

**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 APRIL 18, 2017 IN THE COTTONWOOD ROOM OF THE HILTON GARDEN 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 Bohm, Brennan, Maier, Pink, Sheldon, Towne and Mayor Urlacher

Absent: None

Mayor Urlacher declared a quorum present.

Also present: Bob Irvin, Village Administrator; Village Clerk, Sandy Gallo; Scott Anderson, Representative of the firm of James Anderson Company; Village Attorneys Greg Smith and Jim Ferolo of Klein Thorpe & Jenkins, Ltd.; Financial Consultant, Dorothy O'Mary; Village Treasurer, Pam Fantus

**C. APPROVAL OF MINUTES:**

**Board Meeting Minutes: March 21, 2017**

The Village Board meeting minutes were reviewed. Trustee Bohm moved and seconded by Trustee Pink that the minutes of the Board Meeting of March 21, 2017 be approved as revised.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne

Nay: None

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

**D. APPROVAL OF BILLS**

**1. Bills Submitted for Payment**

Trustee Maier reported the new total amount for payment is \$122,590.22. Trustee Maier said the invoice for Lucas Landscaping will be held until services are completed.

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

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne

Nay: None

Mayor Urlacher declared the motion carried.

#### **E. TREASURER'S REPORT**

Presentation of the Treasurer's Summary Report for the Month of March 2017.

It was moved by Trustee Brennan seconded by Trustee Maier that the Board acknowledges receipt of the March 2017 Treasurer's Summary Report approved and be placed on file.

Upon a call of the roll, the following voted:

Aye: All

Nay: None

Mayor Urlacher declared the motion carried.

#### **F. PUBLIC HEARING: BUDGET FOR THE VILLAGE OF METTAWA FOR 2017-18**

Mayor Urlacher opened the Public Hearing for the Village of Mettawa to discuss the budget for Fiscal Year 2017-18. Mayor Urlacher asked if there were any comments from the public or Trustees regarding the budget. Mayor Urlacher said the publication of the Village Budget Fiscal Year 2017-18 public hearing was posted in the Daily Herald. The budget has also been posted on the Village website for the last month for residents to review the details.

It was moved by Trustee Brennan and Trustee Pink to close the public hearing.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne

Nay: None

Mayor Urlacher declared the public hearing closed.

#### **G. COMMUNICATIONS AND PETITIONS FROM THE PUBLIC**

Terre Cohen Tripoli (777 N. Bradley Road) said at the last Board meeting an issue was raised stating no inspections were being completed on the soil for the construction of berms. Village Engineer Anderson said they only monitored DECI reports. No soil quality inspection reports were provided through FOIA. Ms. Tripoli said the quality of the soil impacts the residents who consume well water which can be contaminated by this soil over

time. Ms. Cohen Tripoli has requested that the Village Board test ongoing berm soil and maintain the records for the quality checks completed on the soil.

Village Engineer Anderson said the Clean Fill Agreement requires the contractors to certify that the soil is clean and to document the source of where the soil was obtained. The contractors hired for the berms maintain the soil records. Mayor Urlacher said Mr. Koffel's berm is a private berm and owner worked directly with a contractor on his construction.

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

### **1. Finance Committee**

#### a. Recommendation to Approve the Fiscal Year 2017-18 Budget

Trustee Maier said the only matter at hand is the approval for the Fiscal Year 2017-18 Budget which was discussed within the public hearing.

#### b. Other Matters

None

### **2. Public Works Committee**

#### a. Update on the Village Street Lighting

Trustee Towne said a few public streets within the Village have been identified as a necessity for an arm style lighting pole to be placed at the main intersections. A few residential streets have been identified as dark corners which would benefit from installing a more decorative light feature. Trustee Towne said those streets which were identified as public streets requiring a light feature are being addressed with the County and Com Ed to see if they can install the essential lighting at the intersections. The Village street lights will be an ongoing study for residential safety.

#### b. Update on Culvert and Drainage Maintenance

Trustee Towne said a major drainage issue was found south of Riverwoods Boulevard and Bradley Road. It was discovered a 6 foot manhole has been back draining due to it having been plugged. The flooding is also impacting the neighbor locating on Riverwoods Boulevard and Bradley. Trustee Towne said they will continue to researching this area to improve the drainage this year.

Trustee Towne said a study is also being conducted for the drainage issues north of the Oasis Park which is flooding at the access drive. Trustee Towne said another drainage area being monitored is west of Old School Road at the Buell's property. The Buell's currently have a failed culvert underneath the driveway which is in need of repair.

Trustee Towne said the water main extension is being reconsidered near Rockland Road given the high counts of sulfur in their water. Trustee Towne said the extension costs are substantial but different ideas are being explored to handle this project.

Trustee Towne said residents south on St. Marys Road have also expressed interest in revisiting discussion on the water main extension project as well. The cost for this extension is also being reviewed.

c. Other Matters

None

**3. Parks and Recreation Committee**

a. Recommendation to Waive Sealed Bid and Approve Three Proposals from Tallgrass for Oasis Park Drill Seeding, Broadcast Seeding and Second Herbicide Application in the Amount Not to Exceed \$ 41,730.

Trustee Sheldon said the grant work has begun at the Oasis Park. We are waiting for Army Corp of Engineers approval to move the trail. Trees have been identified within the Oasis Park for removal to allow the new placement of the trail. Trustee Sheldon said she would like the Board to waive seal bids to allow Tallgrass to complete the drill seeding, broadcast seeding and the herbicide applications. The following three proposals being considered equal the amount of \$41,730.

b. Update on Obtaining a Hay Proposal for 701 Riverwoods Road

Trustee Sheldon said Trustee Towne spoke with resident Mr. Haraden regarding purchasing hay. Mr. Haraden said he will be able to provide the 2017 hay bundles and honor last year's pricing.

c. Update on Tail Maintenance and Drainage

Trustee Sheldon said signs have been ordered for Route 60 trail and they should be posted weather permitting.

d. Other Matter

None

#### **4. Safety Commission**

##### **a. Status and Activity Update**

Trustee Pink said she contacted Chief Carani to thank him for his presentation at the last Village Board meeting. Trustee Pink has also asked Chief Carani to continue communication regarding the fire station on any updates which may impact Mettawa.

Trustee Pink spoke with Chief Kruger regarding the address numbers being posted next to the resident's mailboxes. Chief Kruger received all the address numbers and anticipated completing this project by May. Trustee Pink said notifications will be sent to residents prior to the event.

#### **5. Zoning, Planning and Appeals Commission Report**

a. Discussion Regarding the Findings of Fact and Recommendations of the Zoning Planning and Appeals Commission for Docket 17-SU-S-2, Regarding the Amendment to the Special Use Permit Application by Corporate Way, LLC for the Property located at 14341 and 14381 Old School Road.

Village Attorney Smith said Corporate Way filed amendments to their SPU 791 and 794 to install a berm and remove a pond. Village Attorney Smith said the ZPA Committee stated within their Findings of Facts and Recommendations this request should be granted under several conditions. Village Attorney Smith said the Village Board will not be taking final actions tonight, but will provide consensus for legal to formulate the final approval documents needed for an ordinance.

The Board has the option to concur with the ZPA conditions, create modified conditions, or disagree with all the listed conditions.

The most recent site plan of March 9<sup>th</sup> has been provided. The recommendation conditions include; the berm was lowered from 12 ½ to about 10 ½ feet, the slope be reduced from 3:1 West face to 4:1 East face, the berm should also have a 2 foot separation from the property line for maintenance activity, the applicant indicated the south end screening for the manure structure is adequate from the prior approval received; no additional screening will be done, a letter of credit for undo damage on the roads will need to be provide, and the berm should be completed within a 6 month period.

Ian Brown from Shapiro Associates spoke on behalf of Corporate Way. On April 4<sup>th</sup>, the ZPA recommended to approve the SUP amendment, subject to conditions listed by Village Attorney Smith. Mr. Brown said revisions of the berm plan were submitted accordingly. Mr. Brown addressed the condition regarding the berm being used as screening around the manure shed as being unfeasible. Mr. Brown added with the reduction of the berm, it will no longer be used to screen manure shed. The landscaping approved last year proves to be adequate screening for the structure. Dan Shapiro discussed this with Mr. Stephenson and they agreed upon adequate screening.

Mayor Urlacher confirmed that resident Mr. Stephenson's issues have been addressed by Corporate Way. The second issue is the water issue. Douglas White from Greengard Inc said all of the drainage from the berm drains to the north. It drains into the pond. Mayor Urlacher asked if any water will flow into Mr. Stephenson's property. Mr. White answered all of the drainage will be caught by a swale draining from the north. The filled pond will have no impact on the surrounding neighbors. Mayor Urlacher asked if the pond could be problematic in the future given it was a retention pond. Mr. White said the pond that is a decorative pond.

Trustee Brennan asked if a study can be completed to ensure the pond is being handled accurately. Trustee Brennan spoke of her property flooding due to a surrounding neighbor filling their pond erroneously. Mr. Shapiro replied the pond is being handled by engineers with proper plans and it will receive the final approval from the Village Engineer.

Trustee Sheldon said with the proper swale, planted vegetation, the drain system, the pond should not experience any water issues. Mr. White also mentioned landscaping will be completed.

Mr. Stephenson (14381 W. Riteway Road) thanked the Board for supporting and addressing his concerns regarding the Corporate Way's planning process.

Mayor Urlacher said the Village Trustees will only be voting on the consensus to provide direction for the Village Attorneys to understand what should be included in the ordinance which will be voted on at the May Village Board Meeting;

1) Accept the Findings and Facts and Recommendations of the ZPA; 2) Reject the Findings and Facts and Recommendations of the ZPA; 3) Accept and modify version of Findings and Facts and Recommendations based on the discussion of this evening; 4) Remand the documentation to the ZPA to request further review

Trustee Pink asked if the revised plans have been submitted. Administrator Irvin said they have been submitted and reviewed and they are in compliance with the ZPA recommendations.

Trustee Brennan asked if the following conditions could include the frequency in which the manure is picked-up and that the manure is not utilized throughout the property. Administrator Irvin said those conditions were included and discussed last year. Administrator Irvin said they will have 2 dumpsters to address the large stable necessities. One dumpster will be used while the other is being picked up and taken out for cleaning.

Trustee Bohm said he would like to consider placing a condition that the Village does not receive rejected soil. Eric Goebeler said they will obtain the soil from Herky's.

Mr. Goebeler said Herky's was hired due to their regulations on handling their soil and following the State Code to provide clean soil. Mayor Urlacher asked Mr. Goebeler to provide an estimate on how many truckloads the berm will require. Mr. Goebeler said the number of truckloads will be less than 1,500 due to the berm having been reduced in size.

Trustee Bohm asked can the Village retain the option to inspect any truckload as they are being delivered. Attorney Village Ferolo said a condition can be added to the ordinance providing the Village quality and inspection rights.

Trustee Maier asked Village Engineer Anderson when the soil is inspected. Trustee Maier said there is a State inspection level that needs to be completed prior to delivery to a site. Village Engineer Anderson said if the soil is coming from a known location the soil is not tested. Trustee Maier said however the soil is tested prior to arrival. Trustee Maier said the soil certification is done by qualified personnel. Trustee Maier said different levels of reassurances are being completed for quality soil required by State law.

Administrator Irvin said the condition of having the trucks travel down Route 176 to Bradley Road may not be enforceable if Green Oaks changes their regulatory ordinance. Administrator Irvin said if Green Oaks changes their ordinance within the six month period of the project period the trucks will need to change their route.

Village Attorney Smith asked if the Village Trustees share a consensus to approve the Ordinance as follows; to include the updated site plans, the berm recommendations, removal of the screening with the berm for the manure shed due to the neighbors being satisfied with the discussed screening and to include the quality of the berm materials and inspection rights.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink and Sheldon

Nay: None

Abstain: Towne

Mayor Urlacher said the consensus was made.

#### b. Report from April 4, 2017 Meeting

Village Attorney Smith said the application for Tim and Amy Farmer on 14157 Riteway Road to construct a large stable was heard on April 4<sup>th</sup>. The ZPA has deliberated and made some recommendations. The applicant is currently working on refining the recommendations and modification to the application. Once the ZPA has completed their approval process the results will be provided to the Village Board for their consensus.

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

**1. Mayor's Report**

- a. Recommendation to Approve an Amendment to the Village Administrator's Agreement

Mayor Urlacher said he would like to recommend a pay increase for the Village Administrator for his support and large savings he has provide the Village. For the last 18 months, Administrator Irvin has provide the Village significant savings as Village Clerk with a savings of \$18,000. Mayor Urlacher is asking the Village Board to approve the pay increase for Village Administrator Irvin.

- b. Building Report

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

- c. Other Matters

Mayor Urlacher said the April Village Newsletter will be sent out shortly.

- d. Village Administrator's Report

Administrator Irvin said he attended the 2017 BMW Championship Operations Committee. The event will occur September 12-17<sup>th</sup>. All parking will be provided on hard surfaces with no grassy areas in Mettawa this year. Mettawa will not be impacted by this event due to the selected surrounding corporate parking lots supporting this event.

**2. UNFINISHED BUSINESS**

None

**3. NEW BUSINESS**

- a. Approval of an Ordinance Adopting Mettawa's Annual Budget for FY 2017-18



It was moved by Trustee Maier and seconded by Trustee Bohm for approval of the ordinance adopting Mettawa's Annual Budget for FY2017-18.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne

Nay: None

Mayor Urlacher declared the motion carried.

b. Approval of a Resolution Authorizing the Village President and Village Clerk to Execute a Fifth Amendment to the Consulting Agreement with Bob Irvin Consulting, LLC

It was moved by Trustee Maier and seconded by Trustee Brennan for approval of the resolution authorizing the Village President and Village Clerk to execute a Fifth Amendment to the consulting agreement with Bob Irvin Consulting, LLC.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne

Nay: None

Mayor Urlacher declared the motion carried.

c. Approval of the Waiving of Sealed Bids and Approval of Three Proposals from Tallgrass for Oasis Park Drill Seeding, Broadcast Seeding and Second Herbicide Application in the Amount Not to Exceed \$41,730

It was moved by Trustee Brennan and seconded by Trustee Bohm approval of waiving the sealed bids for the three proposals from Tallgrass for Oasis Park drill seeding, broadcast seeding and second herbicide application in the amount not to exceed \$41,730.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne

Nay: None

Mayor Urlacher declared the motion carried.

**I. EXECUTIVE SESSION**

At 8:28 p.m., it was moved by Trustee Brennan, seconded by Trustee Sheldon to adjourn the meeting to Executive Session to discuss land acquisition and review of executive session minutes.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne

Nay: None

Absent: None

Mayor Urlacher declared the motion carried.

**J. CALL TO RECONVENE**

At 8:42 p.m., Mayor Urlacher reconvened the public portion of the meeting.

**K. ROLL CALL**

Upon a call of the roll, the following were:

Present: Trustees Bohm, Brennan, Maier, Pink, Sheldon, Towne and Mayor Urlacher

Absent: None

Mayor Urlacher declared a quorum present.

Also present: Village Administrator Bob Irvin, Village Clerk Sandy Gallo and Village Attorneys Jim Ferolo and Greg Smith of Klein Thorpe and Jenkins

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

**M. ITEMS TO BE REFERRED**

**N. FOR INFORMATION ONLY**

**O. ADJOURNMENT**

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

Upon a call of the role, the following voted:

In Favor: All

Opposed: None

Mayor Urlacher declared the motion carried and the meeting adjourned at 8:48 p.m.

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Sandy Gallo, Village Clerk,