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AGENDA  
VILLAGE BOARD MEETING  
COMMITTEE OF THE WHOLE MEETING  
AND EXECUTIVE SESSION  
THURSDAY, MAY 3, 2007 7:00 P.M.

**REGULAR MEETING**

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

>> Levan and Bianco absent. Kunesh, Petitti, Birutis and Bajor present. Keeler and Vade Bon Coeur in audience. Czech presided.

IV. Consent Agenda

>> Birutis questions; there are two items she requested to be pulled and they are T1011 for \$2,596.80 on page 11, and on page 16, vendor #1113 for \$6,017.63. Removal unanimously approved.

Changes to minutes: COW, under townhomes building at Shelburne Farms where there is replacement of roof shingles it should be copper colored metal. On regular minutes of the 19<sup>th</sup> in Open Forum a misreading of a sentence and another sentence was not finished. She also noted a few other corrections. Birutis also mentioned, under authorizing the disposal of property of the Village of Winfield, 2<sup>nd</sup> reading, an item that was not in the first reading, a 1997 Ford Crown Victoria with 102,000 miles.

>> Unanimously passed Consent Agenda.

A. Payment of Bills

B. An ordinance allowing solicitation on Village streets – Lion’s Candy Days

C. An ordinance authorizing the disposal of property owned by the Village of Winfield – surplus vehicles (2nd reading)

D. Award of bid for after-market improvements to Public Works Utility Truck

V. Open Forum

A. Petition for annexation – Winfield Park District, Wynwood Park

>> No one present from Park District so Barlow noted that this was a joint effort to overcome the problem of several instances of vandalism. He suggested it be sent to Plan Commission for a public hearing.

B. Request for a variance to the Zoning Ordinance for sign regulations –  
27W090 Roosevelt Road

>> Applicant not present. Barlow assured Czech they had been informed to attend. Czech asked to be informed if they arrive.

C. Public Comments

>> No public comments.

## VI. New Business

>> No new business

## VII. Reports of General Business

### A. Finance Committee – Trustee Birutis

#### 1. An ordinance amending the Fiscal Year 2007-

2008 Budget and authorizing execution of an amendment to a Business Development Agreement between the Village of Winfield and CVS 5797 IL, LLC

>> Bajor commended Birutis for her perspicacity in this matter. It helps the General Fund and puts the Village on a sound financial basis. Biriutis said the only change she had was that the balance would be coming from the Water and Sewer Operating Fund. Previous discussions had money coming from Water and Sewer Fund.

Biriutis suggested the ordinance which provides for early payoff of the agreement with CVS for village to pay back to CVS the cost of providing utilities. This was a tax abatement program to entice CVS to locate in Winfield. Early payoff will save money and the payment can be made from the Water and Sewer Operating Fund which has sufficient reserves. The fund is expected to end FY 2007-2008 with a balance of \$6,922,977. The savings come from the net present value of the obligation which has been calculated, with a discount rate of 5.5% over a 7 year period, at \$245,422. If the agreement had been allowed to run out the payment would have amounted to \$300,000 paid over the time it would take for 60% of the sales taxes generated to reimburse that amount. Having the money available to pay the debt immediately and entirely allows the village to save the difference and clear the books of a debt.

>> Unanimously approved.

### B. Other

## VII. Reports of Temporary Committees

## VIII. Pending Business

### A. Active

1 Downtown Riverwalk Initiative Task Force Committee has held four meetings.

2 Fire Sprinkler Regulations A joint task force with the Fire District has been formed and is meeting to come up with recommendations.

>> Petitti reporting. Scheduled to meet on May 11<sup>th</sup>. Hope to have draft ordinance ready. Petitti questioned where the draft should go, the Board or the Plan Commission. The date was questioned and revised to the 16<sup>th</sup> at 7 o'clock.

Sign committee meeting on April 24 Petitti was unable to attend. Had a plat presentation from Illinois Main Street. Next meeting is May 24<sup>th</sup> at 5:30.

3 Marketing Brochure for the Community Matter has been referred to the Communications Committee.

>> Birutis reporting. Meeting on Friday May 11, 7:30 A.M. at Village Hall. Two new Communincations Committee members.

4 Safe Routes to School Task Force –Task Force has met on five occasions and is working toward the goal of having a grant package ready for approval prior to the May 31, 2007 grant submittal deadline.

>> Birutis reporting. Meeting tomorrow at 4 P.M., the package is just about ready. Will submit for various approvals and then send on to the state. There will be an announcement of the program this Monday at 7, to the schools.

5 Sign Review Task Force – Task Force on revisions to the signage regulations of the Village met last on April 24th.

### B. Forthcoming

1 Review of Status of Strategic Plan Scheduled for review with the New Village Board.

2 General Development Plan Key Development Areas 1a, 1b, and 2 - Plan Commission reviewed the matter at their 10/4/06 meeting; placed the matter on hold until more is known about the wishes of the

- property owners along St. Charles Road.
- 3 St. Charles Road area annexation initiative Staff is planning an information meeting for property owners at the Village Hall in the coming weeks.
  - 4 Illinois Affordable Housing Staff will be presenting a plan in the near future.
  - 5 Number and fees for liquor licenses in the Village; Town Center specifically – Matter will be deliberated by the Administration and Finance Committee.

#### IX. Village Board Comments

>>Bajor discussed the program developed by Karen Skillman and Phoebe Smith of Winfield United to provide prairie plantings at the Winfield school which will be both attractive and educational. Children will participate in planting and learn at the same time about native plants and how they grow. They will present their plans before the County Board for possible countywide expansion of the program. Environmental groups are reacting with interest. Next meeting for the County ECC will be May 9<sup>th</sup> at 8:30. Comments were made about trees and lack of cicadas in areas like Klein Creek where land was farmland before development.

Petitti announced a Town Hall meeting for Saturday, May 19<sup>th</sup> at 9am. Topic will be the welcome of all the new board members. Everyone new on all boards, commissions, park districts, library, etc. Chance for everyone to meet them and ask questions.

Birutis announced an upcoming Finance Committee meeting for May 12th at 9am.

#### X. Other Village Official's Reports and Comments

##### A. Village President

###### 1. Reappointment of Frank Novel as Village Treasurer

>>Bajor spoke of his strong endorsement of Novel, citing his acumen, experience and professionalism. Novel endorsed by all.

##### B. Village Treasurer

>> None – Treasurer not present

##### C. Village Attorney

>> None

##### D. Village Manager

>> Complaint from resident of Highlake Condos which involves county issues as well. Trying to coordinate with county on the problem. They have indicated they will respond.

##### D. Village Clerk

>> None

#### XI. Other Business

>>None

#### XII. Adjourn to Committee of the Whole

### COMMITTEE OF THE WHOLE

#### I. Old Business

>> None

#### II. New Business

##### A. Public Works Committee

###### 1 Proposal for SCADA System improvements

>> Problems with SCADA (Supervisory Control and Data Acquisition) system which monitors the measure of all critical elements in village water and sanitary systems and which should have helped prevent problems such as the sewer backup on Shady Lane. Bajor commented that he'd lost faith in the notification system. It needs updating. It is based on Windows 95 which is no longer being supported

###### 2 Discussion on drainage problems along Beecher Street

>>Discussion by Barlow. Residents have complained of drainage problems along the Union Pacific Rail line, on Beecher, east of Church Street and south of the tracks. Repeated complaints. Recently met with about 30 residents and learned a lot. Walked around both south and north sides of track. Dan, the engineer, was asked to come back with recommendations on how to deal with situation. One problem is that stones have

been put down by railroad to support tracks and this allows more water to soak through the berms. One video shows how water comes through during a storm and it's like watching a fire hose. Proposal by Rempe-Sharpe includes use of large drainage pipes. Village is aware that UPRR knows of problem and village is seeking their participation in effort to correct same. (The cameraman for village was chased off the railroad property by men who were looking over the railroad's problems.)

Also problems along the south side of RR but closer to town center will be addressed.

Pictures shown of area along RR track by Lee Station.

One thing that's a big problem for village is the retention basins. If you want a good example, look at the retention basin behind the Schneider Bldg. that has cattails growing in it. Cattails are indication of standing water but there should be no standing water in the type of retention basins the village has. Barlow showed pictures from a time when there had been no rain for several days but there still was standing water which was finding its way under and through the railroad bed to flood the back yards of the homes on the other side of the RR track from the retention basin. The proposed fix would include connecting this area to the existing sewers to drain it as quickly as possible. Village will seek financial assistance from RR as well as other support. Overall, need to work with county to improve drainage situation along Beecher and Town Center areas.

### 3 Report on drainage conditions in the vicinity of Oak Court and Winfield Road

>> Discussion by Barlow. This has been the subject of the past three meetings of the Public Works Commission. Neighbors have complained about problems in the area of the large new house on the corner. Village has had to monitor this for some time. Sheet flow of rainwater in heavy rain washed away soil. Dan Watson has looked into possible changes including fixing poor condition of storm water catch basin. Nothing implemented yet. Any solution might involve major changes with possible loss of trees. They were looking at ways to clear up the situation without any water running across the site. The way that would have been done would be to make the backyard of the new house into a swale and render it useless.

This situation has been given as an example of the snafus that occur when an owner tries to act as his own general contractor and when there is no ordinance regulating the teardown of older structures and replacement with a new, larger structure.

Overall these discussions have led to the conclusion that drainage problems throughout the village should be addressed and corrected. Rudy gave an impassioned plea for these problems to be addressed and corrected.

## B. Other

### 1 Sprint/Nextel Water Tower Lease

>> Discussion by Barlow. Village and Nextel have been in touch in regard to the improvements to be made to the Water Tower. Some additional equipment to be attached. Tower will be painted.

### 2 Discussion on Village Code requirements for mandatory water and sewer system connections

>> Discussion by Barlow. Current code requires that owners with wells and septic systems must abandon them and connect to the village systems under certain circumstances. Two different standards, one for water and one for sewer. At such time as water becomes available to the property, the property shall be hooked up to the public water main. The private well shall be abandoned and the hookup to water main shall provide all water for all uses. When a water main becomes available the owner shall have 180 days to hook up. This has not been enforced and there are several houses in the village who have both water mains and wells.

Sanitary sewers are a bit more complicated. At such time as a sanitary sewer becomes reasonably available to a house with a private sewage disposal system, subject shall be compelled to hook up. Exceptions include private systems that were put in as of December 31, 1997. There's a whole series of regulations to be put into place. There

was an effort made to gather all this information (Barlow suggested it was the project of an intern to collect such information.) and talked to a whole lot of people who were on septic systems pointing out that they'd have to get certifications and they'd have to demonstrate to the village that their septic fields are in good condition or else disconnect and hook up to the village sanitary system. In the case of the sale of a property the seller would have to demonstrate to the village that the system was in good working order. Thus the village would be involved at the point of a transaction. Barlow questioned whether state statute would allow this. But it's on the books that the village must keep aware of sales and prior to the completion of the sale must make certain the septic field is in good working order. This has not been implemented and records are in poor condition. Dealing with established communities like the Fieldview area where there may be mains put in front of their houses and subject to the laws they would be required to hookup. Some of them don't have problems with either septic or wells, and yet there are laws requiring they abandon these functioning systems. This creates animosity. They might, otherwise, want to come into the village and have other benefits of the village but only hook up to the systems at such time as they need to. This has been brought up as a negative by prospective parties who might otherwise be inclined to annex to the village. Those who have kept their private systems work with the Health Department of the County and at such time as the County finds that the septic system or well does not meet County standards then the homeowner is compelled to hookup to a municipal system if one is available. This has happened on Richard St. where there is a water main and on National St. where a sanitary sewer runs. As a consequence of a series of problems and the proximity of village sewer and water there are on the order of 15 homes being annexed into the village. The reality is the county is the driving force not some intern looking at whether or not a septic field has passed its test. The county Health Dept favors the use of municipal services whenever possible whether a property is in or outside of a municipal area. They haven't pressed this point and forced communities to serve homes outside their limits although in one case in Carol Stream they did. County is particularly concerned to keep wells and septic systems sufficiently separated to avoid contamination. There are problems with lots that are less than one acre in size and there is a meeting with the county to deal with property owners south of Geneva. That will be coming up next week to talk about the village policies. That kind of sums up where things stand at the moment and they are looking for direction from the Board on all this. Some further discussion ensued and Petitti raised the issue of owners who want to keep their wells for use with sprinkling systems. Bajor raised issues with testing of wells and how much is not known about what's in the water. He would like to enact more testing of wells especially those near septic systems. He pointed out that the County only has very limited water testing.

### 3 Survey services for Town Center Phase II Area

>> Barlow presents. Requests approval of documents being prepared by Hefner and Associates in relation to the marketing of Town Center Phase II. There are a number of steps in this process of promoting Phase II. Working with financial advisors and had series of meetings with others who might be ready to commit to Phase II. At a "fish or cut bait" stage in this and have to identify what will be in these proposals. Village has been checking with county records and where they stand right now is 17 acres. But there will have to be deductions from that amount of land because of things like wetlands, flood plains, etc.

Most of all they have to discover what is out there in order to best be able to get designs/plans that will work. So services will include preparing scale drawings of things that are there including easements, existing buildings, anything that might be there because of previous development. Any utilities that may have been in place and even old foundations of buildings that may have been torn down or converted, these must all be accounted for and located. Especially, there should be indications of underground storage tanks that may still exist and even old septic fields. Then there's a need for topographic mapping since there are some significant elevation changes on some of the

Phase II properties. Work with DuPage County to meet all their standards for wetland preservation and endangered species, both animal and botanical. These studies may show that there's a need to get additional funding to deal with problems that are discovered.

Cost for the proposed studies is \$21,305. Previously there was an amount of \$25,000 put into the budget. There are a number of capital improvement projects that are carryovers from 2006 because they were begun but not yet finished. It is anticipated this will be a carryover project. An ordinance is being prepared to do this and might be on the May 17 agenda. It is imperative this get moving quickly because it is all information that is needed to give to developers so they can make their proposals for development of Phase II.

### III. 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*)

#### III. Public Comments

>> Gary Richter, whose application for a variance to the Zoning Ordinance for sign regulations was to have presented earlier in the meeting, spoke vehemently for his application. He had not been present earlier when the case was first brought up. He was allowed plenty of time in the Public Comments section to make his case after he did finally arrive.

The case is stated in the Executive Summary for the application which can be accessed through a link on the agenda found on the Village website.

The petitioner is trying to sell the home which is located on Roosevelt Rd in an area zoned R4-B. Under the zoning code section 10-2-13 (D) home occupations, in an area zoned residential, may not display or create evidence of a business. They may display only a small nameplate. Under the R4-B zoning a larger identifying sign may be displayed under the special use section of the code, but under this special use category there may not be anyone residing in the home. In effect it becomes a business located in a building that looks like a house but no one can actually live there.

Richter's problem is that his buyer would like to live there AND have the larger sign on Roosevelt Rd. to advertise her business. Richter stated that this situation was not understood by him previously since, in all his researches on the codes, he never discovered that the house could not be lived in if it was to be used for a business, with large sign, under the special use category. He was somewhat indignant and clearly distressed by the whole proceeding. With his application he provided an example of the kind of sign he anticipated his buyer would want. The design looked very similar to the kind of sign the village has posted only about a block away. That sign says Welcome to Winfield. The drawing included in the application shows the buyer for the petitioner's house would seek to have a sign advertising Psychic Readings or some other variant on fortune telling. The buyer is a single mother with five children.

Board was not enthusiastic about this. Rudy took the lead in stating his dislike and Kunesh said he'd vote against. Richter left "very disappointed."

Another resident thanked Barlow and other trustees for meeting with residents about flooding problems. There are at least 6 places that have been identified where water crosses Beecher and can cause problems, especially in winter when the water freezes. Another area of concern is the retaining wall behind the Schneider building which looks like it is about to collapse.

Another resident on Beecher Street mentioned the presence of ground hog holes in the embankments along the railroad. When there is a heavy rain water gushes from these holes. These are another indication of the poor condition of the supporting embankment for the railroad. Along the curve the railroad bed lacks stability. Fear of a serious accident if the embankment collapses.

#### IV. Village Board Comments

#### V. Executive Session

- A. Land Acquisition
- B. Collective Bargaining

C. Pending Litigation

D. Discussion on the compensation of a specific employee of the public body

VI. Adjournment