

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 JULY 17, 2018 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 and Mayor Urlacher

Absent: Trustee Towne

Mayor Urlacher declared a quorum present.

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

C. APPROVAL OF MINUTES:

Board Meeting Minutes: June 19, 2018

The Village Board meeting minutes were reviewed. Trustee Brennan moved and seconded by Trustee Bohm that the minutes of the Board Meeting of June 19, 2018 be approved and be placed on file.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

D. APPROVAL OF BILLS

Trustee Maier said two new receipts from Costco were received from Trustee Sheldon in the amount of \$172.20. Trustee Sheldon purchased two large garden hoses to water the Whippoorwill Park new plantings.

Trustee Maier reported the new amount for bills to be paid is \$568,592.98.

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

Trustee Maier stated the Peter Baker capital project for \$371,000.00 is currently looking for a 90% payment. Village Engineer Scott Anderson said the actual contract is for \$403,000.00. The project increased by \$150,000.00 due to the 5% sub-base patching repairs anticipated yet it was actually 20% replacement work. The additional amount was approved by Trustee Towne.

Village Attorney Ferolo said a resolution is needed for this contract change order. The resolution will be drafted by the Village Attorney to be presented at the next Board meeting.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

E. TREASURER'S REPORT

Presentation of the Treasurer's Summary Report for the Month of June 2018

It was moved by Trustee Brennan and seconded by Trustee Bohm that the Board acknowledges receipt of the June 2018 Treasurer's Summary Report and it be placed on file.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

F. PUBLIC HEARING

G. COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

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

1. Finance Committee

a. Update on the FY2017-2018 Audit

Trustee Maier said the audit is moving along. Financial Consultant O'Mary has submitted all of the required audit documentation.

b. Update on the 2018 Rebate Program

Trustee Maier said Village Treasurer Fantus has received 15 applications for the tax rebate program to date.

c. Other Matters

2. Public Works Committee

Mayor Urlacher chaired the July Public Works Committee meeting.

a. Update on the Mettawa Lane Culvert Replacement

Mayor Urlacher said Mettawa Lane culvert will be replaced. Village Engineer Scott Anderson added he will provide the bid specification at the next Committee meeting in order to go out to bid for September.

b. Update on the Trail Maintenance

Mayor Urlacher said the Village trails require some clean-up. Village Engineer Scott Anderson said they have started to treat the weeds and repair the trails.

c. Update on a Potential Water Main Extension

Mayor Urlacher said the three different water main extension options have been determined for the residents south of Route 60. The impacted residents will receive a letter regarding details of the three options. Mayor Urlacher said the Village will only participate if enough interest is received from the residents prior to further work being completed. Village Administrator Irvin said the letters to the residents will be sent in August for the September Committee meeting. The meeting is being set for September, to ensure that there will be a large turnout of residents attending the meeting in order to move forward.

d. Other Matters

3. Parks and Recreation Committee

a. Update to Suspend the Route 60 Island Planting

Trustee Sheldon said the Committee decided to redirect the approved \$20,000 for the island planting to be utilized in additional landscaping areas throughout the Village.

b. Discussion of Bradley Road Horse Crossing

Trustee Sheldon said this agenda item will be moved to next month's agenda due to Always Faithfull owner Mr. Casas being unable to attend today's meeting.

c. Recommendation to Approve John Irvin Landscaping Invoice in the Amount of \$2,300 for Whippoorwill Park

Trustee Sheldon said John Irvin Landscaping provided a number of truckloads of wood chips for the recent plantings at Whippoorwill Park. In addition, John Irvin Landscaping recommends two full days of watering are needed for the new plantings. John Irvin can provide an employee at the hourly rate of \$17.00 to ensure the plants are watered.

d. Discussion on Vacating the Equestrian Easement in the Rolling Meadows Subdivision

Trustee Sheldon said the Committee has discussed the Rolling Meadows trail vacation. Trustee Sheldon said she would like this matter to be discussed with the Board noting the concern of this 40-year old equestrian trail being vacated. Mayor Urlacher said feedback has been received from the Village Attorney and Village Engineer, along with all of the 5 property owners have signed the petition to vacate the trail. Mayor Urlacher said the Board needs to come to a consensus on the next steps. Village Attorney Ferolo said this discussion is only for a consensus for the Board.

Trustee Sheldon asked how many other easements are within the Village boundaries that could be vacated at a later time. Village Engineer Scott Anderson said he suspects this is the last one but some along St. Marys Road. Village Engineer Scott Anderson said one additional trail easement could be found on the northside of Route 60 where the new trail was placed on one property.

Village Administrator Irvin said this easement is different from other requests. This subdivision plat does not indicate if the easement owners are solely the Village or the property owners. If the easement is vacated, it will need to be decided jointly between the Village and the five property owners. No records are available for the intention of this trail easement. Currently three lots have buildings on their lots.

Resident, Maria Rojas (14175 W Old School Road) said she would like to understand if there is no purpose to this easement and all of the owners have petitioned to vacate the easement, why it could not be done.

Trustee Bohm said the surrounding trails along this development are on the east side of Bradley Road and another one on the northside of Old School Road.

Trustee Sheldon asked if a new homeowner was to purchase one of these 5 acre lots, how are they supposed to get their horse out onto the trails. Resident, Dr. Fantus (14253 W. Riteway Road) stated this new homeowner could walk their horse on the road as do his current neighbors.

Village Engineer Scott Anderson said the trail connection at this subdivision would create a mid-block horse crossing.

Trustee Brennan asked if a horse crossing has the same right as does a pedestrian crossing. Dr. Fantus said any mid-block road stripping would allow pedestrian and non-pedestrian to utilize this area.

Mayor Urlacher asked for the Board's consensus if they would like to vacate this easement. Village Attorney Ferolo said an agreement would be drafted to have both the Village and five property owners in the subdivision sign the order.

Resident, Dr. Fantus said he is not a property owner within this subdivision. Dr. Fantus added he does not want this easement adjacent to his property. The Village vacated Riverside Preserve subdivision with the request of only one resident. Dr. Fantus stated he would like the same consideration for the easement that Rolling Meadows property owners have requested. The vacation of this trail would avoid any necessary maintenance a future trail would require from the Village.

Trustee Brennan said the easement does not contain a trail. The easement belongs to the Village and the property owners. Riverside Preserve was vacated due to its large size and to have a trail in that community did not make sense.

Mayor Urlacher stated every property owner in that subdivision has signed the petition confirming no interest in having this trail constructed.

Mayor Urlacher said the consensus is 5 Trustees confirmed to vacate the easement.

e. Other Matters

4. Safety Commission

a. Status and Activity Update

Trustee Pink said Howe Security has reported that no traffic issues have been experienced during the bridge construction.

b. Update on the Village Signs and Crossings

Trustee Pink said she along with Village Engineer Jamie Anderson have continued to review the final listing of the Village street signs. Village Engineer Jamie Anderson will have a completed list shortly which will allow us to place the order for the new street signs.

c. Other Matters

Trustee Pink stated Howe Security reported some dumping occurred on Bradley Road about two weeks ago. Howe Security called a Deputy to open the bag and determine if an address could be linked to the waste material. An address was linked to a local home owner. The Deputy asked the contractor working at this home to clean-up the waste material on the road. Village Administrator Irvin stated the address was an unincorporated address not a Mettawa address.

Trustee Pink stated Howe Security places vehicle tags on cars that are illegally parked or are trying to fish on Village property.

5. Zoning, Planning and Appeals Commission Report

a. Discussion of a Moratorium on the Issuance of Citations for the Keeping and Raising of Poultry in a R-1 District and Public Hearing Requirements Before Ordinance Passage

Mayor Urlacher said the ZPA will be discussing the moratorium on the keeping and raising of chickens.

Village Attorney Ferolo said the Board agreed at the last meeting to conduct a study changing the zoning code that prohibits the keeping and raising of livestock and poultry under Section 15.1201. A draft ordinance of the moratorium relative to issuing citations on the prohibition has been provided. A moratorium is viewed as a temporary amendment to the zoning code which requires a public hearing. The next ZPA meeting is August 7th. Trustee Sheldon stated she would like to request the moratorium to be extended to 120 days. Village Attorney Ferolo said the prohibition resides within the zoning code which requires the ZPA to hold a public hearing to discuss this matter.

Resident, Liz Leonard (27500 N. Meadowoods Lane) said she would like to avoid placing a moratorium on livestock. Placing a moratorium on livestock will be challenging to remove.

Village Attorney Ferolo said the moratorium is currently only addressing chickens not livestock. The provision refers to livestock and chickens. The moratorium is enforcing the prohibition against poultry.

Trustee Sheldon said the goal is to avoid citations and provide residents time to remove any animals.

Village Attorney Ferolo said a citation is not the first communication to the resident. A letter of violation is usually sent to the resident to resolve the issue within 30 days.

Resident, Patty Cork (26453 N. Farwell Road) asked if this change would only impact R-1. Mayor Urlacher confirmed only R-1. Mrs. Cork asked Village Attorney Ferolo if he could clarify what he meant by chickens and livestock. Village Attorney Ferolo said within Chapter 15 the prohibition includes livestock and chickens. At the last Board meeting, the residents spoke about their desire to raise poultry. Village Attorney Ferolo said he suggested placing a moratorium to be discussed at the ZPA meeting to decide if they want to amend the code.

Village Attorney Ferolo said the Public Hearing on August 7th is not a meeting about amending the code, but a meeting to determine if the moratorium should be approved. The amendment of the code will follow at a separate meeting.

Village Administrator Irvin said the approval of this issue will not be reviewed by the zoning consultant. This matter is a policy issue to which the Village needs to determine if they will approve this request. Village Administrator Irvin suggested separating the approval of the moratorium and completing further study before approving this request. Lake Bluff took a year before they allowed chickens on a pilot basis.

Village Attorney Ferolo said to Ms. Leonard that a statement can be added to the moratorium that it is not open season to purchase chickens during this period.

Ms. Leonard said the ZPA will have a lot of work to research the matter of having chickens. Should the ordinance be rewritten some factors to consider are property size, permits, permits renewal and how enforcement will be completed.

Resident, Rick Philips (14704 W. Il Route 60) asked independent of the moratorium will there be future discussion of both livestock and chickens. Mayor Urlacher confirmed both will be discussed with a public hearing.

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

1. Mayor's Report

a. Ordinance for Small Wireless Telecommunication Facilities

Village Attorney Ferolo said the ordinance for the Board to adopt is in conjunction with the State passage of the Small Wireless Facility Deployment Act which was approved April 12, 2018. This ordinance is for the location of small wireless facility on municipal poles. This Act will assist with transmittal of data. The Act does require a permit to be requested. The Village has the right to draft design standards. Village Attorney Ferolo said he will forward documentation to the Village Engineer Scott Anderson to work on the design. Village Attorney Ferolo said at the August Board meeting a second ordinance will be presented regarding the design standards.

Trustee Bohm asked how soon can the Village expect to receive these types of requests. Village Attorney Ferolo said requests can be submitted as early as August 1st. The application form is completed; however, the design standard is the only pending item.

b. Update on the Vacation of the Easement in Riverside Preserve

Village Attorney Ferolo said a plat of vacation is being prepared with Village Engineer Scott Anderson.

c. Village Picnic

Mayor Urlacher said the picnic is all in order. The picnic is on Saturday, August 25th from 11:00-2:00 pm. This year a fun person has been hired for the children's entertainment from 12:00-2:00 pm.

d. Building Report

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

e. Other Matters

Mayor Urlacher said he received a call from the Jesse White's office asking if the Village would be interested in having a mobile DMV at the picnic. The Board's consensus was to not have this mobile unit at the picnic.

f. Village Administrator's Report

Village Administrator Irvin asked the Village Attorney Ferolo if the moratorium should include R-2 due to the 15-20 homes within this district. Village Attorney Ferolo said he will include R-2 in the draft ordinance.

Village Administrator Irvin said at the last meeting Tom Heinz inquired if the railroad crossing repair on St. Marys Road was completed. Indeed, it was completed. The second inquiry Tom Heinz had was if the Village had property at the roundabout on Everett Road and Riverwoods Road. The Village does not own any property at the roundabout.

2. UNFINISHED BUSINESS

3. NEW BUSINESS

- a. Approval of John Irvin Landscape Invoice in the Amount of \$2,300 for Whippoorwill Park

It was moved by Trustee Bohm and seconded by Trustee Maier to approve the John Irvin Landscaping invoice in the amount of \$2,300.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

- b. Approval of an Ordinance for Small Wireless Telecommunication Facilities

It was moved by Trustee Maier and seconded by Trustee Brennan to approve an ordinance for small wireless telecommunication facilities.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion was carried.

c. Approval of the Referral of the Consideration of a Moratorium on Poultry Regulations Under the Zoning Code to the Zoning, Planning and Appeals Commission

It was moved by Trustee Maier and seconded by Trustee Brennan to approve the referral of the consideration of a moratorium on poultry regulations under the zoning code to the Zoning, Planning and Appeals Commission.

Upon a call of the roll, the following voted:

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

Nay: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried.

- J. EXECUTIVE SESSION**
- K. CALL TO RECONVENE**
- L. ROLL CALL**
- M. MATTERS REQUIRING ACTION ARISING AS A RESULT OF THE EXECUTIVE SESSION**
- N. ITEMS TO BE REFERRED**
- O. FOR INFORMATION ONLY**
- P. ADJOURNMENT**

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

Upon a call of the roll, the following voted:

In Favor: Trustees Bohm, Brennan, Maier, Pink and Sheldon

Opposed: None

Absent: Trustee Towne

Mayor Urlacher declared the motion carried and the meeting adjourned at 8:35 p.m.

Sandy Gallo,
Village Clerk