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**AGENDA
VILLAGE BOARD MEETING,
COMMITTEE OF THE WHOLE MEETING
THURSDAY, JANUARY 15, 2009 - 7:00 P.M.**

REGULAR MEETING

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

>> all present

IV. Consent Agenda

A. Payment of Bills

1. List of Bills

2. Payment Request #4 – Cooley Avenue

B. Ordinance approving disposal of surplus equipment – seized vehicle (1st reading)

C. Approval of Minutes - None

>> all ayes

V. Open Forum

A. Public Comments

>> none

VI. New Business

VII. Reports of General Business

A. Plan Commission

1. Amendments to Ordinances No. 2006-3-6: Rezoning Territory within the Village and Approving Special Use for Residential Development and Preliminary Plan for Lee Station III and No. 2006-8-34: Approving Final Plan and Final Plat of Subdivision for Lee Station III

>> Mortenson moved, Birutis seconded. All ayes

2. Resolution approving bill of sale, accepting public improvements –Town Center, Phase I, and releasing letter of credit

>> Mortenson moved, Birtuis seconded. Peter agreed to hold the letter until the checks are in his hand, scheduled for 1/16/09

3. Ordinance for the Second Amendment to the Annexation Agreement and Planned Development between Kimball Hill Homes of Illinois, LLC, M/I Homes of Chicago, LLC and the Village of Winfield (Shelburne Farms project)

>> Mortenson moved to move the issue to COW tonight, so more questions can be answered. Ron Martin of M and I Homes said they are out of time, please reconsider. He said if it doesn't pass tonight, M and I Homes will not be back. Mortenson said it wouldn't be due diligence if the board didn't consider the unanswered questions. Said if it were called to a vote now, the answer would be no, but believes it will pass if questions can be addressed. Agreed to leave the issue open and discuss it during COW. Bajor recused himself from discussion and voting, as his employer does business with M and I Homes.

B. Other

1. Ordinance placing the Winfield Public Library Referendum on the April 7, 2009 Ballot

>> Vade Bon Coeur moved, Kunesh seconded. All ayes

VIII. Reports of Temporary Committees

A. *Safe Routes to School* – **Trustee Birutis**

>> Birutis reported over 200 applications have been turned with over \$28,000,000 requested from a pool of \$8M. The next step from us is a survey by village staff.

IX. Future Business

A. Active

1. Discussion on the possible nuisance problems at 0S257 Summit Drive

B. Forthcoming

1. Implementation of a cadet program for Village departments – Trustee Oakley is working on a proposal
2. Anti-monotony ordinance for new housing projects – Matter has been referred to Plan Commission
3. Policy on maintenance of stormwater facilities – Work has begun on the inventory; policy will be deliberated by Public Works Committee first
4. Policy on distribution of impact fees – Matter has been referred to the Administration and Finance Committee
5. Sign Ordinance – Referred to staff
6. Creation of a Bicycle System Committee – Scheduled for January 15, 2009 meeting

X. Village Board Comments

>> no finance meeting this week, rescheduled to Jan 31.

Bajor offered thanks to Public Works for handling snow.

XI. Other Village Official's Reports and Comments

A. Village President

1. Appointments to Community Development Commission
 - a) Jay Olson-Planning Commission
 - b) Gregory Nawrocki-Prior Marketing Committee
 - c) Scott Young- Communication committee
 - d) Patricia Shupp- Chamber of Commerce representative
 - e) James Spear- CDH representative
 - f) Anita Elbe - prior Marketing committee and Plan Commission

>> all ayes. First meeting scheduled for Feb. 2

B. Village Attorney

C. Village Treasurer

1. December 2008 Report

D. Village Manager

E. Village Clerk

- XII. Other Business
- XIII. Adjournment
- >> 7:27 PM

COMMITTEE OF THE WHOLE

I. Old Business

A. Plan Commission

1. Final Plans and Plat for a Planned Unit Development for the Demolition of an Existing Building and Construction of Additional Parking Spaces at 27W365 Jewell Road

>> Mortenson asked it be moved forward as it received a favorable report from Plan Commission

2. Final Plans for a Planned Unit Development for the Demolition of an Existing Building and Construction of Additional Parking Spaces at 0S033 Church Street

>> Moved forward as it received a 4-1 vote in favor from Plan Commission. Will be combined with Right of 1st refusal on 0S033 Church Street

II. New Business

A. Other

1. Bike System

>> A presentation was given by Laura Coleman, Malcolm Boyd and Eric Spandy. It is a plan to use existing roadways to provide safe biking routes. Receiving support from Riverwalk Commission, DuPage County Trails coordinator, other communities, Illinois League of Bikers, etc. They are currently working with METRA on their program. METRA will put brochures in the train station showing safest routes for bikers to station. Cost for brochures is \$5K, with \$4K already funded. Volunteers will put Bikeway Plan together, then get it printed. Warrenville's cost \$10K. The Illinois League of Bicyclists has places to apply for grants, but have to have Bike Plan in place before applying. It will be up to village Board if Bike Committee is part of ECC or separate. Coleman pointed that most car trips are for short distances. If safe bike routes are available, it would reduce congestion. Timetable is likely to be years to get bikeway finished. Mapping existing roads is first step. As roads are improved, bike safety can be incorporated. All Trustees expressed support. Mortenson pledged up to \$500 of own money to keep it going. Spandy pointed out that most bike routes in the county are east to west, with few going north to south. Spandy agreed to send a copy of the presentation to each Trustee. Agreed to bring it up at next meeting as a sub group of Riverwalk Committee.

2. Right of 1st Refusal – 0S033 Church Street

>>

III. Discussion of requests for future Committee of the Whole Agenda items from the Trustees (Requests Require the Concurrence of at Least Two Members of the Village Board)

>> Extended discussion with M and I Homes

Attorney: One issue was wording of contract that said village must accept any plans submitted by M and I Homes for Phases II and III as long as they met the square footage requirements. Trustees were concerned plans for no brick facing could be turned in, and they would be forced to accept those plans. Also concerned contract stated only current codes would apply to whole project, even if codes are changed before construction is completed. Usually advises against that.

Bob Miborg of M and I Homes said they had put sprinklers in utility areas as requested, had agreed to 30% solid masonry on front of subsequent phases, and agreed to discuss improvements to High Lake Road.

Vade Bon Coeur agreed Phase I plan was good, to complete Phase I with structures very similar to ones now standing. Disagreed with signing off on Phases II and III without any input from residents.

Miborg pointed the square footage is larger than Kimball Homes original plans. Martin said intention was never to exclude input from citizens. Would invite citizens to design forum in conjunction with a marketing consultant. Plans would then go to public hearing, plan commission, etc.

Vade Bon Coeur said he felt M and I was asking board to waive final review.

Martin said if the village wants three story town homes with elevators, M and I Homes isn't the company to do that

Oakley expressed concerns about timing, papers coming in just before meetings, the "so long as" phrase.

Kunesh concerned with "as long as" phrase. Don't want to be obligated to accept something we haven't seen. Can we take it out?

Mortenson: Can't enter into contract negotiations.

Birutis concerned with M and I Homes wanting to pay fees at occupancy, not at time of building permit.

Martin said he wished the comments would have come up last. Without favorable vote tonight, M and I can't proceed. Said there appeared to be enough concern to not move forward. Wished outcome was different, felt M and I Homes and Winfield would have been a good fit.

Mortenson said we were very close to an agreement, but Winfield need to protect its citizens and its interests. Felt that within two weeks differences could be ironed out. Asked for legal advice on options.

Freeman said the matter exists on the regular agenda still. Encouraged trustees to mention any further concerns beyond "so long as" phrase, issue of paying fees at time of building permit or at time of occupancy permit.

Mortenson said he recommends getting fees up front, and just going along with the current process. Vade Bon Coeur said he thought whole review process ought to go along with the current process.

Miborg asked about the possibility of a special board meeting next week. Czech said because of the three week hiatus, it is a possibility. Board is open to special meetings.

Vade Bon Coeur suggested approving Phase I as is, and any changes to Phases II and III would have to go through the standard and existing procedures.

Oakley said village had gone from insisting on all brick fronts to 30% brick on fronts. Don't want aluminum sided boxes.

Martin said M and I had made every concession asked for, and now village is asking them to move forward without any assurances on the product the village will demand at the end. Cannot move forward with no assurances.

Mortenson said village wants assurances facades will be at least 30% brick.

Martin said brick is very expensive.

Martin said they had showed current residents elevations of Phase II and III showing 20% brick, and they didn't protest. Feel there is a strong need for a different product in II and III. Smaller, more affordable.

Terrance Maynard, a current resident of Shelburne Farms said 10% brick façade is fine, as long as something is finished in the development. II and III are physically divided from I. Homeowners associations would be separate.

Rich Ferrari, current resident, concurred. Want to see something other than weeds. Want Phase I to be in line with the quality of the current units. II and III, have no problem being different. Good to have affordable units to provide balance. Believes M and I doesn't want to put up a diminished quality product.

Dale Boyd, current resident, said II and III blend nicely.

Birutis summarized: Phase I to be finished as planned. Phase II and III will follow regular channels of appeals if builder seeks changes. Facades will be at least 30% brick. Fee process will be as usual, with fees paid at time of building permit.

Martin said the overall general description of the product is important. He will have his lawyers look at the language.

Mortenson said village is open to special meetings.

Birutis expressed thanks to Mortenson for shepherding the issue through the meeting.

IV. Public Comments

>> Cindy Keck expressed thanks to board for putting Library referendum on the ballot.

V. Village Board Comments

VI. Executive Session - None

VII. Adjournment

>> 9:34 PM