

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF METTAWA, ILLINOIS, HELD AT THE HOUR OF 7:00 P.M. ON OCTOBER 20, 2020 BY ZOOM**

**A. CALL TO ORDER**

Mayor Urlacher called the meeting to order at 7:00 p.m.

The meeting of the Mayor and Board of Trustees is being conducted in accordance with the recently amended provisions of the Open Meetings Act and the Governor's Disaster Proclamation reissued September 18, 2020 and the Governor's Executive Order 43 regarding Phase 4 reopening. In recognition of Section 12 of the Disaster Proclamation which provides that meetings attended by more than 50 persons are not feasible and the social distancing requirements, an in-person meeting is not practical nor prudent at this time. Therefore, the meeting is being conducted in a virtual conference format.

**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, on the Call: Village Administrator, Bob Irvin; Village Attorney, Jim Rhodes of Klein Thorpe & Jenkins, Ltd; Village Clerk, Sandy Gallo; Village Treasurer, Carol Armstrong; Representative from James Anderson Company, Scott Anderson; Financial Consultant, Dorothy O'Mary

**C. APPROVAL OF MINUTES**

The Village Board meeting minutes were reviewed. It was moved by Trustee Bohm and seconded by Trustee Brennan that the minutes of the Regular Board Meeting of August 18, 2020 be approved and be placed on file.

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.

The Village Board meeting minutes were reviewed. Trustee Pink submitted a change on page 3. It was moved by Trustee Brennan and seconded by Trustee Bohm that the minutes of the Regular Board Meeting of September 15, 2020 be approved and be placed on file.

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.

**D. APPROVAL OF BILLS**

Trustee Maier reported the Finance Committee reviewed the bills and deemed them to be appropriate. The Committee has approved the billing amount of \$ 102,574.27 to be paid. It was moved by Trustee Maier and seconded by Trustee Brennan 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

Absent: None

Mayor Urlacher declared the motion carried and the bills will be paid.

**E. TREASURER'S REPORT**

Presentation of the Treasurer's Summary Report for the Month of September 2020. It was moved by Trustee Maier and seconded by Trustee Brennan that the Board acknowledges receipt of the September 2020 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, Sheldon and Towne

Nay: None

Absent: None

Mayor Urlacher declared the motion carried.

**F. PUBLIC HEARING**

**G. 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

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

**1. Finance Committee**

- a. Update on the 2020 Tax Rebate Program

Chairman Maier stated 147 tax rebate applications were received, reviewed and have been found to be acceptable. Village Treasurer Armstrong said a few changes are being proposed for next year's program. Within the application Section 2, we are asking the residents to clearly write their email address, which will allow the Village Treasurer to send a confirmation receipt regarding their application. Village Treasurer Armstrong also mentioned the idea of processing the tax rebate applications electronically was discussed

during the Finance meeting. The idea was not approved by the Finance Committee at this time due to concerns of validation.

Chairman Maier said he will follow-up with the Village Attorney and Village Administrator regarding filing the tax rebate electronically while addressing fraud concerns.

b. Update the Howe Security's Rate Increase Request

Chairman Maier said Howe Security has requested a rate increase of 3% to be effective January 1, 2021. The last rate increase was approved in January of 2019. The rate increase includes, \$33.20 for straight time, \$49.80 for overtime and \$66.40 for holiday. The Finance Committee consensus was to approve the request.

c. Update on Sandy Gallo's Conversion into an LLC Contractor for Village Clerk Services

Chairman Maier said the Committee agreed on Sandy Gallo's conversion as long as the process was done properly. The conversion will provide the Village a savings in the long term. Mayor Urlacher said he was content that the Finance Committee approved Sandy's conversion.

d. Other Matters

Chairman Maier stated the Village insurance renewal policy from ICMRT has been received. This year's premium includes a \$520 increase; however, a \$290 credit will be applied due to COVID-19. The new policy premium will be \$12,150 effective December 1, 2020. The Finance Committee discussed different insurance options and it was decided to make no changes to the current policy.

**2. Public Works Committee**

a. Recommendation to Select Hey & Associates, Inc. for the Stormwater Management Study

Trustee Pink said the Public Works Committee would like to recommend Hey & Associates, Inc. for the stormwater study. The final four interviewed engineering firms were great candidates. However, Hey & Associates, Inc. has done extensive work with the Forest Preserve, they are members on the Stormwater Management Board and they have worked on various drainage projects which will bring great experience and savings to the Village. They also have experience in applying for state grant programs. The Committee recommends the Board approve Hey & Associates, Inc. for the study.

Trustee Sheldon commented she has continually asked for a proper cost or financial proposal from the selected engineering firms. Trustee Sheldon said the Board is being

asked to approve with an open checkbook given we have no cost to compare. Trustee Sheldon added we have not followed proper procedures and this study can not be conducted until the spring. We have never approved a large contract without having a bid to compare. Trustee Sheldon advised that we receive quotes from all of the engineering firms. Trustee Pink said Hey & Associates, Inc. will not have an open checkbook on this project. Village Administrator Irvin said the process was discussed and a request for qualifications was decided prior to their submission of a proposal. Once a firm was selected, the drainage areas would be discussed and a proposal would be drawn for the Board to approve. A proposal will hopefully be available for the November Board meeting and if the Board does not approve of it, they can seek a different firm. Trustee Bohm said the proposal will include cost estimates. Trustee Sheldon said Parks and Recreation had Pizzo and ILM to compare these two companies costs for the Oasis project.

Mayor Urlacher added this selection process has been endured for the last three months and the residents have expressed to the Village that they would like a water study to be done. Tonight's approval will only entail approval to receive a proposal from Hey & Associates, Inc. Should the Board not approve of the submitted costs by the firm, the proposal can be denied. Trustee Pink added this study can commence immediately and it does not need to wait until the spring.

Trustee Towne said he also requested for an RFP during this process. Trustee Towne added all of the engineering firms should have been given an opportunity to submit a proposal. Trustee Towne indicated he has a conflict of interest because he has worked with Hey & Associates, Inc. therefore he will recuse himself during the voting process.

b. Update from the Village Engineer on the Maintenance of Ditches and Culverts

Village Engineer Scott Anderson indicated he provided the Committee a listing of ditches/culverts which are in the poor condition. The Village Engineer commented those locations are; the west side of Bradley Road from Forest Haven down the culvert that flows into MacLean Preserve at Oasis Park, the corner of Bradley Road to Old School Road and north side of Old School Road west of St. Mary's Road. The Committee agreed these locations were problematic areas and they should be included in the study.

Trustee Towne said the ditches and culverts should be cleared by the MacLean Preserve at Oasis Park to help the water drainage for the surrounding residents.

c. Update on the Responsibility of Privately Owned Culverts

Trustee Pink said residents are responsible of clearing and replacing their privately owned culverts. Trustee Bohm suggested a cost-sharing program to encourage the residents to maintain their culverts in acceptable condition. After further discussions with the

Committee, it was decided this option is not going to be a practical program. Village Administrator Irvin added agenda items b, c and d should all be placed on hold until the stormwater study has been completed. Another matter at hand was a legal issue regarding how this cost-sharing program would be funded along with prevailing wages.

d. Update on the Replacement of the Culvert on Little St. Mary's Road

Trustee Pink said it has not been determined what size culvert would be needed to address this area. As a result, this location will also be added to the study being completed by the engineering firm. Trustee Brennan said she would like some type of resolution to be done by Little St. Mary's Road to avoid an ice sheet to form by the culvert and create hazardous conditions on the road.

e. Recommendation to Approve the Lowest Bid from Pearson Fence Co., Inc in the Amount of \$915 to Replace the Split Rail Fence on Old School Road at the Railroad Crossing

Trustee Pink said the Committee received two bids for the whole section of the split fence to be replaced. The second bid was received in the amount of \$1,098. Trustee Pink added all of the posts are being replaced which is creating a greater expense.

f. Other Matters

**3. Parks and Recreation Committee**

a. Recommendation to Approve Forest Builders Proposal for the Pollinator Gardens at Whippoorwill Park in the Amount of \$18,000

Trustee Bohm said a proposal has been received to install and maintain the pollinator gardens at Whippoorwill Park along with some additional plants going out to the nature preserve. Trustee Towne said the Forest Builders proposal for the pollinator gardens was well written.

b. Update on the Bench Honoring Barry MacLean

Trustee Bohm said everything has been installed. A dedication will be scheduled at a later time as the weather permits.

c. Update on the Stewardship of the Hamilton Estates Property on Riverwoods Blvd

Trustee Bohm said during the Committee meeting it was discussed to connect with the Hamilton Estates home owners to determine if they would consider transferring the property to the Village to maintain. Village Administrator Irvin said it will need to be determined if the Village would be required to pay for the land, if so, entering into a

conservation for the easement can be considered instead. Village Attorney Rhodes commented he has drafted an amendment for the conservation easement for the Village Administrator to review. Village Attorney Rhodes added the HOA property attorney will also need to be contacted to confirm proper procedures in amending this easement are being followed. Trustee Towne said this land presents a liability issue since the trail is within this land.

- d. Recommendation to Approve and Revise the ILM Agreement to Maintain the Northeast Corner of Bradley Road and Riverwoods Blvd. in the Amount of \$75 Per Visit

Trustee Bohm said the northeast corner by the Enclave Estates native plants requires maintenance and ILM has agreed to maintain it. ILM will update the Village's contract and provide their service at the cost of \$75 per visit.

- e. Update on Building a Berm on the Village Lot Located on Route 60 and St. Mary's Road

Trustee Bohm said a proposal from DiTomasso Excavating, LTD. was received. Trustee Bohm and the Village Engineer Scott Anderson will meet with the contractor to discuss the building of the berm on the lot and discuss no expense will be incurred to the Village. Trustee Towne and Trustee Brennan support the building of this berm.

- f. Update on a MacLean Preserve at Oasis Park Conservation Easement

Trustee Bohm mentioned the Committee's goal is to have this park entered into a conservation easement to prevent future development on this location. Trustee Towne said he is against limiting any future Board by entering the park into a conservation easement. Trustee Pink said the Committee also did discuss allowing the residents to have a final vote on how this land should be handled in the future.

- g. Recommendation to Approve the Dunlap Tree Experts to Remove Dead Oak Trees on the Oak Hill Property in the Amount of \$2,500

Trustee Bohm said Dunlap Tree Experts will be removing three dead oak trees on Oak Hill Lane property.

- h. Other Matters

Trustee Towne said the Tindall trail sign has not been finished but will be installed upon completion.

#### **4. Public Safety**

- a. Status and Activity Report

Trustee Brennan mentioned everything in the Village is running well at this time. Trustee Brennan commented she hopes the Howe Security rate increase is approved at tonight's meeting because the residents have come to really rely on their presence.

Trustee Bohm asked that a communication be sent to the residents about any future travels and to request from Mettawa Patrol to complete house checks. Trustee Brennan asked that the residents call Rick/Antonio and not Howe Security's main office for house checks.

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

Mayor Urlacher said the ZPA held a continuum public hearing on September 1<sup>st</sup> to consider St. Basil's Church zoning application for a text amendment and a special use permit. The public hearing will be continued to Tuesday, November 10<sup>th</sup> at 7:00 pm through Zoom. The meeting Zoom details will be provided to the residents through email and the agenda will be posted on the Village website. The November public hearing will also be hearing the zoning variations request from the applicant at 14175 W Old School Road.

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

### **1. Mayor's Report**

#### **a. Ordinance for Creating a Comprehensive Schedule of Taxes, Fees, Fines and Penalties**

Mayor Urlacher said Village Administrator mentioned the following ordinance schedule consolidation at the prior month. Village Attorney Rhodes also provided a memo with further details of the comprehensive schedule. Trustee Towne asked if the fees will continue to be cited in their section. Village Administrator Irvin said the fee will indicate in accordance to the comprehensive schedule of taxes, fees, fines and penalties. Village Attorney confirmed the article mentioned in his memo is the comprehensive schedule.

#### **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**

#### **d. Village Administrator's Report**

Village Administrator said the quarterly Newsletter is currently in the works and it will be sent out at the end of the month. A phone notification was received from Lake County regarding AbbVie's conditional use permit request for a helipad located on Atkinson Road.

A public hearing will be held on November 10<sup>th</sup> at 1:00 pm. Village Administrator Irvin will provide the Zoom details for this meeting upon receipt.

**2. UNFINISHED BUSINESS**

**3. NEW BUSINESS**

a. Approval of Hey & Associates, Inc. for the Stormwater Management Study

It was moved by Trustee Maier and seconded by Trustee Brennan to approve Hey & Associates, Inc. for the stormwater management study.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier and Pink

Nay: None

Recused: Trustee Towne

Abstain: Trustee Sheldon

Mayor Urlacher declared the motion carried.

Trustee Pink asked if the residents could be notified that an engineering firm has been selected for the stormwater study. Mayor Urlacher confirmed.

b. Approval of the Lowest Bid from Pearson Fence Co., Inc. in the Amount of \$915 to Replace the Split Rail Fence on Old School Road at the Railroad Crossing

It was moved by Trustee Bohm and seconded by Trustee Brennan to approve the lowest bid from Pearson Fence Co., Inc. in the amount of \$915 to replace the split rail fence on Old School Road at the railroad crossing.

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 Forest Builders Proposal for the Pollinator Gardens at Whippoorwill Park in the Amount of \$18,000

It was moved by Trustee Towne and seconded by Trustee Brennan to approve Forest Builders proposal for the pollinator gardens at Whippoorwill Park in the amount of \$18,000.

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.

- d. Approval of the Revision to the ILM Agreement to Maintain the Northeast Corner of Bradley Road and Riverwoods Blvd. in the Amount of \$75 per visit.

It was moved by Trustee Brennan and seconded by Trustee Maier to approve the revision to the ILM agreement to maintain the northeast corner of Bradley Road and Riverwoods Blvd. in the amount of \$75 per visit.

Trustee Bohm added this will occur in the 2020-2021 agreement.

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. Approval for Dunlap Tree Experts to Remove Dead Oak Trees on the Oak Hill Property in the Amount of \$2,500

It was moved by Trustee Brennan and seconded by Trustee Sheldon to approve Dunlap Tree Experts to remove dead oak trees on the Oak Hill property in the amount of \$2,500.

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.

- f. Approval of the Cable Television Franchise Renewal with Comcast

It was moved by Trustee Bohm and seconded by Trustee Maier to approve the cable television franchise renewal with Comcast.

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.

- g. Approval of the Intergovernmental Agreement for the Railroad Quiet Zones Recertification

It was moved by Trustee Maier and seconded by Trustee Brennan to approve the intergovernmental agreement for the railroad quiet zones recertification.

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.

- h. Approval of the Ordinance with Respect to Taxes, Fees, Fines and Penalties

It was moved by Trustee Brennan and seconded by Trustee Maier to approve the ordinance with respect to taxes, fees, fines and penalties.

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.

**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 Towne that the meeting be adjourned.

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 meeting adjourned at 8:07 p.m.

Sandy Gallo, Village Clerk