

AGENDA
VILLAGE BOARD MEETING
COMMITTEE OF THE WHOLE MEETING
AND EXECUTIVE SESSION
THURSDAY, NOVEMBER 2, 2006 - 7:00 P.M.

Regular Meeting

- I. Call To Order
- II. Pledge Of Allegiance
- III. Roll Call
- IV. Consent Agenda

A. Payment of Bills

Trustee Levan asked for more detailed information on the bills from Rempe-Sharpe and Mr. Barlow will provide this information in the future.

There have been water main breaks at Beecher Ave. East Ave., and a couple others in the north and south; some of these have been related to construction equipment and the fact that the water lines are old. Trustee Levan asked that the Board be informed of water main breaks on a regular basis.

B. Approval of Minutes

- 1. Regular Village Board Meeting of October 5, 2006
- 2. Committee of the Whole Meeting of October 5, 2006

Trustee Petitti requested two corrections on the minutes; the minutes were approved unanimously.

The following resolutions were approved unanimously:

- C. Resolution adopting a Blood borne Pathogens Policy and Exposure Plan
- D. Ordinance to approve Solicitation by You Can Make it organization
- E. Ordinance designating authorized depositories for Village funds
- F. Ordinance amending Title 5 – Police Regulations, Chapter 5, Section 5-5-6 Collection of Costs, Village Payments; Inspection of Records of the Village Code, and Title 6 – Traffic Regulations, Chapter 5, Section 6-5-11 – Post Tow Notice for Hazardous and Unlawful Vehicles, to provide a Vehicle Recovery Administrative Fee
- G. Ordinance amending Title 1 – Administrative, Chapter 5 – Village President and Board of Trustees, Section 5 – Rules and Procedures for Village Board meetings and Committee of the Whole meetings
- H. Ordinance to Establish a Village e-Mail Policy
- H. Award of bid for Pavement Crack Sealing

Note: Mr. Levan asked about the component for this contract bid. Mr. Barlow reported that the application was “per pound.” Mr. Barlow will provide Mr. Levan with a map showing the locations where these repairs will be performed.

V. Open Forum

Five residents addressed the Village Board:

A resident who lives on Chartwell Dr., was there representing an organization. She reported that one of their members had passed; this gentleman had been an active resident in Winfield.

Bob Hall, who lives on Washington, expressed concerns about the request from the developer for Starcliff to extend the deadline to complete this project until 2010. Mr. Hall noted that, previously, this development had been granted at least 19 variances, and he distributed a list of these variances to the Board. Mr. Hall also noted that a portion of this development had been designated as “open land,” which by definition, is intended to be

accessible by the members of the community. This land, however, also is being used for water management, and as such, it cannot be used (and counted) as open land. Mr. Hall requested that the Board direct the developer to add open space to this development. Finally, Mr. Hall also noted a wall that is on this property; he considers this wall unsafe.

Natalie Lombard, who resides on Summit Dr., also commented on the Starcliff developer's request to extend the deadline to complete this housing project. Specifically, she requested that the Board delay granting the extension until a fallen tree is removed; this downed tree sits on a portion of her property and on the Starcliff property. Ms. Lombard noted that the tree has been down for three years, and that the tree had destroyed a fence, which is now a safety hazard for Ms. Lombard and her grandchildren.

Kerri Brown, who also resides on Washington Street, expressed concerns about Starcliff developer's request for an extension to complete the development. Ms. Brown noted that her three young boys "have lived in a construction zone" for too long, and with this extension, her boys are being denied the neighborhood she had planned for her sons. She requested that the Board consider her rights to live in a neighborhood, rather than a construction zone.

Jed Skillman, who resides on Winfield Rd., noted that this request is "a text book example of bad faith negotiations." Mr. Skillman noted that this project was approved by the Village Board without adequate discussion and public review; he said that if the developer cannot proceed without the extension, then the Board should re-review this entire project, beginning with the density of the development. Mr. Skillman noted that, originally, it was agreed that there would be four homes on this property, which has been increased to seven (or eight?—not sure). Finally, Mr. Skillman noted that there are some trees that still can be saved.

VI. New Business - None

VII. Reports of General Business

A. Finance Committee

1. Presentation and Motion accepting the FY 2005-2006 Financial Audit and authorization to file it with the State of Illinois Comptroller

The Audit Report, which was prepared by a group called Crowe, was approved unanimously. Ms. Christine Taurus, an auditor from Crowe, presented the report. She noted that the village staff has been very helpful. She reviewed the various changes in assets, liabilities, and fund balances. She concluded by saying that, overall the finances of Village of Winfield are stable, which is significant because there has not been an increase in taxes or other revenues collected. In addition, she noted that, currently, the Village has three months' worth of expenses in reserves.

Mr. Bajor asked how depreciation was calculated. In response to a query, Mr. Barlow indicated that having six months' expenses in reserve would be more desirable, and that currently, there is no state mandate or requirement governing the amount of reserves that the Village must maintain.

B. Other

1. Authorizing the execution of the Collective Bargaining Agreement with the Teamsters Local 714 representing the Police Sergeants

This resolution was approved unanimously.

VIII. Reports of Temporary Committees

President Czech was very pleased to announce and introduce the new police chief for the Village of Winfield, Mr. Frank Bellisario. The new chief has been a member of the Village's police department for more than 20 years, and he has served as Sargeant since 1991. President Czech indicated that a swearing in ceremony will be held later. Chief Bellisario received a standing ovation from the Board members and the residents in the audience.

IX. Pending Business

A. Zoning Code Update – R-4a and R-4b/Tear-Downs/In-Fill (Plan Commission discussed on 10/4/06; will resume deliberation at the 11/2/06 meeting)

B. Review of Commercial Zoning Districts – Maximizing Sales Tax Generating Opportunities (Being researched)

Mr. Barlow provided an overview of the construction project, which has been proposed by a company called DTA. There is a proposal to develop a pre-annexation agreement, which would help this project along. To be located on St. Charles Rd., this project includes a 2,000 sq.ft. sports facility. The pre-annexation agreement would allow for the construction and completion of a sewer project, which would be completed by the Village of Winfield by June 1, 2007. Currently, the Village of Carol Stream will be providing water services, and there is an intergovernmental agreement in place for water services.

Trustee Levan questioned the installation of the sewer line, and he expressed concern whether the tax revenues and benefits for this building would accrue to the Village of Winfield or to the Village of Carol Stream. He said that the agreement needs to be more clear. In addition, Trustee Bianco also raised similar concerns.

Mr. Barlow reported that Winfield should proceed with the construction of this sewer, as it is anticipated that there will be future development in this area. Discussion ensued whether (and how) the Village of Winfield would recoup its \$180,000 sewer investment. A representative from DTA responded by noting that DTA will be paying Winfield for water and sewer, and that currently, there are retailers who are interested in this construction project. In addition, the DTA representative said that DTA would pay these fees to the Village prior to completing the annexation agreement.

C. Estate Residential Zoning District (Plan Commission will hold a public hearing on November 2, 2006 on a draft ordinance)

D. Water and Sewer Account Deposits (Information provided to Trustee Levan; awaiting direction)

Trustee Levan asked about a rate study and Mr. Barlow indicated that he was not familiar with one. President Czech offered to obtain additional information from Mr. Moss. Mr. Barlow noted, too, that after the installation of the new meter reading equipment is completed, the Board will determine whether water bills will be issued and collected monthly. Mr. Barlow felt that collecting the water fees monthly will eliminate the need for residents to pay deposits for water services.

E. Review of Status of Strategic Plan (Scheduled for review in fall)

Trustee Birutis requested that when this discussion is held, the board should focus its efforts on the Town Center. It was noted, too, that attention would be given to areas on St. Charles Rd. Mr. Barlow said it needs to be determined whether this area will be industrial, commercial, or residential.

F. Tree Preservation Ordinance (Currently Under review by the Environmental Concerns Commission)

G. 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)

H. Marketing Brochure for the Community (Working on a draft)

I. Requiring the Installation of Fire Suppression Sprinklers In New Construction (1st draft of ordinance will be presented at the November 16, 2006 meeting)

J. Smoking Ban Ordinance (Been referred to the Environmental Concerns Commission)

K. Extension of Sanitary Sewer Services to Fieldview Area (Staff is still performing research)

L. St. Charles Road area annexation initiative (Staff is planning an information meeting for property owners at the Village Hall in the coming weeks)

M. Downtown Riverwalk Initiative (President plans to create an ad hoc committee to examine the issue; seeking appointees)

X. Village Board Comments

XI. Other Village Official's Reports and Comments

A. Village President

1. Appointment to the Plan Commission to fill the term of Jeff Kirkpatrick

President Czech recommended Mr. Jay Olsen to fill this vacancy on the Plan Commission. This was approved unanimously.

B. Village Treasurer

1. Treasurer's Report for September 2006

Approved unanimously.

2. Annual Treasurer's Report – 2006-2007

This report was published Oct. 9 in the Daily Herald, and it was also approved unanimously.

C. Village Attorney

The attorney is examining the length of time that building permits can be considered "active," and whether time limits for residential and commercial buildings should be identical. In addition, she is reviewing whether permits should be renewable for one year, two years, or more.

D. Village Manager

There was extensive discussion about the Village's ordinances and guidelines concerning signs that are displayed on commercial buildings. Mr. Barlow delivered a thorough presentation that outlined the current standards and guidelines for the Village. A significant concern for Trustee Levan is that the sign for Heidi's Deli does not conform to the Board's vision of having buildings and signs that are consistent with a historic downtown area. Mr. Barlow also noted some inconsistencies with the Village's sign ordinances and the guidelines, and he noted that, currently, the Village does not have adequate enforcement authority. It was agreed by all—the President, the Trustees, and the Village Manager—that issues related to signage needed to be addressed; it is very likely that a new ordinance will need to be developed and approved. Mr. Barlow also suggested that it may be appropriate for signage issues to be addressed via the Village's zoning ordinances. Finally, President Czech directed that Mr. Barlow invite representatives of Winfield, LLC (the HSA developers of the property) to a future board meeting to discuss concerns related to signage in the Town Center.

E. Village Clerk

XII. Adjourn to Committee of the Whole

Committee Of The Whole

I. Old Business

A. Extension of Planned Unit Development – Winfield Commons

The developer for the Winfield Commons shopping center is requesting an extension of the deadline to complete the construction project. It was noted by several Trustees and by Mr. Barlow, that this project has been delayed considerably, and has generated significant expense for the Village of Winfield. In addition, neighbors adjacent to the property (on Geneva Rd.) have repeatedly and regularly complained to the Village. The developer of the project addressed the Trustees and indicated that he would complete the project by the end of 2006. The Trustees discussed various deadlines—2 months, 3 months, and so forth. Trustee Bajor expressed the need to have a written document outlining the projects that need to be completed and the corresponding completion dates. He noted, too, that communications between the developer and the Village have been inadequate. Upon questioning, the developer acknowledged that no tenants have been secured for

the building and that he has experienced difficulties. After additional discussion, the Board agreed to extend the completion date until Feb. 17, 2007.

B. Extension of Planned Unit Development – Starcliff Subdivision

Mr. Barlow noted that it is not uncommon for local governments to grant extensions to complete construction projects, and that the developer of Starcliff was seeking an extension until 2010 to complete this residential project. President Czech noted that the Trustees had heard from the residents on this project and on the requested extension; he said that he could support a one-year extension, and possibly a two-year extension. He also noted that he would not support re-reviewing this development project. President Czech also recommended to the developers (Siefert & Sons) that the area needs to be landscaped and beautified. He felt that attention to this aspect of the project would help the developer to market and sell the lots. He said that the residents' concerns cannot be underestimated by the developers. In turn, President Czech asked each Trustee how he/she felt about the requested extension:

Levan—favors extending the completion date until 2010

Kunesh—favors a one-year or a two-year extension, then have the developer come back each year after that; he noted, too, that this area of Winfield is comprised of a number of dead-end streets, and it is a very private area; the lengthy construction project diminishes these residents' qualities of life

Bianco—favors a two-year extension

Bajor—supports a two-year extension

Birutis—questioned some finances and recommended to resend the project to the Plan Commission; also asked whether penalties could be assessed

Petitti—favors a one-year extension and proposed a meeting to discuss the project so that agreements could be made to move this construction project forward

Mr. Barlow concluded this discussion by noting that the Village must develop a new ordinance governing residential and commercial construction projects. He said that the Village must maintain a very awkward position: (1) the Village must be sensitive to and must address residents' concerns related to construction projects; and (2) at the same time, the Village must also support and work with developers, otherwise, the Village runs the risk of being sued.

President Czech announced that the Village would come back with a recommendation for an extension for the Starcliff developers.

II. New Business

A. Other – Village Manager

1. Zoning Ordinance Amendment to formalize Town Center Guidelines

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)

IV. Public Comments

V. Village Board Comments

Trustee Birutis reported that the Finance Committee will meet on Nov. 11 and that a three-hour parking limit in Town Center will be discussed. Also, she asked that the topic of affordable housing be included on the next agenda. She congratulated the new police chief on his promotion, and she thanked CDH and the Village staff for their assistance with Town Center projects.

VI. Executive Session

VII. Adjournment—The meeting adjourned at 10 PM.