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AGENDA
VILLAGE BOARD MEETING,
COMMITTEE OF THE WHOLE MEETING
THURSDAY, MAY 21, 2009 - 7:00 P.M.

REGULAR MEETING

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call

>> All present (Village Clerk Mareachen arrived at 8:15, Interim mgr Page filled in until her arrival)

IV. Approval of Minutes

- 1. Regular Village Board Meeting of May 7, 2009
- 2. Committee of the Whole Meeting of May 7, 2009

>> Bajor requested a clarification to the 5/7 minutes regarding the purpose of the Storm Water Committee is to address storm water in a structured manner. Approved.

V. Consent Agenda

A. Payment of Bills

- 1. List of Bills, 5/21/09
- 2. County Farm Sanitary Sewer/Forcemain Pay Request No. 1, Partial

B. Other

- 1. Permit for Winfield Chamber of Commerce Criterium, June 6 and 7
- 2. Permit for Salvation Army Donut Day, June 5 & 6 and Red Kettle Campaign, November 13 through December 26
- 3. Permit for Winfield Chamber of Commerce Cruzin Winfield, June 1-September 21
- 4. Permit for Winfield Chamber of Commerce, Farmer's Market, June 3-October 28

>> Olson requested removal of impact fees for Peter Rd and to check fees for the school and park districts so that funds are not sent to the wrong district. Approved.

VI. Open Forum

A. Public Comments

>> Karen Skillman provided an update on the private spraying for gypsy moths in SW Winfield, west of Winfield Rd. A biological control (e.g., it is also found in yogurt) will be sprayed on Friday 5/22 weather/wind permitting by a low flying helicopter. If not weather permitting she asked if it was ok to spray over the holiday weekend or should they wait until Tuesday or later. The board requested to postpone it until after the weekend. Karen also notified many organizations including CDH, police, Village and forest preserve.

Kevin Jury, president of a home owners organization, commented that the ordinance for plan commission is out dated and only residents should be on the plan commission, especially since they had many applications from residents.

Bob Borsodi requested the Board consider changing the no turn sign on Summit/Beecher like other towns to something like "no right turn on red when pedestrians are present". The Board then requested this to be reviewed by the traffic committee.

Dan Keck spoke again in support of the underpass project. Page responded that it was on the agenda contingent on IDOT and it is on hold. Winfield rejected the lowest bidder due to conflict of interest and now that bidder is contesting Winfield choosing the 2nd lowest bidder. The project is not fully funded either. CDH has stepped up and will contribute \$50,000 if costs exceed funds by more than 3%.

Cliff Mortenson reminded the Board that CDH has an additional \$100,000 available to Winfield for health/safety so these funds could be applied so that there would be a \$0 balance for the Village.

B. Concept review of possible annexation for 1N284 Richards Avenue.

>> This is near Pleasant Hill where several properties in the area have annexed in over the last few years. Birutis requested a public hearing for this at the July plan commission mtg (1st Wed. of the month). Julie Cook, a neighbor also expressed an interest in annexation, along with other neighbors. She was advised to get the paperwork in quickly if she wanted to have this addressed at the same public hearing.

VII. New Business

VIII. Reports of General Business

A. Public Works Committee

1. Ordinance Approving Amended Intergovernmental Agreement with City of West Chicago to affect transfer of ownership for Wastewater Pumping Station and force main to the Village of Winfield.

>> approved

2. Authorize Budget Amendments in the amount of \$92,500 to support the transfer of the Wastewater Pumping Station to Winfield.

>> approved

3. Proposal from Metropolitan Pump for SCADA connection for Wastewater Pumping Station in the amount of \$12,852.00 (from the \$92,500 budget authorization).

>> approved

4. Bid from Herlihy Mid-Continent Co. in the amount of \$3,444,797.65 for Pedestrian Underpass Construction (contingent on authorization to proceed from Illinois Department of Transportation).

>> approved

5. Relief for subdivision improvements for curb and handicapped sidewalk installations in Lee Station Subdivision (Phase II).

>> approved; Bajor commented that this was private property and not on Village property.

6. Relief for fire sprinkler improvements in Lee Station Subdivision (Phase III).

>> approved; Bajor commented that this is consistent with Shelburne Farms Phase 1 and II. Kitchen and other fire prone areas are not exempt.

7. Ordinance Creating Stormwater Committee.

>> approved; 1st meeting is Wed. May, 27th at 6:30pm

IX. Reports of Temporary Committees

A. *Community Marketing and Development Task Force* – Trustee Olson

>> There was no quorum for the last meeting. Olson is checking if committee members are still interested in the committee. Next meeting is June 1st at 12pm where CEMAP will provide a presentation on the options for the next phase.

X. Future Business

A. Active

B. Forthcoming

1. Anti-monotony ordinance for new housing projects – Matter has been referred to Plan Commission

XI. Village Board Comments

>> Kunesh announced the library is holding an ice cream social on June 3rd.

Vade Bon Coeur said a grant was awarded for bullet proof vests for police and fire.

Bajor asked if staff had a date for recognition of Adkinson and CDH. Page responded not yet, there had been some conflicts with previous attempts.

Bajor requested an update from engineering on the lift station. Dan Watson replied that it was going as planned except for some problems with soil under the creek.

Olson acknowledged the efforts of Karen Skillman for the gypsy moth spraying and notifying the Village and others.

XII. Other Village Officials' Reports and Comments

A. Village President

>> Provided an update on the search for Village manager. 50 applications received, 8 candidates resulting in 4 interviews.

Thanked Page for his contributions as interim village manager. This was his last meeting.

Provided an update on filling the 2 village trustee positions. Interviews will be held 5/27-29.

Also said there would be a reorganization of the Communications committee to something like a Communications/Publications committee.

1. Liaison assignments

>> Assignments are complete (The assignments were not announced during the meeting. There was a list in the board packet.)

2. Appointments to the Plan Commission

>> Olson was opposed to making a partial appointment now and preferred to wait until the entire commission could be appointed to ensure geographic diversity. Was strongly opposed to having Dennis Clark appointed since he lives outside Village boundary and there were 15 applications from within.

Vade Bon Coeur supported 1 non-resident on the commission. This person should have a good working relationship with residents. The unincorporated area in SW side is special.

Bajor said the state statute allows it. Clark is president of a home owners association that represents hundreds of unincorporated residents. The area outside of the Village boundary is within the Winfield planning area and to not have a voice for potential growth would be a disservice.

Kunesh agrees with Bajor and Vade Bon Coeur. Clark has been on the Plan Commission and it is good to have representation of this area and is one of the best.

a. Peter Dopper (Interim Chair), 2 year term

b. Dan Keck, 2 year term

>> Motion made with Dopper and Keck in the same motion – Approved

c. Gary Washington, 3 year term

>> Washington - Approved

d. Dennis Clark, 3 year term

>> Additional discussion before this vote.

Bajor reiterated the importance of the planning area being represented.

Olson said there are other mechanisms such as public hearings and it is a major oversight to have only 6 instead of 7 within the corporate limits.

Bajor asked what the attorney's experience is with other communities.

Elliot replied that most are surrounded by other incorporated areas and having representation from outside the corporate limits does not apply. Winfield is quite unusual in that it has unincorporated areas that are developed adjacent to it.

Kunesh said we need to look for highly qualified candidates. Dennis Clark has been outstanding.

Birutis explained her method for choosing candidates. She looked at prior experience and geographic diversity. With these 4 candidates there is representation from north and south of the tracks and near town center as well as outside of town center. Another factor was that some had an interest in serving on other committees and ended up on other committees.

Approved with Olson voting against.

3. Appointments to the Stormwater Committee

- a. Jack Bajor (Chair), 2 year term
- b. Joel Kunesh, 1 year term
- c. Robert Borsodi, 1 year term
- d. David Russo, 1 year term
- e. David Russ, 2 year term

>> Approved. There are still 2 more openings.

4. Reappoint Mary Lou Crane to Board of Police & Fire Commissioners, 3 year term

>> Approved

5. Appoint Richard Wilen to Traffic & Transportation Committee,

>> Approved

B. Village Attorney

C. Village Treasurer

1. Report for April, 2009

>> Started April with \$7.5+ million, ended with \$6.7+ million. Decrease due to normal operating expenses. \$3 million in water and sewer fund, \$1.8 million in checking, rest in money market.

Nadine reported that in 2003 Winfield had a Moody rating of A1 and if bonds were issued now, she feels Winfield could maintain an A1 rating.

D. Village Manager

>> Page thanked the board and past president Czech for serving since January. The staff is terrific and operate in a very lean system.

E. Village Clerk

XII. Adjournment

COMMITTEE OF THE WHOLE

I. Old Business

II. New Business

A. Plan Commission

1. Ordinance Rezoning, Approving Preliminary Plat of Subdivision and Granting Variations from the Winfield Subdivision Ordinance for Williams-Bugh Subdivision (27w710 Garys Mill Road, Winfield, Illinois).

>> Staff member Peter Krumins provided a summary of which variances were supported and which were not including: support of waiving storm water retention on existing property (lot 1), not allowing private septic on lot 2, not allowing water/sewer until lot 2 is built, supported not requiring septic on lot 1 until expansion or septic failure; supported cash in escrow for Gary's Mill improvements; require tree survey and to not delay public utilities.

Stan Zegel, resident on an adjacent property said the legal description is important and must be corrected. Zegel also commented on item E, hook-up to sewer. Zegel supports not hooking up to sewer. Said one solution used in some communities is to use a "hose" from the center area of the septic tank, where there is only water, to drain water into sewer. This is a low density area and want to keep it

this way. Water and sewer will encourage developers to subdivide. Developers are like rats, they follow the sewers. Also, Lake Michigan water is rationed so why add to it?

Stillwell (representing owner) reviewed the May 7th DVD of the village board discussion. He agrees with all points except 1 in section 4 on special requests. He noted that not changing the detention on the existing lot is not a variance, the county doesn't require the storm water handling to be "retro-active". Stillwell asked the board to consider exception 4F regarding cash in escrow. The owner won't benefit until sale. There will be a clear statement that improvements are required that will show up in the title search. He said this would not set a precedent because the exception is narrowly defined based on circumstances. This subdivision is implementing the goals of the community – ER-2 zoning, large lots. Stillwell had an estimate done by Wheaton Trenching to extend sewer to the west, through the Hall property (Hall's willing) which is the shortest distance. The estimate is approximately \$121,000. The banks no longer issue a letter of credit with only 10% of the amount. They require the full amount to be deposited. This is a serious hardship on the owner/requestor, who is a private seller, not a developer. Therefore Stillwell requested the board to consider an alternative such as tying it to something selling, e.g., selling the 1st property.

Rhonda Williams Bugh, the owner/requestor provided background. She's been in Winfield since 1987, moved into this house in 1993 and planned to live there indefinitely but needed to sell after the death of her husband. She has had the house on the market for almost 2 years (Aug). Has consulted with 18 realtors and has been told the lot is too big. Therefore is pursuing subdivision in order to sell.

Bajor said the village needs a way to track recapture fees, an administrative policy for this is now setup that can endure a change in staff and board. He is ok with a covenant for delaying sewer until sale.

Vade Bon Coeur asked the attorney's opinion on a covenant. Elliot responded that it is better to have it tied to the sale of the property then when a building permit is issued. Beware that some may use this as a precedence "I am not a developer, I am a private owner...". Vade Bon Coeur said he is uneasy with the covenant but will consider.

Olson asked Peter Krumins several questions regarding when final plans had to be available (6 months) and if bonds could be issued. Olson advised the seller to market it as subdividable. He said, as a developer, he thinks there is some latitude in marketing and this shows the interest in large lots with trees is limited. Olson will give thought to supporting a covenant tied to the time of sale.

Kunesh agrees with time of sale covenant.

Based on discussion, President Birutis directed staff to make the changes.

2. Septran Annexation, Annexation Agreement, and Rezoning

>> Krumins provided a summary of the resolution of outstanding issues. They will abandon the well once they hook up to water. Also under discussion was what was considered a large bus and how many would be allowed. Septran only has 1 large bus, most are short buses and suburbans. Krumins proposes 10 large buses, not exceeding 30,000 pounds. Krumins also referred to an email from Birutis. Based on her investigation with the county, the county zoning would allow over 100 buses. To address noise concerns, it is proposed that operation is limited from 6am to 6pm with a provision for some late night events.

Vade Bon Coeur and Bajor support the annexation. Believe it fits in well with the community and proper controls are in place.

Olson said the ordinance for annexation/zoning should include a description of non-conforming use and it should be seen in a COW before going for a vote. Birutis responded that information has been included in previous packets and agrees the board should see it in COW.

Bajor asked about drainage/utilities and if it was in the Facilities Planning Area. Dan Watson said it was.

Don McCarthy, property manager, asked for verification of the sprinkler requirement. It was his understanding, since it is less than 10,000 sq.ft., it was not required. Kemmins to check.

3. M/I Homes major change to an approved PUD (Shelburne Farms).

>> M/I Homes contacted some of the residents present at the public hearing to get their input. The stacked flats at the end units were removed due to residents not liking the roof line. Residents also did not like arched openings but do like bay windows, so these comments were also incorporated.

Vade Bon Coeur supports the change.

Bajor questioned whether these few residents could represent the opinion of all the residents of Shelburne Farms.

Move to 6/4 agenda for a vote.

4. Update on Sign Ordinance Re-Write

>> Krumins provided the results of his investigation: do not have a sign committee, ZBA can handle it; keep in building codes and do not move to the zoning ordinances; propose to reorganize the ordinance to make it more readable; need to reword so that multiple signs are allowed when multiple candidates are supported – currently written so that 1 sign per property is maximum.

Birutis would like to move forward as fast as possible.

Olson asked if this should be under the zoning ordinances. Once the zoning ordinance is revamped so that notices will only have to be sent for map changes and not text amendments, it is feasible to have the sign ordinance under zoning.

B. Administration and Finance Committee

1. Re-enactment of Ordinance for Electricity Utility Tax Increase.

>> This will bring in an additional \$36,000 in revenues.

2. Re-enactment of Ordinance for Business License Fees

>> Fee structure is being changed from a \$50 flat fee to categories. Olson asked the impact of this. Nadine will investigate – it will be in the thousands of dollars range.

3. FY09-10 Budget Amendments for ARRA funding, well repair, and PW soil disposal.

>> Move to 6/4 agenda for a vote.

4. Policy on distribution of impact fees.

>> No action – status report.

5. Procedures for Development Document Processing, Recording and Tracking.

>> No action –status report.

C. Public Works Committee

1. Resolution authorizing proposal from Layne -Western for Well #5 repair in the amount of \$63,795.00.

>> Move to 6/4 agenda for a vote. This did not go out to bid since it is a single source item.

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)

>> none.

IV. Public Comments

>> none.

V. Village Board Comments

>> All thanked Phil Page for stepping in during tough times, especially in an election year, to fill in as interim manager.

VI. Executive Session

A. Collective negotiating matters between public employers and their employees or

representative 5 *ILCS 120/2(c) (2)*

- B. Consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, including the public body's legal counsel, or to hear testimony on a complaint lodged against an employee to determine its validity 5 *ILCS 120/2(c)(1)*

VII. Adjournment

>> 10pm