

**MINUTES OF THE PUBLIC WORKS COMMITTEE OF THE VILLAGE OF
METTAWA, ILLINOIS, HELD AT THE HOUR OF 6:30 P.M. ON
WEDNESDAY, MARCH 12, 2014, IN THE COTTONWOOD “A”
BOARDROOM OF THE HILTON GARDEN INN HOTEL, 26225 N.
RIVERWOODS BOULEVARD, METTAWA, ILLINOIS**

A. CALL TO ORDER

Chairman Armstrong called the meeting to order at approximately 7:02 p.m.

B. ROLL CALL

Upon a call of the roll, the following persons were:

Present: Chairman Armstrong, Member Clark and Member Towne

Absent: None

Chairman Armstrong declared a quorum present.

Also in attendance: Mayor Urlacher; Jim Ferolo, Village Attorney; Bob Irvin, Village Administrator; Scott Anderson, Village Engineer; Tom Lys, Tom Hines, Drew Johnson, Rick Phillips, residents; Colleen Liberacki, Deputy Village Clerk. Chairman Armstrong declared a quorum present.

C. APPROVAL OF MINUTES FROM FEBRUARY 12, 2014 MEETING.

Meeting minutes from February 12, 2014 were reviewed and it was moved by Member Towne, and seconded by Member Clark that the meeting minutes were approved as presented. The motion was carried.

D. BRADLEY ROAD CONSTRUCTION REPAIR ACTIVITIES

Scott Anderson reported that the cold patching was done for holes 3” in diameter or more and he is still working towards completion. Member Towne noted that on the west side of the bridge next to the expansion joint needed some attention. Chairman Armstrong reported that the bids should be due in the spring and should have them before the April meeting. Bob Irvin reported that the Village has the written approval from IDOT. Scott Anderson estimated that the total cost for the construction was \$2.647M, and the village responsibility of the cost of rebuilding the road would be \$882K, the state cost \$1,765K.

E. DISCUSSION OF 2013 – 2014 PLOWING AND SALTING

Chairman Armstrong advised that all issues were previously settled.

F. DISCUSSION OF THE 2014 MAINTENANCE ACTIVITIES

Chairman Armstrong noted that about April the pruning and trimming work would start, due to the weather conditions. He anticipated Anderson & Sons would do the necessary trail maintenance at that time, also.

G. DRAINAGE

Chairman Armstrong felt that most culverts were draining well, but there is some indication that the culvert north of Bradley Road is frozen.

H. WATER LINES AND REVIEW OF COUNTY WATER SERVICES AND POLICE SERVICES CONTRACTS

Chairman Armstrong noted that the map used in the contract was inaccurate. Bob Irvin advised that an IGA was not used for the waterline, so it was not acknowledged on the map. He also noted that the permit would reside with the village, even if the water line was a private benefit. Attorney Ferolo thought an SSA was involved, that was why the village would be listed on the permit. Chairman Armstrong stated that this water line would be a private installation.

Member Towne stated that the private party, Novak was ready to proceed, but the county would not agree to the Lake Michigan water access because there was no police contract in place. Attorney Ferolo stated that IGA required that the water lines be turned over to the village upon completion. Chairman Armstrong noted that the IGA stated that the village is responsible for something, but they are not building, according to Section 3.2. Scott Anderson stated that when the village inspects the work, they take responsibility, and that all properties that are built along the line would be required to tie into it.

Bob Irvin suggested removing the penalty language from the contract. Member Towne described the process to secure a water line that got the village to this point up until the time that the county refused to sign off without a police agreement in place, and then the IGA came into play. He noted that Dean Schafer, Rick Phillips and Costco acquired water access without an IGA. Member Clark suggested separating the police agreement from the water agreement in order to proceed. Both Bob Irvin and Chairman Armstrong agreed, however Irvin wanted to discuss the \$670K penalty for termination prior to the 10 year term and direct the 911 calls elsewhere. Chairman Armstrong suggested that the penalty be reduced/prorated according to the timeline progression of the contract. Member Clark thought a 10 year contract term was too long.

Attorney Ferolo called attention to contract language about a 180-day notice of termination for either party, however, the county is legally obligated to service all emergency calls with or without a contract. Bob Irvin noted that any fine revenue realized during the term would accrue to the village. Member Towne stated that Novak has his permit application in for well and septic, so if he goes thru with that, there will be no need for water access, since none of the other residents are interested at this time. Mayor Urlacher agreed that time is of the essence. Member Clark felt that delaying the water issue would only delay the ultimate issue, that the county would find another way to force police protection on the village. He furthermore noted that maybe Mettawa should pay their share along with the other municipalities like Zion and Beach Park.

Attorney Ferolo called attention to contract language “whereas” clauses, which ties a rational need for police protection to the water access, when there actually is no relationship. Bob Irvin suggested that they get some response to the county before the Village Board meeting in order to move this along. Member Towne objected to the contract stipulation that the maximum of 33 homes can only be tied in to the water line, as the water line should be for the entire village. This also opens the possibility that they would have to negotiate again with the county if more than 33 homes hook up to the water line. He also noted that this language conflicts with the county’s own ordinance in place.

Bob Irvin stated that he will make the county aware of the Novak timing and if they do not respond to this timeline, there will be no contract necessary, as the wells will have been drilled and also no \$60K police contract would be necessary. He inquired if he could give the county the contract with the Attorney Ferolo proposed changes for the purpose of looking it over and agreeing to the concept. Members Town, Clark, Chairman Armstrong and Mayor Urlacher agreed that more time could be spent working on the water IGA, but the police contract required urgent action. Member Towne reminded those present that this was a private developer paying for the water line, no SSA was required.

Attorney Ferolo thought that a police service agreement should not last 10 years, that a 5 – 7 year is a typical term. Member Clark suggested a 6-year term at \$60K/year and if they would not accept that, we could always agree to a 10 year contract if necessary. Member Towne also agreed, but felt that the penalty should be reduced to what was left unspent, should the village elect to terminate the contract prematurely. Members instructed Attorney Ferolo to make the necessary changes to reflect what was agreed upon in terms of language and length of commitment. Attorney Ferolo felt that if the county was wise, they would agree to those terms, because if the residents become accustomed to police presence, they would not want to be without it after the contract expired.

Bob Irvin felt that the county would like a contract with every town and Chairman Armstrong agreed, stating that once the village accepts their terms, they will solicit other villages, like Green Oaks, as well. Mayor Urlacher inquired if after the Novak water line installation, would it be acceptable for an SSA if other residents were interested, to which all replied “yes”. Bob Irvin stated that he would call the county administrator’s office and advise them of a contract to come that would need prompt signatures for the Novak project or the village would consider it a dead deal.

I. VILLAGE HALL OPTIONS - DISCUSSION

Resident Rick Phillips of Phillips Architectural Firm thought that the Village was more comfortable taking smaller steps and he emailed Chairman Armstrong a design proposal for \$5500 prior to the committee meeting. He was looking for further clarification and was seeking any other ideas that he could incorporate into the design. Mayor Urlacher asked if Rick Phillips would email the proposal to Member Clark and Member Towne.

Bob Irvin stated that he would be looking at other village hall buildings, i.e. Deer Park and Kildeer, to get good design ideas. Member Clark felt there should be a needs analysis done, in addition to storage needs consideration. Member Clark thought that electronic storage of documents would alleviate the need for significant storage space. He also thought that the elimination of the transfer tax stamp would eliminate the need for the Village Clerk to meet real estate transaction personnel at the Village Hall. Member Clark felt that it was an unnecessary tax for generating village income. Bob Irvin stated that the tax brings in \$400K in annual revenue that would be lost if abolished.

J. ANY OTHER ITEMS THAT MAY APPEAR BEFORE THE COMMITTEE FOR DISCUSSION AND POSSIBLE RECOMMENDATION TO THE VILLAGE BOARD

Bob Irvin reported that he talked to a maintenance supervisor at Canadian Northern and in May, they will do restorative work on Old St. Mary's Road. They also indicated that the railroad crossing sign of concern noted last month belonged to the Village of Libertyville.

K. ADJOURNMENT

It was moved by Member Clark to adjourn the meeting at 8:20 pm, seconded by Member Towne. The motion was carried.

Colleen Liberacki, Deputy Village Clerk

This document is subject to correction as noted on next meeting's minutes.