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 Brennan, Maier, Pink, Sheldon, 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 Company; Village Attorneys Greg Smith and Jim Ferolo of Klein Thorpe & Jenkins, Ltd.; Financial Consultant Dorothy O’Mary and Village Treasurer Pam Fantus

C. APPROVAL OF MINUTES:

Board Meeting Minutes: November 15, 2016
The Village Board meeting minutes were reviewed. Trustee Pink requested a correction to be made on page 3, the word rear was changed to arrear. Trustee Brennan requested a correction to be made on page 8, Section 3.e. Brennan was misspelled. Trustee Brennan moved and seconded by Trustee Sheldon that the minutes of the Board Meeting of November 15, 2016 be approved as revised.

Upon a call of the roll, the following voted:
Aye: Trustees 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 total new amount for payment is $166,159.09. Three additional invoices were added and the ComEd amount was changed to the November Treasurer’s
Summary Report. SSG in the amount of $160.00, Forest Builder for plowing and salting in the amount of $5,805.00 and the Lake County Sheriff for $6,205.50. The ComEd amount should be $185.55 not $361.21 as reflected.

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 Brennan, Maier, Pink, Sheldon and Towne
Nay: None

Mayor Urlacher declared the motion carried.

E. TREASURER’S REPORT

Presentation of the Treasurers Summary Report for the Month of November, 2016.

It was moved by Trustee Maier and seconded by Trustee Brennan that the Board acknowledges receipt of the November’s 2016 Treasurers Summary Report approval and place it in the 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

Resident, Richard Fantus (14253 W. Riteway Road) asked if something can be done on the corner of Bradley and Old School Road, the snow drift was causing driving hazards. Mr. Fantus added on January 1, 2016 on his way to the work, this corners drift and snow levels were so high he experienced an issue which resulted in needing to be towed-out. Village Engineer Scott Anderson said he can build a snow fence to reduce the drifts onto the road. Mayor Urlacher asked Village Engineer Anderson to place something on the corner of Bradley and Old School to address this issue quickly.

Resident, Terre Cohen Tripoli (26209 N. St. Marys Road) asked if snowmobiling was allowed in the Village. Ms. Tripoli was questioning snowmobiling at the Always Faithful stables arena. Mayor Urlacher said residents are allowed to ride and engage in motor vehicles within their private property. Mayor Urlacher requested Village Attorney Ferolo to confirm if the Village Code listed a restriction on property owners being able to ride snowmobiles on their own property.
G. COMMISSION AND COMMITTEE REPORTS FOR DISCUSSION, CONSIDERATION AND, IF SO DETERMINED, ACTION UPON

1. Finance Committee

   a. Recommendation for Approval of an Ordinance Amending the Village of Mettawa’s Annual Budget for Fiscal Year 2016-2017

   Trustee Maier said this Ordinance is recommended to address 3 separate SSA’s tax levies. SSA #3 is being increased by $1,900, SSA#9 is being increased by $1,500 and SSA#11 $2,135 to address their current deficient balances or future maintenance expenses.

   b. Recommendation for Approval of an Ordinance Authorizing the Levy and Collection of Taxes for the Corporate and Municipal Purposes of the Village of Mettawa for the Year 2016

   Trustee Maier said the levy has been set at the amount of $135,000 for the last 19 years.

   c. Recommendation for Approval of an Ordinance Providing for the Levy of a Direct Annual Tax for Tax Years 2016-2035 for Mettawa Special Service Area Number 15

   Trustee Maier said this levy is being recommended to support the water main extension project. Each property in SSA#15 has been assigned the amount of $3,104.94 each year for the next 20 years.

   d. Recommendation for Approval of an Ordinance Abating Certain Additional Taxes Levied by the Village of Mettawa Pursuant to Ordinance No. 692 for the Year 2016

   Trustee Maier said this Ordinance is to abate the tax levy and utilize General Fund revenues for reduction of the debt service for the purchase of a portion of the Oasis Park.

   e. Recommendation for Approval of the Engineering and Building Permit Service Agreement with Anderson Engineering

   Trustee Towne said the new agreement was drawn-up in effort to maintain cost. The Anderson Engineering agreement has been set at a monthly amount of $22,500. Trustee Towne said this new agreement can create a savings up to $80,000 per year for the Village. The Anderson Engineering agreement has no direct impact on the B&F contract.
Resident, Richard Fantus (14253 W. Riteway Road) asked does the new contract include parameters on turnaround time to residents permit requests. Trustee Towne said he can address this concern with Anderson Engineering at the next Around the Town meeting.

f. Recommendation for Approval of an Amendment to the Security Services Agreement between Howe Security and the Village of Mettawa for 2017

Trustee Pink said the Howe Security Service Agreement amendment was discussed in the November Board meeting. Howe has requested an increase for the upcoming 2017 year. Trustee Pink said the rate increase is acceptable given their current vehicle is new and no high cost repairs are anticipated. Trustee Pink also added the gas cost is split which will also create another savings for the Village. Trustee Pink recommends we approve the Howe Security 2017 contract agreement amendment.

2. Public Works Committee

   a. Recommendation to Approve the Lowest Bid Responsible from Lucas Landscaping and Design for the 2017 Mettawa Tree Removal Program and to Authorize the Mayor and the Village Clerk to Execute an Agreement with Lucas Landscaping and Design

   Trustee Towne said the Village received 9 bids for the Village Tree Removal Program. Lucas Landscaping and Design was the lowest bidder for the project. The tree removal project will include removing all the trees Anderson Engineering has tagged as dead or dangerous trees on public roads.

   Resident, Elizabeth Leonard (27500 N. Meadowoods Lane) asked will they also be removing the dead ash trees on the owner’s properties. Trustee Towne said no the Village is only removing dead trees which have been located on the right-a-ways.

   b. Recommendation to Approve a Resolution for Construction on State Highways

   Trustee Towne said the Resolution for Construction on State Highways is part of the housekeeping process for the state of Illinois. This resolution is required to consummate the Village complying with the state requirements of when hiring a private or contractor to work on the state highway, they are insured.
c. Other Matters

Resident, Richard Fantus (14253 W. Riteway Road) addressed he would like something placed on the corner of Bradley and Old School Road to address the safety of the residents.

Resident, Elizabeth Leonard (27500 N. Meadowoods Lane) said she would like her west-side driveway tree to be added to the Village Tree Removal Project as a 12 inch or larger tree to be removed.

3. Parks and Recreation Committee

a. Other Matters

Trustee Sheldon said the trail extension on Route 60 is experiencing some drainage issues. The trail is still under construction. Trustee Sheldon would like the residents to know she is aware of the issue; however, it cannot be addressed until the spring time due to the ground being frozen. She said new limestone will be laid in the troubled area to address proper drainage in the spring.

Resident, Cathy Nelson (26209 N St. Marys Road) asked what is the Village doing to keep the horses safe with the existing trails. Village Engineer Anderson said they are following state requirements by placing signs at the end of every state trail for safety of the horses.

4. Safety Commission

a. Status and Activity Update

Trustee Pink said there have been 38 No Solicitation signs distributed as of today. Any resident interested in receiving a No Solicitation sign will need to email the Village Clerk. A reminder of these available signs will be posted in the January Newsletter.

Administrator Irvin is currently working with IDOT regarding the timing of the street light on Route 60 leading into Deerpath Farm.

Administrator Irvin and Trustee Pink meet with Sofia Scalzitti from the St. Basil Orthodox Church on Bradley Road regarding traffic at the church during the Serbian Fest. Sofia is very willing to explore different options to address the congestion that occurs during their events.
b. Sheriff Annual Report Presentation by Sergeant Sara Balmes

Sergeant Sara Balmes of the Lake County Sheriff’s Department said she could say with confidence Mettawa is a safe town to live in. The Sheriff role is to review Mettawa ongoing incidents report and discuss areas of concern. The Sheriff reported Mettawa Village activity consists of incidents, resident requests, property damage and traffic stops. The highest activity is traffic violations.

Trustee Maier said in the past Howe Security had access to the communication channel from Lake County Police Department. The access to this channel allowed Howe Security to receive communication of activities occurring within Mettawa. Trustee Maier asked if Howe Security could regain this communication channel. Sergeant Sara Balmes said she would follow-up with Lake County Police Department on Mettawa’s request for Howe Security.

5. Zoning, Planning and Appeals Commission Report
   a. Update on Zoning Workshop on December 6th

Village Attorney Smith said the ZPA held their meeting on December 6th. Various residents expressed their interest in receiving a copy of the ZPA potential text amendments to the Mettawa Zoning Ordinance. Village Attorney Smith added given the complexity at hand, ongoing meetings will be needed to further discuss the language modification within the report.

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

1. Mayor’s Report
   a. Appointment of a Village Trustee

Mayor Urlacher recommended the appointment of Denis Bohm as the new Trustee to fill Bill Armstrong’s seat. Denis Bohm is a retired as Vice President and Chief Information Officer for Newark Electronics, a Chicago based company. He has been active in Mettawa Village affairs serving on the Safety and Security Commission and the Zoning, Planning and Appeals Commission. He chaired the Mettawa Open Lands Planning Ad Hoc Panel. He is also on the board of the Mettawa Open Lands Association.

It was moved by Trustee Maier and seconded by Trustee Brennan to approve the appointment of Denis Bohm as Village Trustee.

Upon a call of the roll, the following voted:
b. Appointment of a ZPA member

Mayor Urlacher recommended the appointment of Wendie Clark as the new member of the Zoning, Planning and Appeals Commission to replace Denis Bohm. Ms. Clark is a Founding Director and President of the Lake Bluff Chamber of Commerce Member and Dog Evaluator for Therapy Dog International. Ms. Clark volunteers with her two dogs Briggs and Major at the local nursing home facilities. Ms. Clark is also a member and rider with the Illinois Dressage and Combined Training Association.

It was moved by Trustee Maier and seconded by Trustee Brennan to approve the appointment of Wendie Clark to the Zoning, Planning and Appeals Commission.

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. Village Board Meeting Order of Business Changes

Mayor Urlacher said the Order of Business Changes is being modified in effort to revise current practices related to the Order of Business. One change to be seen is the Board agendas items will list Citizens Concern and Comments to encourage resident participation. He said more review is needed by the Village Board and he suggested that it be tabled to a future meeting.

d. 2016 Second Review of the Executive Session Minutes

Mayor Urlacher said the Village Board is required to review the release of executive session minutes twice each year and this is the second review for 2016. It is recommended that no executive session minutes be released at this time.
e. Building Report

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

f. Other Matters

Mayor Urlacher said certain members of the public have accused me of having a conflict of interest relative to the Always Faithful Stables matter because Ed Casas contribution to my State Senate Campaign. Ed Casas did contribute $10,000 to my senate campaign. In fact, many of the people in this room contributed to my campaign as other residents in the Village did as well. I did seek legal advice if I face any type of conflict of interest in being a potential voter on the Always Faithful special use application. Attorney Ferolo had advised me that there is no conflict of interest, under the law, because the outcome of the vote does not provide me any type of personal advantage or disadvantage. Furthermore, the Illinois Gift Ban Act, which outlaws gifts to elected officials from certain sources in order to avoid conflicts situations, specifically exempts political contributions as a prohibited gift. Mr. Casas’ contribution to my senate race came with no strings attached. In our form of government, the Village President can only vote if there is a tie; if 3 Trustees have voted on a matter and 4 votes are needed; or in a super majority requirement. I did not vote in September on the Always Faithful matter as it passed with 4 votes from the Trustees. Furthermore, if I were called upon to vote under one of these circumstances, I can assure you my vote would be based on my review of all of the facts and completely unrelated to Mr. Casas contribution to my campaign.

g. Village Administrator’s Report

Administrator Irvin spoke with IDOT regarding the light on Route 60, at the entrance of Deerpath Farm. IDOT is reviewing traffic patterns and the timing of the light to determine if repairs are made at this light.

2. UNFINISHED BUSINESS
3. **NEW BUSINESS**

   a. Approval of an Ordinance Amending the Village of Mettawa’s Annual Budget for Fiscal Year 2016-2017

   It was moved by Trustee Maier and seconded by Trustee Brennan approval of the Ordinance Amending the Village of Mettawa’s Annual Budget for Fiscal Year 2016-2017.

   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 an Ordinance Authorizing the Levy and Collection of Taxes for the Corporate and Municipal Purposes for the Village of Mettawa for the Year 2016

   It was moved by Trustee Maier and seconded by Trustee Brennan approval of an Ordinance Authorizing the Levy and Collection of Taxes for the Corporate and Municipal Purposes for the Village of Mettawa for the Year 2016.

   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 an Ordinance Providing for the Levy of a Direct Annual Tax for Tax Years 2016-2035 for Mettawa Special Service Area Number 15

   It was moved by Trustee Maier and seconded by Trustee Brennan approval of an Ordinance Providing for the Levy of a Direct Annual Tax for Tax Years 2016-2035 for Mettawa Special Service Area Number 15.

   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 an Ordinance Abating Certain Additional Taxes Levied by the Village of Mettawa Pursuant to Ordinance No. 692 for the Year 2016

It was moved by Trustee Maier and seconded by Trustee Brennan approval of an Ordinance Abating Certain Additional Taxes Levied by the Village of Mettawa Pursuant to Ordinance No. 692 for the Year 2016.

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 the Engineering and Building Permit Service Agreement with James A. Anderson Engineering

It was moved by Trustee Maier and seconded by Trustee Brennan approval of the Engineering and Building Permit Service Agreement with James A. Anderson Engineering.

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 an Amendment to Security Services Agreement Between Howe Security and the Village of Mettawa for 2017

It was moved by Trustee Sheldon and seconded by Trustee Maier approval of an Amendment to Security Services Agreement Between Howe Security and the Village of Mettawa for 2017.

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 Lowest Bid Responsible from Lucas Landscaping and Design for the 2017 Mettawa Tree Removal Program and to Authorize the Mayor and the Village Clerk to Execute an Agreement with Lucas Landscaping and Design

It was moved by Trustee Brennan and seconded by Trustee Maier approval of the Lowest Bid Responsible from Lucas Landscaping and Design for the 2017 Mettawa Tree Removal Program and to Authorize the Mayor and the Village Clerk to Execute an Agreement with Lucas Landscaping and Design.

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 Resolution for Construction on State Highways

It was moved by Trustee Brennan and seconded by Trustee Maier Approval of the Resolution for Construction on State Highways.

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. Approval of the Resolution Approving the Release of Certain Executive Session Minutes of the President and Board of Trustees of the Village of Mettawa

It was moved by Trustee Towne and seconded by Trustee Sheldon Approval of the Resolution Approving the Release of Certain Executive Session Minutes of the President and Board of Trustees of the Village of Mettawa

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Maier, Pink, Sheldon and Towne
Nay: None
j. Approval of the Ordinance Amending Chapter 2 of the Mettawa Code of Ordinances Regarding Order of Business; Addressing Meetings; and Standing Committees of the Board of Trustees

Mayor Urlacher recommended that this matter be deferred for discussion at the January Village Board meeting.

k. Approval of an Ordinance Amending and Restating Ordinance 800 Regarding A Special Use Permit for a Large Stable and Granting a Variation for Property Commonly Known as 855 Bradley Road, Mettawa

Village Attorney Smith discussed the Restated and Amended Special Use Permit and Variation Ordinance Memo and the redline Ordinance 800 provided to the Board members. Village Attorney Smith said two Village Trustees asked that Always Faithful Stables remove the reference to uses from their “Proposed Site Plan.” Village Attorney Smith said the request was made to Always Faithful Stables and they agreed to remove the language on that exhibit. Other changes that were also redlined on the Ordinance 800 were approved by the Board members at the September 20th meeting. The uses for this property were removed to clarify the language of the exhibit. Resident Terre Tripoli (777 Bradley Road) asked what language was removed from the Ordinance. Village Attorney Smith stated the condition of the approval the Proposed Site Plan did not grant any specify use of the property for weddings and/or banquets. The reference of the clubhouse being able to be used for weddings or banquets has been excluded from this Ordinance. Mayor Urlacher said the language clarification request was made by Trustee Towne and Trustee Brennan as well as the ZPA Committee.

Resident Cathy Nelson (26209 N St. Marys Road) asked why doesn’t the SUP for Always Faithful Stable address the use of clinics or workshop are prohibited. She added other SUP ordinances for large barns do not allow clinics on the premises. She would like to know why the Village consents to clinics at Always Faithful and not at other large barns. Village Attorney Smith said he does not believe this issue was expressed in the SUP. He advised that he is aware of the complaint and it is currently being researched.

Resident Liz Leonard (27500 N Meadowoods Lane) stated on a SUP ordinance if something is not specifically allowed and listed it is not allowed. She added if the
SUP does not include a stable can hold clinics under their SUP then the owner is prohibited from this action. Village Attorney Smith said there is a portion of the Zoning Ordinance that provides support to the SUPs language.

Resident Tom Lys (25300 N Nektosha Way) asked if Always Faithful Stables can run clinics at their location. Village Attorney Smith replied a stable may conduct a specific usage of their property under the “Grandfather Clause,” a historic use of the property. Changes to a Grandfather ordinance require a factual analysis; no factual analyses have been completed.

Resident Terre Tripoli (777 Bradley Road) asked how a SUP can be approved if the information is incomplete. Village Attorney Smith said the question is a policy question not a zoning question.

Resident Richard Fantus (14253 W Riteway Road) inquired what type of activity is allowed at Always Faithful Stables given 65 events have already transpired over a period of when the amendment request was completed. Village Attorney Smith said the zoning ordinance allows for home occupation uses and certain types of non-residential usage under the permits of the special use category. Village Attorney added whether-or-not special events are allowed depends on the interpretation of the zoning ordinance and what types of events were purposed. A more recent SUP example is 14341 Riteway Road, Corporate Way Stables of a special use. This stable was allowed to conduct special events limitation under their SUP. Village Attorney Smith said the testimony received by the Village of the 65 events held at Always Faithful Stables are being reviewed to determine if these events were held in compliance with the zoning ordinance and what actions will be taking as a follow-up.

Attorney Mark Burkland, representing Ed Casas of Always Faithful Stable said the current SUP is only addressing the developmental of the stables function not the uses.

Village Attorney Ferolo said Always Faithful Stable have been operating under an ordinance which was approved back in 2000. He added Always Faithful Stable has been conducting special uses in accordance to the Grandfather ordinance which was granted to them in 2000. Village Attorney Ferolo said the current ordinance being discussed at this meeting is only addressing the variation to the expansion of the arena not the special uses that occur at the stable.

Resident Tom Lys (25300 N Nektosha Way) asked why are we approving this SUP if we just discussed removal from the architectural drawings the uses of wedding and bar-mitzvah from this location. Village Attorney Ferolo said this ordinance was submitted as a dual application. The application request was made for the equestrian
club which addressed uses and construction. Mr. Casas withdrew the application portion that included the equestrian club which related to the usage component. However, in September, the construction based and special use of the application was presented to the Village Board. In September, a condition was added, “any uses referenced in the Site Plan do not amend what the zoning code allows at this site.” Village Attorney Ferolo said to determine what special uses are allowed at Always Faithful Stable can be determined by reviewing the approved 2000 SUP Ordinance.

Attorney Mark Burkland said the change to this ordinance is to create contract neutrality. The Village received the protection that Mr. Casas would maintain the 15 acres of land as open space. Always Faithful Stable can use this property in a very restrictive way; however, and they cannot build on designated property. Mr. Burkland added the restriction placed on the 15 acres confines Mr. Casas of being unable to request usage of that land at a later time.

Roberta Bohm (600 Riverwoods Road) said Mr. Casas’ has ensured the Village he cannot build on the portion of the property designated to open land because it is now protected by this ordinance. She added by saying Mr. Casas is not requesting to build on the property at this time with this ordinance.

Resident Liz Leonard (27500 N Meadowoods Lane) said the zoning ordinance says Mr. Casas has reached the maximum percent of ability to build-out on his property. Village Attorney Smith stated Mr. Casas has 16.05% lot coverage on his property which is higher than the 15% consideration because he received approval for the variation.

Trustee Brennan said this ordinance is about the language clean-up for the construction at Always Faithful Stable, not uses. Mr. Casas is currently operating under the SUP ordinance that was issued in 2000. This SUP is allowing Mr. Casas to use 16.05% of his land and providing 15 acres to the Village.

Resident Tom Lys (25300 N Nektosha Way) said we need to better understand the ordinance that was passed in 2000 to distinguish which event(s) can be held at Always Faithful Stable.

Trustee Towne said he understands the ordinance is separating the use from the construction. However, Mr. Casas is already in violation of the ordinance with his current signage.

It was moved by Trustee Brennan and seconded by Trustee Sheldon approval of an Ordinance Amending and Restating Ordinance 800 Regarding a Special Use Permit.
for a Large Stable and Granting a Variation for Property Commonly Known as 855 Bradley Road, Mettawa.

Upon a call of the roll, the following voted:

Aye: Trustees Bohm, Brennan, Pink and Sheldon

Nay: Towne

Abstain: Maier

Mayor Urlacher declared the motion carried

I. EXECUTIVE SESSION
J. CALL TO RECONVENE
K. ROLL CALL
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 8:45 p.m.

Sandy Gallo, Village Clerk