

President Brolley called the meeting to order at 7:01 p.m. followed by the Pledge of Allegiance.

Roll Call

Trustee Sperling	Yea	Trustee Jungermann	Yea
Trustee Lee	Yea	Trustee Marecek	Yea
Trustee Heinz	Absent	Trustee Bond	Yea

Also present: Administrator Jeff Zoepfel, Attorney Laura Julien, Chief of Police Daniel Meyers, Director of Public Works Todd Hoppenstedt, Director of Finance Justin VanVooren, Director of Community Development Rich Young, Engineer Peter Wallers, Human Resources Manager Meghan Ostreko, Village Clerk Penny FitzPatrick, Members of the Press and others.

Public Participation

A. Public Comments.

No public comments were shared.

B. Paula Christensen of Bryn Mawr Drive Regarding a Noise Complaint.

Administrator Zoepfel shared that staff investigated a noise complaint by Paula Christensen of Bryn Mawr Drive. Staff found the noise in question was coming from VVF Illinois Services LLC and instructed her to contact the county regarding the issue. She was not present at the board meeting.

C. Jim McKenzie, 1357 Oak Ridge Lane, Regarding Parking over the Sidewalk.

Jim McKenzie of the Arbor Ridge subdivision voiced his concerns regarding cars parked on driveways over sidewalks and requested board assistance. Discussion was had on how to better inform residents about the parking ordinance, what the protocol was for Code Enforcement and the Police Department to respond to these complaints and if the \$25 parking fee for noncompliance should be increased for repeat offenders. President Brolley asked staff to look into this issue further for discussion at a future meeting.

D. John McVickers of McVickers Development, Regarding Retail Development.

John McVickers of McVickers Development requested the board reconsider their decision regarding the PUD amendment and special use for the proposed Christian Brothers Automotive development in the Orchard Crossing Shopping Center. He stressed this second automotive use would cause no diminution of value or detrimental impact to the land, would generate new jobs and revenue for the village and was a time sensitive opportunity for consideration.

Board discussion was had on whether to reconsider the previous special use policy decision regarding this item. Attorney Julien outlined the process necessary to bring a motion back before the board for another public hearing and vote. Trustee Jungermann and Trustee Bond, who voted against the proposal previously, expressed a willingness to allow another discussion regarding this special use request.

President Brolley summarized that Christian Brothers would be an appropriate use in the shopping center between the Merlin Automotive and Murphy Gas Station locations and reiterated that zoning cannot be

decided based on competition. He requested this item be added to a future meeting for discussion and possible action.

E. Public Hearing on the Budget.

President Brolley opened the Public Hearing on the Budget for the fiscal year beginning on May 1, 2018 at 7:55 p.m. Director VanVooren noted the board would be discussing the Water and Water Improvement Fund later in the meeting. Hearing no public comments, President Brolley closed the Public Hearing at 7:56 p.m.

Consent Agenda

A. Minutes of the Village Board Meeting of February 26, 2018.

B. Building Report for February 2018.

C. Accounts Receivable Report for February 2018.

D. Accounts Payable through March 8, 2018 in the Amount of \$504,190.68.

E. Cancellation of the March 20, 2018 Committee of the Whole Meeting.

F. Resolution 2018-006 Adopting a Purchasing Policy.

G. Resolution 2018-007 Adopting a Purchasing Card Policy.

Trustee Sperling moved to approve Items A-G on the Consent Agenda. Trustee Marecek seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Sperling, Trustee Lee, Trustee Jungermann, Trustee Marecek and Trustee Bond voting yea.

Items for Separate Action

A. Recommendation of the Plan Commission on PC 2018-001 Z 2018 Zoning Map Update.

Director Young requested approval of the Plan Commission's recommendation to approve the new zoning map. He listed the items that had changed on the zoning map as a special use for AMTI on Lake Street, annexed property at Jericho Park for the Fox Valley Park District, a new drive thru and facility for Earthmover's Credit Union on Baseline Road and a special use for The Archery Place, LLC.

Trustee Marecek moved to approve the Recommendation of the Plan Commission on PC 2018-001 Z 2018 Zoning Map Update. Trustee Jungermann seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Bond, Trustee Sperling, Trustee Lee and Trustee Jungermann voting yea.

B. Ordinance 1805 Approving the 2018 Official Zoning Map (Waiver of First and Passage on Second Reading).

President Brolley noted Ordinance 1805 would approve the 2018 Official Zoning Map. There was no additional board discussion on this item.

Trustee Marecek moved to approve Ordinance 1805 Approving the 2018 Official Zoning Map (Waiver of First and Passage on Second Reading). Trustee Jungermann seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Bond, Trustee Sperling, Trustee Lee and Trustee Jungermann voting yea.

C. Recommendation of the Plan Commission on PC 2018-003 Special Use Request for Motor Vehicle Service Uses Located at 1460 and 1470-1480 Douglas Road – *Velasquez Mufflers and Brakes – Supreme Motors Inc.*

Director Young shared the recommendation of the Plan Commission for a Special Use Request for Motor Service Uses Located at 1460, 1470 and 1480 Douglas Road for Velasquez Mufflers and Brakes – Supreme Motors Inc. These two new uses would fill three of the four available units in this building and the building owner is in favor of this request.

Trustee Marecek moved to approve the Recommendation of the Plan Commission on PC 2018-003 Special Use Request for Motor Vehicle Service Uses Located at 1460 and 1470-1480 Douglas Road – *Velasquez Mufflers and Brakes – Supreme Motors Inc.* Trustee Sperling seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Bond, Trustee Sperling, Trustee Lee and Trustee Jungermann voting yea.

D. Ordinance 1804 Granting a Special Use for Motor Vehicle Services at 1460 Douglas Road (Velasquez Mufflers and Brakes-Supreme Motors Used Car Sales) (First Reading).

President Brolley noted this was the first reading for Ordinance 1804 Granting a Special Use at 1460 Douglas Road. He suggested this item be added to the Consent Agenda at a future meeting.

E. Ordinance 1803 Granting a Special Use for Motor Vehicle Services at 1470-1480 Douglas Road (Velasquez Mufflers and Brakes-Supreme Motors Used Car Sales) (First Reading).

President Brolley noted this was the first reading for Ordinance 1803 Granting a Special Use at 1470-1480 Douglas Road. He suggested this item be added to the Consent Agenda at a future meeting.

F. Recommendation of the Plan Commission on PC 2018-002 Special Use Request for a Motor Vehicle Service Use and a Drive Through Located at the Southeast Corner of US Route 30 and Gordon Road – *Gas N Wash GLR Ventures.*

Director Young discussed the Plan Commission recommendation for a Special Use for Gas N Wash GLR Ventures which would include a gas and diesel station, car wash and 24-hour convenience store with a drive through for Dunkin' Donuts at the southeast corner of US Route 30 and Gordon Road. The Plan Commission's motion for this item failed to pass due to concerns regarding accidents and traffic at this intersection and a revised site plan was provided by the applicant for additional discussion.

Representatives for Gas N Wash, Lyman Tieman - Attorney, Scott Pritchett – Architect, Brian Hertz - Civil Engineer, Len McEnery – owner and Gary Datro - property owner, addressed the board regarding their proposal. They acknowledged resident and Plan Commission concerns regarding noise, lighting and traffic issues and stressed they had met all the criteria necessary for the special use with their revised site plan. The amended plan includes an updated traffic flow pattern for diesel trucks and a landscaping plan with berms and eight-foot-tall fencing for the perimeter. The owner reiterated this automotive use would generate \$400,000 in revenue for the village, provide sixty local jobs and help to develop this long vacant property.

Residents Victoria Laxton of Foxmoor, Todd Dlugosz of Chad Court, Valerie Grondin of Montgomery Crossing West, Tom Betsinger of Buchanan Lane, Nick Plathos of Blackberry Crossing West, Amy and Gary Redo of Adam Lane and Lance Thompson shared considerable concerns and objections to the revised proposal. They

presented issues including potential property devaluation, a high impact on the neighboring community's quality of life, increased traffic and accidents at the intersection and potential health safety concerns from gas fumes, noise and groundwater contamination.

Board discussion was had that echoed the resident concerns. They questioned if a sound wall was planned by IDOT along Route 30, what the distance was from the proposed property to the existing residential homes, if a twelve-foot wall could be used instead of an eight-foot wall and if the location would serve semi-trucks or smaller commercial diesel trucks. President Brolley noted his concern with the impact of the proposed use and asked if the applicant was willing to compromise and limit any proposed uses. He asked for an indication from the board and noted there was not support to approve the current special use plan as presented which concurred with the Plan Commission's decision and denial of a special use request.

Trustee Marecek **moved to approve the Recommendation of the Plan Commission on PC 2018-002 Special Use Request for a Motor Vehicle Service Use and a Drive Through Located at the Southeast Corner of US Route 30 and Gordon Road – Gas N Wash GLR Ventures.** Trustee Lee seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Bond, Trustee Sperling, Trustee Lee and Trustee Jungermann voting yea.

President Brolley called for a brief recess at 9:21 p.m. and called the meeting back to order at 9:40 p.m.

G. Marquis Pointe Unit 1 Letter of Credit Reduction.

Director Young presented the Letter of Credit Reduction for Marquis Pointe Unit 1 and recommended a \$39,391 reduction to the letter of credit for a revised amount of \$173,393. He noted staff recommended approval of this item after EEI reviewed the improvements to date and the cost to complete the remaining improvements.

Trustee Jungermann **moved to approve the Marquis Pointe Unit 1 Letter of Credit Reduction.** Trustee Marecek seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Bond, Trustee Sperling and Trustee Lee voting yea.

H. Ordinance 1806 Adopting the Operating and Capital Improvement Budgets for Fiscal Year 2019 (First Reading).

Director VanVooren noted this was the first reading of Ordinance 1806 and this item would be discussed with the Water Fund Budget later in the meeting.

I. Spring Parkway Tree Purchase and Planting.

Director Hoppenstedt discussed the spring parkway tree purchase and planting plan, noting that funds for the project would come from the remaining and upcoming fiscal year. 225 trees are scheduled to be planted this spring at a cost of \$27,402 out of Fiscal Year 2018 and \$30,896 out of Fiscal Year 2019. Planting costs would come out of Fiscal Year 2019 and 75 more trees would be planted in the fall. He requested approval of this item.

Trustee Jungermann **moved to approve the Spring Parkway Tree Purchase and Planting.** Trustee Marecek seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Bond, Trustee Sperling and Trustee Lee voting yea.

J. 2018 Landscape Maintenance Contract Extension.

Director Hoppenstedt discussed a 2018 Landscape Maintenance Contract Extension for landscape maintenance throughout the village with Cornerstone Partners Horticultural Services Company. Based on their favorable performance, timely communication and lack of residential complaints, he recommended extending their contract at a reduced contract cost from last year of \$176,190.

Trustee Jungermann **moved to approve the 2018 Landscape Maintenance Contract Extension.** Trustee Bond seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Bond, Trustee Sperling and Trustee Lee voting yea.

K. Sidewalk & Bike Path Gap Installation Plan.

Engineer Wallers summarized the Sidewalk and Bike Path Gap Installation Plan and noted revisions had been made based on feedback from the January 2018 Open House and resident comments. He outlined the five-year plan with an approximate cost of \$200,000 per year with additional paths for future consideration. He requested approval of the overall five-year plan with Phase 1 construction beginning this year and annual review of progress, updates and potential resequencing of future improvements going forward.

Trustee Sperling requested the timing for the Montgomery Road sidewalk improvements be reconsidered and possibly moved up for action sooner than 2021. Engineer Wallers shared that the Montgomery Road improvements need to be coordinated with the county and noted this item would come back for discussion at a future meeting.

Trustee Bond **moved to approve the Sidewalk & Bike Path Gap Installation Plan.** Trustee Marecek seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Bond, Trustee Sperling, Trustee Lee, Trustee Jungermann and Trustee Marecek voting yea.

Items for Discussion

A. Fiscal Year 2019 Water and Water Improvement Funds Budget.

Director VanVooren summarized the Fiscal Year 2019 Water and Water Improvement Funds Budget, noting the second reading and budget approval request are scheduled for the March 26, 2018 board meeting. He noted the projected timelines and budgets for the lead service line replacement engineering and construction, lime polyphosphate chemicals, water main improvement in the Riverside subdivision and lift station improvements for Jefferson Street and IL Route 25.

Trustee Marecek inquired if the chemical budget needed to be amended pending the IEPA chlorine percentage increase requirement. Engineer Wallers noted the increase requirement had not yet been approved and was still under review and pending by the Illinois Pollution Control Board. He advised that staff would report back on any updates at a future meeting.

B. Kendall Area Transit (KAT) Service Agreement Discussion.

Director VanVooren explained the Kendall Area Transit (KAT) Service is a public transportation program for Kendall County serving the mobility needs of the public who are unable to operate private automobiles. The proposed service agreement would provide door to door bus and taxi service to senior or disabled residents in Kendall County for work, medical and voting transportation needs, if accepted.

Mike Newinkerchen, KAT Program Director, addressed the board and summarized the KAT program, noting it is a dial-a-ride program. He outlined the local match to join the KAT system would be \$16,000 for the village annually. A typical fare would be \$3 each way to and from a local medical appointment. 18 vehicles are in the fleet currently and quarterly progress reports on the program's success and ridership would be shared with staff. Mr. Newinkerchen also advised the program would be promoted using press releases and by community outreach to senior and disabled communities and agencies in Kendall County.

President Brolley thanked the KAT Agency for their service to disabled and senior communities. He asked and Director VanVooren explained that the KAT Service Agreement was addressed in the FY2019 Budget and would be considered for discussion and possible approval by consent at the March 26, 2018 board meeting.

C. Alcoholic Beverage Sales and Closing Hours.

President Brolley noted this discussion was tabled for a future meeting.

D. Storm Sewer Improvements for Lakewood Creek West.

Engineer Wallers discussed plans and specs for storm sewer improvements for the Lakewood Creek West Commonwealth Edison easement. He noted the two potential phases awaiting permit approval by Com Ed were Option A with an estimated project cost of \$150,000 and Option B with an estimated cost of \$171,000.

Board discussion was held on whether ComEd was expected to be agreeable to this permit request, if construction delays would be experienced pending ComEd approval and if the work would be done in phases or all at the same time. President Brolley stated he would reach out to Ron Banner, the new External Affairs Manager at ComEd, to expedite the permit approval process and noted this item issue would be addressed again at a future meeting.

E. Mailbox Policy.

Trustee Bond requested clarification of the mailbox policy as 150 mailboxes were damaged after heavy snowfall and plowing this winter, mostly in the Foxmoor and Fairfield neighborhoods where the posts were deteriorated. The current mailbox policy, similar to neighboring communities, provides up to a \$50 reimbursement toward materials when a mailbox is physically hit by a snowplow and a reimbursement request is submitted with a receipt by April 1st.

Board discussion was had regarding whether mailboxes should be reimbursed for replacement when a mailbox is knocked down by the force of snow hitting it instead of by impact with a snowplow. It was agreed that a village wide mailbox policy needed to be clarified and communicated to residents outlining a \$50-\$75 reimbursement program, what materials and color specifications were appropriate to meet annexation agreements, what the US Postal Service installation requirements were and under what circumstances the village would provide reimbursement for damage. President Brolley summarized this item would be discussed at a future meeting for potential revision of the Mailbox Policy Ordinance.

F. Microgrid Energy.

Director Young stated the applicant, Microgrid Energy, was requesting approval to install a solar field at the corner of Albright and Aucutt Roads on a 10-acre floodplain site that does not have many other allowable uses. He shared, on their behalf, that the project ties in with the state's program for alternative energy, is being tried in other states and communities and could potentially provide savings for residents on their utility bills. The applicant, not in attendance, requested \$58,000 in TIF #2 funds to help subsidize the project development and asked for an indication of whether the board would support their project proposal.

Board discussion and concerns were shared with how much taxable revenue this use would generate for the TIF district, how it would affect the EAV for the property and if this proposal was the best use for this undeveloped land. Also discussed was whether this use was a responsible use of TIF funds and if waiving the necessary additional building permit, legal, engineering and site preparation fees was appropriate. President Brolley asked if state funds were available for this project, noted the board was in support of solar power initiatives and stated further discussion on this item would be necessary at a future meeting.

New or Unfinished Business

There was no New or Unfinished Business.

Future Meetings

- A. Beautification Committee Meeting—Wednesday, March 14, 2018 at 6:00 p.m. (Canceled)
- B. Historic Preservation Commission—Monday, March 19, 2018 at 6:30 p.m.
- C. Committee of the Whole Meeting--Tuesday, March 20, 2018 at 7:00 p.m. (Canceled).
- D. Village Board Meeting—Monday, March 26, 2018 at 7:00 p.m.

Executive Session: 11:27 to 11:57 p.m.

- A. To Discuss the Minutes of Meetings for the Purposes of Approval by the Body of the Minutes as Mandated by Section 2.06 Pursuant to 5 ILCS 120/2(c)(21).
- B. To Discuss the Employment of an Employee Pursuant to 5 ILCS 120/2 (c)(1).
- C. To Discuss Litigation Which is Filed and Pending, Pursuant to 5 ILCS 120/2(c)(11).

Trustee Jungermann **moved to go into Executive Session To Discuss the Minutes of Meetings for the Purposes of Approval by the Body of the Minutes as Mandated by Section 2.06 Pursuant to 5 ILCS 120/2(c)(21), To Discuss the Employment of an Employee Pursuant to 5 ILCS 120/2 (c)(1) and To Discuss Litigation Which is Filed and Pending, Pursuant to 5 ILCS 120/2(c)(11).** Trustee Marecek seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Bond, Trustee Sperling and Trustee Lee voting yea.

Items for Separate Action

A. Report on Closed Session Minutes.

President Brolley called the meeting back to order at 11:58 p.m. Attorney Julien recommended the release of Closed Session Minutes from the September 11, 2017 Executive Session meeting.

Trustee Sperling **moved to approve the Report on Closed Session Minutes.** Trustee Jungermann seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Sperling, Trustee Lee, Trustee Jungermann, Trustee Marecek and Trustee Bond voting yea.

Adjournment: 11:59 p.m.

Seeking no further business to come before the Board, it was moved by Trustee Jungermann and seconded by Trustee Sperling to **adjourn the meeting.**

5 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Bond, Trustee Sperling and Trustee Lee voting yea.

Respectfully submitted,

Penny FitzPatrick
Village Clerk