

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 MARCH 20, 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, Towne and Mayor Urlacher

Absent: None

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 Attorneys, Jim Ferolo and Greg Smith of Klein Thorpe & Jenkins, Ltd; Financial Consultant, Dorothy O'Mary

C. APPROVAL OF MINUTES:

Committee of the Whole Meeting: February 7, 2018

The Committee of the Whole meeting minutes were reviewed. Trustee Brennan moved and seconded by Trustee Bohm that the minutes of the Committee of the Whole of February 7, 2018 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

Absent: None

Mayor Urlacher declared the motion carried.

Board Meeting Minutes: February 20, 2018

The Village Board meeting minutes were reviewed. Trustee Bohm moved and seconded by Trustee Pink that the minutes of the Board Meeting of February 20, 2018 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

Absent: None

Mayor Urlacher declared the motion carried.

D. APPROVAL OF BILLS

1. Bills Submitted for Payment

Trustee Maier reported the total amount for payment is \$184,307.60. Trustee Maier stated two invoices were added, SSA#9 in the amount of \$ 6,500 and Stephan Simonian for legal services in the amount of \$400.

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.

E. TREASURER'S REPORT

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

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

Upon a call of the roll, the following voted:

Aye: Trustee 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

Resident, Larry Falbe (13948 W. Trail Drive) said on Sunday, April 8th MOLA will be holding their first meeting. Lydia Scott will be the guest speaker. Please see the MOLA flyer for location and time. This year MOLA will be focusing on preservation of oak trees.

Resident, Tom Heinz (27157 N. St. Marys Road) said he sent an email to some of the Trustees regarding an article from Lake Forest Newspaper on the effects of buckthorn. Mr. Heinz said he was suggesting to the Board to remove the buckthorn from the Village's easements. Trustee Sheldon said the Committee has been aiming to clear areas of buckthorn throughout the Village each year.

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

1. Finance Committee

a. Update on Village Audit for FY 2017-2018

Chairman Maier said the Committee has a scheduled pre-audit meeting on April 3rd with Sikich. As a reminder, April 30th is the end of the Village's fiscal year.

b. Recommendation to Approve the Village Budget for FY2018-2019

Chairman Maier said Village Administrator Irvin submitted the Village Budget for FY2018-2019 to all of the Trustees. Village Administrator Irvin stated the Village is in great financial shape, revenue continues to exceed expenses by a substantial amount. The most significant increase in revenue for the current year is the 9% growth in sales taxes. Our telecommunication taxes have also increased by 40% this year, mainly to do with Woodland Falls building being fully occupied. Fine revenue line item will experience a decrease in revenue with the special details associated to the law enforcement contract and prosecution services no longer needed. Capital projects include the relocation of the Bradley Road trail, a large culvert replacement on Mettawa Lane, tree enhancements in Whippoorwill Park and plantings on Route 60 median adjacent to Whippoorwill Park. The recommendation for the residents' rebate from the surplus real estate fund in the amount of \$500,000 has been included. The remaining operation expenses are aligned to the current year projections. Village Administrator Irvin said the proposed budget will be posted after tonight's meeting on the Village website for residents to view. A Public Hearing will be held at the April 17th Village Board meeting with the recommendation to approve this proposed Budget for FY2018-2019.

Chairman Maier said the Village will have a surplus of \$792,000 in revenues. The Village is in a good position.

Mayor Urlacher said the Committee has done a great job in placing the Village in a great position.

b. Other Matters

2. Public Works Committee

a. Recommendation to Approve the Proposal for the Oasis Pak Drainage from Forest Builders

Trustee Towne said the Committee has made a recommendation to approve the Forest Builders proposal for the Oasis Park drainage repair in the amount of \$2,400.

b. Update on Signage for Trails and Horse Crossings

Trustee Towne said this agenda item will be discussed under Trustee Pink's Committee report.

c. Update on Potential Water Main Extension

Trustee Towne said the Committee will be ready to meet with the residents after the engineer has received all of the requirements that the county desires.

d. Recommendation to Approve the Lowest Responsible Bid from Milieu Landscaping for the Right-of-Way Maintenance Program for 2018

Trustee Towne stated Milieu Landscaping was the lowest bidder in the amount of \$24,000. The next bidder was in the amount of \$31,000. Trustee Towne said the Committee is making a recommendation to approve Milieu Landscaping for the right-of-way maintenance program. Trustee Sheldon added the combination of last year's two landscapers servicing the Village, has been combined into the Milieu program still results in cost savings.

e. Update on the Riverwoods Boulevard Repaving Bidding Process

Trustee Towne said the State submitted some specifications for the electronic looping for the traffic lights. Village Engineer Scott Anderson will be adding those specification to the bid listing. Trustee Towne said additional bidder information will be provided at the April Board meeting.

f. Other Matters

3. Parks and Recreation Committee

- a. Recommendation to Pursue the Route 60 Island Planting Project for Estimated Amount of \$20,000

Trustee Sheldon said this project was discussed several years ago. The Committee has revisited this project and would like to beautify the median on Route 60. A recommendation is being made for \$20,000 for this project.

- b. Recommendation to Approve the Proposal from TruGreen for the Whippoorwill Park Maintenance

Trustee Sheldon said for the last few years buckthorn and debris have been removed at Whippoorwill Park in efforts to clean it up. This year TruGreen is needed to control the weeds within the cleaned area. A recommendation is being made for the weed control program at Whippoorwill Park.

- c. Recommendation to Approve the Whippoorwill Park Tree and Plant 2nd Phase Enhancement Proposal from John Irvin Landscaping

Trustee Sheldon said last year 33 trees were planted at Whippoorwill Park. This year, the 2nd phase of enhancement would include native trees and bushes to be planted. A recommendation is being made to approve the 2nd phase of plantings.

- d. Recommendation to Remove the Driveway Approach in Whippoorwill Park for the Estimated Amount of \$10,000

Trustee Sheldon said Whippoorwill Park currently has two driveways for entry. The park does not require two entries. A recommendation is to remove the blacktop driveway with the old fence and grade the area with grass in the amount of \$10,000.

- e. Other Matters

Trustee Sheldon said MOLA will also be donating plugs and plantings to be added around the Whippoorwill Park patio area.

4. Safety Commission

- a. Status and Activity Update

Trustee Pink said Village Engineer Scott Anderson received a listing of street signs that needed to be adjusted. Village Engineer Scott Anderson said he will complete a survey on all of the road signs. Trustee Pink said she would like all of the signs to be completely repaired prior to the bridge construction commencement. Trustee Pink

asked Village Engineer Scott Anderson if he found the Neighborhood Watch signs. Village Engineer Anderson said he will follow-up to determine if they still have the signs at the office.

Trustee Pink said she will be meeting with Village Attorney Ferolo to discuss any legal ramifications regarding the placement of horse crossing signs.

Trustee Pink said Mr. Heinz mentioned a pole located at the corner of Little St. Marys and St. Marys Road has been hit several times. Trustee Brennan validated this pole has been hit various times. Trustee Pink said she will drive over to this location to determine what type of reflectors can be placed on the pole to avoid further accidents.

5. Zoning, Planning and Appeals Commission Report

a. Other Matters

Mayor Urlacher stated Sapphire Stables was not able to attend tonight's meeting which is why this matter was not listed on the agenda. This agenda item will be placed back on the following month.

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

1. Mayor's Report

a. Lake Forest Beach Parking Permits

Mayor Urlacher said the Lake Forest Beach permits go on sale April 2nd. The Village has been allotted 50 passes, last year 34 were sold. The permit application has been posted onto the Village website.

b. Review of Consultants for Zoning Ordinance Assistance

Mayor Urlacher said the Trustees received four RFQs from the interested zoning consultants. The Board has a few options for tonight's meeting. The first option is to select a firm tonight based on the statement of qualifications and negotiate an agreement for their services and approve the selected firm at the April's meeting. The second option is for the Village to select the firms to be interviewed at an open meeting with residents. Another option for consideration is having two Trustees, the Village Administrator and the Village Attorney interview the consultants and make a recommendation for the April Board meeting. The small group would then bring the negotiated agreement to the May meeting.

Trustee Towne asked how many consultants received the following request. Village Administrator Irvin said he sent the request for qualifications to nine Chicagoland companies. Village Administrator Irvin said the request of qualifications was sent and only four replied to our Village deadline.

Trustee Towne said he understood at the last Board meeting the Trustees were going to receive a list of consultants. Trustee Bohm and Pink said that was not what was decided for this meeting.

Mayor Urlacher asked the Trustees if they would like to select a consultant or consider the interview process. Trustee Sheldon said she would like to discuss the consultant's qualifications with other Trustees. The consensus was to interview the consultants at an open meeting.

Resident, Liz Leonard (27500 N. Meadowoods Lane) said she would like to recommend that the ZPA Chairman, Joe Krusinski be part of the Committee interviewing process. Mayor Urlacher said he saw no problem with this request.

Mayor Urlacher said the consensus from the Board was to have a Special Board Meeting to interview the four zoning consultants, with 30-minute interview sessions. Village Clerk Gallo will follow-up with the final date and time of this Special Board Meeting.

c. Building Report

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

d. Other Matters

e. Village Administrator's Report

Village Administrator Irvin said the Tollway has received the bids for the bridge replacement on Bradley Road. The Tollway will be making their recommendation at their next board meeting. The Tollway is still on target to start after Memorial Day and reopen the bridge early October, weather permitting. The Tollway has agreed to resurface the Oasis access service road on the west and east side of Boulton Boulevard. The west side is important due to its impact to the residents. While the east side road repair will alleviate some expenditure for Green Oaks and Mettawa who maintain this road.

Village Administrator Irvin said the Tollway has also inquired if the Village would like to place the Village name and logo on the new bridge. The Tollway will have the cost ready for the next Public Works Committee meeting.

2. UNFINISHED BUSINESS

a. Approval of Ordinance Amending Chapter of the Mettawa Code of Ordinances Rearranging Sections 15.105 and 15.106, Time Limit for Appeal from Zoning Administrator's Decisions and the Height of Structures in the R-1 and R-2 Zoning Districts

Mayor Urlacher said he would like the following item to be resolved after a consensus was made at the Committee of the Whole. The Board has the opportunity to table or remove the following items. Mayor Urlacher said he did not want to send the following amendment to be reviewed by the zoning consultants when the ZPA and the Board had voted and came to a consensus.

Mayor Urlacher asked for a motion to remove from table for approval of ordinance amending Chapter 15 of the Mettawa Code of ordinances rearranging sections 15.105 and 15.106, time limit for appeal from Zoning Administrator's decision and the height structures in the R-1 and R-2 zoning districts to be removed from the table.

Village Attorney Ferolo said the motion to remove this item from the table is not debatable, motion has been voted on.

The motion was moved by Trustee Maier and seconded by Trustee Brennan.

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.

Trustee Sheldon said when these items were discussed at the Committee of the Whole, they were tabled to allow the Village time to hire a zoning consultant to advise the Committee.

Trustee Towne stated he sees no urgency in approving these amendments quickly.

Mayor Urlacher stated some of these amendments are policy changes. The zoning consultant would only be making a suggestion to the Board regarding their comfortable level with this policy change.

Trustee Towne said two years ago the Village eliminated this limitation of a dwelling and now we are looking to reinstate this requirement. Trustee Towne said the limitation of 400 square feet for a garage is not a good idea. Trustee Towne said he suggests the zoning consultant profile the Village before any changes are implemented.

Trustee Sheldon said she does not see the need to approve this ordinance now and possibly require a second change directed from the zoning consultant.

Mayor Urlacher said he needs the Board to make a consensus to table each or remove them.

Village Administrator Irvin said this text amendment has three parts, a section being moved for continuity, time limits which match the state statues and the height of structures.

Trustee Towne said in the first section the language includes no walkway from a residential area to a commercial area.

Village Attorney Smith said the section relating to a time limitation for appealing the Zoning Administrator decision is a state law with a limit of 45 days. This state law is currently not include within our code. New language would be added to require the Village Clerk to post zoning applications on the Village website and email this information to recipients.

Trustee Maier moved and seconded by Trustee Towne to table this matter.

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.

b. Approval of an Ordinance Amending Chapter 15 of the Mettawa Code of Ordinances Regarding Short Term Rentals

No action taken.

c. Approval of an Ordinance Amending Chapter 15 of the Mettawa Code of Ordinances Regarding Special Use Permits

No action taken.

d. Approval of an Ordinance Amending Chapter 15 of the Mettawa Code of Ordinances Regarding Minimum Dwelling Sizes

No action taken.

3. NEW BUSINESS

a. Approval of the Proposal for the Oasis Park Drainage from Forest Builders

It was moved by Trustee Maier and seconded by Trustee Towne approval of the proposal for the Oasis Park drainage from Forest Builders.

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.

b. Approval of the Lowest Responsible Bid from Milieu Landscaping for the Right-of-Way Maintenance Program for 2018 and Authorize the Village President and Village Clerk to Execute the Agreement for Service

It was moved by Trustee Towne and seconded by Trustee Sheldon to approve the lowest responsible bid from Milieu Landscaping for the right-of-way maintenance program for 2018 and authorize the Village President and Village Clerk to execute the agreement for service.

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.

c. Approval to Pursue Route 60 Island Planting Project for the Estimated Amount of \$20,000

It was moved by Trustee Maier and seconded by Trustee Brennan to approve the Route 60 island planting project for the estimated amount of \$20,000.

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.

d. Approval of the Proposal from TruGreen for Whippoorwill Park Maintenance

It was moved by Trustee Maier and seconded by Trustee Sheldon to approve the proposal from TruGreen for Whippoorwill Park maintenance.

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.

e. Approval of the Proposal from John Irvin for Whippoorwill Park Tree and Plant 2nd Phase Enhancement

It was moved by Trustee Towne and seconded by Trustee Bohm to approve the proposal from John Irvin for Whippoorwill Park tree and plant 2nd phase enhancement.

Trustee Maier asked if John Irvin required a deposit for this work. Trustee Sheldon said John Irvin will require 50% of payment prior to installing the trees before the spring rains. Village Attorney Ferolo said the Villages is not in any violation to make a 50% payment.

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. Approval to Remove the Driveway Approach in Whippoorwill Park for the Estimated Amount of \$10,000

It was moved by Trustee Bohm and seconded by Trustee Pink to approve the removal of the driveway approach in Whippoorwill Park for the estimated amount of \$10,000.

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.

g. Approval of an Ordinance Denying an Application for a Variation for Property Commonly Known as 14805 W. Old School Road, Mettawa

Mayor Urlacher said he spoke with a few Trustees regarding this resident's application. The Board has the option to remove this item from the agenda and then add this item to the April agenda to be voted upon.

Resident, Amy Weiland (14805 W. Old School Road) said she bought her house in July 2013. She received her permit to build her home April 2014. Ms. Weiland provided a timeline to the Trustees of the various emails she sent aiming to resolve her violation. Ms. Weiland stated that the shed was moved closer to the street and she was not aware of it until after it was completed. Ms. Weiland said she addressed the violation upon receiving notification. Ms. Weiland said she attended Around the Town meetings and met with Trustee Towne on how to address the violation. Ms. Weiland said this issue has been dragged on for two years and she would like to reach some resolution.

Trustee Brennan asked Ms. Weiland why she did not attend the Village Board meetings to get some direction. Ms. Weiland stated she attended numerous Village Board meetings and she was told to seek a variation.

Trustee Towne stated his proposed solution was indicated in the code language that a 75-foot setback on Old School Road could not contain any structures. Trustee Towne advised to avoid a variance, Ms. Weiland should plant trees, pay a fine and donate a few trees to Parks and Recreation for Oasis Park and avoid a public hearing process. The code indicated the Village Board could waive the scenic easement limitation to allow a small shed. However, should the current property owner sell the lot, Ms. Weiland would need to remove the shed.

Trustee Sheldon asked Ms. Weiland if she realized the shed was misplaced why didn't she move the shed. Ms. Weiland said when she attended the Village Board meeting, she was directed to seek a variation.

Village Attorney Ferolo said a Comprehensive plan is not a zoning code it's a goal of what ultimately the Village wants to become. Trustee Towne said its part of the Village code land setback language.

Trustee Bohm said thank you to Ms. Weiland for serving on the Open Space Committee. Trustee Bohm said the placement of the shed was moved in error.

It was moved by Trustee Bohm and seconded by Trustee Maier to remove the denial of the application for the variation commonly known as 14805 W. Old School Road.

Ms. Leonard said when this application came before the ZPA, it was decided that the Village Board should have acted upon having the shed moved when they were made aware of the violation. This would have avoided the two years it took Ms. Weiland to get resolution.

Mayor Urlacher said the motion is to remove the ordinance from the agenda and to direct the Village Attorney to draft a new variance to be approved at the April meeting.

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.

h. Approval of the Resolution Authorizing the Village President and Village Clerk to Execute a Seven-Year Extension Agreement with Lakes Disposal Service for Residential Refuse Disposal Service

It was moved by Trustee Brennan and seconded by Trustee Bohm the approval of the resolution authorizing the Village President and Village Clerk to execute a seven-year extension agreement with Lakes Disposal service for residential refuse disposal service.

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.

i. Approval of the Draft Budget for FY 2018-2019

It was moved by Trustee Brennan and seconded by Trustee Bohm the approval of the draft Budget for FY 2018-2019.

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. EXECUTIVE SESSION

At 8:45 p.m., it was moved by Trustee Brennan, seconded by Trustee Bohm to adjourn the meeting to the Executive Session to discuss land acquisition, potential litigation 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

Mayor Urlacher declared the motion carried.

K. CALL TO RECONVENE

At 9:20 p.m., Mayor Urlacher reconvened the public portion of the meeting.

L. ROLL CALL

Upon a call of the roll, the following were:

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

- 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: Trustee Bohm, Brennan, Maier, Pink, Sheldon and Towne

Opposed: None

Absent: None

Mayor Urlacher declared the motion carried and the meeting adjourned at 9:21 p.m.

Sandy Gallo, Village Clerk