: Woodland Falls path. There is a shortfall of funds so it has been agreed to put this project on hold.

2. **UNFINISHED BUSINESS:** None presented for discussion

3. **NEW BUSINESS:**

- a. Approval of "A Resolution Approving the Release of Certain Executive Session Minutes of the President and Board of Trustees of The Village of Mettawa, Illinois."

It was moved by Trustee Maier, seconded by Trustee Brennan to approve **"A Resolution Approving the Release of Certain Executive Session Minutes of the President and Board of Trustees of The Village of Mettawa, Illinois."** being **Resolution No.14-18.**

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. Approval of "An Ordinance Amending Section 11.303(a) of the Village Code Regarding the Annual License Fee for the Exclusive Scavenger License."

It was moved by Trustee Maier, seconded by Trustee Clark to approve “**An Ordinance Amending Section 11.303(a) of the Village Code Regarding the Annual License Fee for the Exclusive Scavenger License.**” being **Ordinance No. 758**

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. Approval of an Estimate From Dunlap Tree Experts of Antioch, Illinois in an Amount Not to Exceed \$18,900.00 as Low Responsible Bid for Removal of all Brush and Trim the Brush Along The Village Right-of-Way, and Perform All Work as Described by James Anderson Co. Regarding Order #16550; Pending Legal Review.

It was moved by Trustee Armstrong, seconded by Trustee Towne to waive competitive bidding and Approve an Estimate From Dunlap Tree Experts of Antioch, Illinois in an Amount Not to Exceed \$18,900.00 as Low Responsible Bid for Removal of all Brush and Trim the Brush Along The Village Right-of-Way, and Perform All Work as Described by James Anderson Co. Regarding Order #16550; Pending Legal Review.

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. Approval of an Estimate From Dunlap Tree Experts of Antioch, Illinois in an Amount Not to Exceed \$24,480.00 as Low Responsible Bid for Removal of 170 Trees and perform All of Work Per the Engineer’s Instructions Regarding Order #16550; Pending Legal Review.

It was moved by Trustee Armstrong, seconded by Trustee Brennan to waive competitive bidding and Approve An Estimate From Dunlap Tree Experts of Antioch, Illinois in an Amount Not to Exceed \$24,480.00 as Low Responsible Bid for Removal of 170 Trees and perform All of Work Per the Engineer’s Instructions Regarding Order #16550; Pending Legal Review.

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. Approval of a Proposal from Pearson, Brown & Associates of Libertyville, Illinois in an Amount Not to Exceed \$9,500.00 for Oasis Park Pedestrian Trail Design Engineering; Pending Legal Review.

It was moved by Trustee Armstrong, seconded by Trustee Maier to Approve a Proposal from Pearson, Brown & Associates of Libertyville, Illinois in an Amount Not to Exceed \$9,500.00 for Oasis Park Pedestrian Trail Design Engineering; Pending Legal Review.

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

- f. Approval of WRD/Steve Christy as Village Open Land Planner and to Request a Proposal.

It was moved by Trustee Brennan, seconded by Trustee Armstrong to Approve WRD/Steve Christy as Village Open Land Planner and to Request a Proposal.

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

**J. EXECUTIVE SESSION:**

At 9:13 p.m. with no further items to discuss Mayor Urlacher entertained a motion to recess to a closed Executive Session for the purpose of discussion land acquisition, land sale, review of Executive Session minutes and other related topics.

It was so moved by Trustee Maier, seconded by Trustee Brennan

Upon a call of the roll, the following voted

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

**K. CALL TO RECONVENE:** Mayor Urlacher reconvened the Regular Session at 9:36 p.m.

**L. ROLL CALL**

Upon a call of the roll, the following were

Present: Trustees Armstrong, Brennan, Clark, Lane, Maier, Towne and Mayor Urlacher  
Absent: None

**M. MATTERS REQUIRING ACTION ARISING AS A RESULT OF THE EXECUTIVE SESSION: None**

**N. ITEMS TO BE REFERRED:** No items referred

**O. FOR INFORMATION ONLY:** No items discussed

**P. ADJOURNMENT**

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

In Favor: All

Opposed: None

Mayor Urlacher declared the motion carried and the meeting adjourned at 9:40 p.m.

Cathy Nelson, Village Clerk