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AGENDA
VILLAGE BOARD MEETING
COMMITTEE OF THE WHOLE MEETING
THURSDAY, SEPTEMBER 21, 2006
7:00 P.M.

Regular Meeting

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

All Present. There was a special welcome back to Kunesch who returned to the Board after a medical leave. Kunesch thanked everyone for their cards and prayers.

IV. Consent Agenda

- A. Payment of Bills
 - B. Approval of Minutes
 - 1. Regular Village Board Meeting of September 7, 2006
 - 2. Committee of The Whole Meeting of September 7, 2006
- Petitti and Birutis made minor changes. Approved unanimously.

V. Open Forum

Dolly Pointner from Main Street Winfield updated the Board on Main Street Winfield activities.

John Norman of Highlake townhomes suggested that the Village coordinate a schedule to upgrade the new water meters. It will be more cost efficient.

Bruce Bonebrake, the former temporary Village Manager for Winfield, spoke in regard to the Shelburne Farms development. His actions and conversations have been the subject of many "Letters to the Editor". He felt compelled ethically and professionally to share his recollections of these conversations and activities. He stated that he never had any discussions or made any agreements to waive or reduce the water tap fees at Shelburne Farms.

VI. New Business

- A. Request from Donald Butler to Vacate an Unimproved Portion Of Childs Street
- Mr Butler owns the property at the corner of Childs and Robbins. The portion of Childs Street that is adjacent to his property is unimproved (the street does not go through). He asked the Board if they would be interested in vacating the land because he

would like to buy this property. The Board members unanimously agreed that it would **not** be in the best interests of the Village to vacate this land.

- B. Public Hearing on Pre-Annexation and Zoning Petition for DTA Sports Management (10 Acres At The Southeast Corner of St. Charles and County Farm Roads)

No comments.

- C. Public Hearing on the Submittal of a Community Development Block Grant Application Seeking Financial Assistance for the Redevelopment of Cooley Avenue

No comments.

VII. Reports Of General Business

- A. Plan Commission/Zoning Board of Appeals – Trustee Petitti

- 1. Ordinance Approving the Annexation and Zoning for Pleasant Hill Park

Passed unanimously.

- B. Public Works Committee – Trustee Bajor

- 1. Resolution Authorizing the Submittal of a Community Development Block Grant Application Seeking Financial Assistance for the Redevelopment of Cooley Avenue

Passed unanimously.

- C. Finance Committee – Trustee Birutis

- 1. An Ordinance to make Revised Appropriations for Fiscal Year 2006-2007 for Proper Accounting of Debt Service.

Passed unanimously.

- C. Other – Village Manager

- 1. Ordinance Enacting a New Chapter 4 of Title 7 of the Village Code (Construction of Utility Facilities in the Public Rights-of-Way)

Passed unanimously. This ordinance was designed to regulate the equipment that the public utility companies are allowed to install on the right of way property throughout the Village.

VIII. Reports Of Temporary Committees – Trustee Bajor

- A. Waterford Park Committee – Award of Bid for Phase I of Asphalt Bike/Pedestrian Path

The committee is working along with the Winfield park district to install a bike path at Waterford Park. They plan to build it in three phases. They hope to complete at least the first phase of the path soon. Everyone was in favor of this project except for Birutis.

IX. Pending Business

- A. Zoning Code Update – R-4a and R-4b/Tear-Downs/In-Fill (*Been Referred To Plan Commission*)

- B. Town Hall Meetings (*Village Board Meeting On October 5, 2006 Will Be Held At The Klein Creek Club House*)

- C. Review of Commercial Zoning Districts – Maximizing Sales Tax Generating Opportunities (*Being Researched*)

- D. Estate Residential Zoning District (*Under Consideration By The Plan Commission*)

- E. Water and Sewer Account Deposits (*Information Provided To Trustee Levan; Awaiting Direction*)

- F. Review of Status of Strategic Plan (*Scheduled For Review In Fall*)

- G. Tree Preservation Ordinance (*Currently Under Review By The Environmental Concerns Commission*)

- H. Trailer Regulation (*Awaiting A Recommendation From The Plan Commission*)

- I. Pre-Annexation Agreement or Ordinance For The Involuntary Annexation Reliable Wrecking (*Recommendation of The Plan Commission Will Be Made At Their October 4, 2006 Meeting*)

- J. General Development Plan - Key Development Areas 1a, 1b, And 2 (*Been Referred To The Plan Commission*)

- K. Marketing Brochure For The Community (*Will Be Asking For A Special Committee To Be Formed To Provide Guidance On The Project*)

- L. Illinois Affordable Housing (*Report At The September 21, 2006 Meeting*)

- M. Citizen/Business of The Month (*Report At The September 21, 2006 Meeting*)

- N. Requiring The Installation of Fire Suppression Sprinklers In New Construction (*Staff Is Performing Research*)
- O. Smoking Ban Ordinance (*Been Referred To The Environmental Concerns Commission*)
- P. Townhomes Behind The Viking Restaurant (*Been Referred To The Village Planner For Comments*)
- Q. Extension of Sanitary Sewer Services To Fieldview (*Staff Is Still Performing Research*)

X. Village Board Comments

Petitti – Reminded the Board that they have until September 30 to complete the emergency management course. It is their civic duty and they can take the course online. She reminded the Board that they had agreed in September of 2004 that all Board members would take this course.

Birutis – Discussed the new impound fee and a Winfield census. She also reviewed water and sewer connection fees.

Bajor – Announced that the Public Works Committee will meet next Wednesday.

Czech – He is forming a temporary committee to establish a Bike Trail through Town Center. He wants it to connect to other existing bike trails.

He thanked Dolly Pointner for providing the financial records of Main Street Winfield. The Board had requested this information. He was also concerned about a rumor that the boundary of Town Center would be changed. Dolly Pointner stated that it is a rumor, Main Street Winfield did NOT discuss changing the boundary of Town Center.

Czech also discussed Committee assignments. He asked Levan if he still wanted to be the chairperson for the Communication Committee since he has not attended any of the meetings. Levan asked to be replaced. Levan claims that he has been “shut out” and is not the proper Trustee to head this Committee. Czech wants the public to know that he has tried to work with Levan by offering him numerous other Committee chairperson positions, by offering to reschedule meetings around Levan’s schedule and by working around Levan’s refusal to serve on any Committee with Bajor. He also stated that Levan has been difficult to work with since the first day Czech took office as Village President—he wasn’t shut out—he chose not to participate. Levan stated that he doesn’t agree with the direction the majority of the Board is taking the Village and therefore he is not the best Trustee to represent the Village Board as a Committee chairperson.

Czech also asked Bianco if he still wanted to be the Chairperson of the Finance Committee since he has missed many of the meetings. Bianco stated that there were personal and professional reasons he missed numerous Finance Committee meetings. He was also confident that Birutis had done an excellent job representing the Board at these meetings. He was in regular contact with Birutis and the Treasurer and was always aware of the activities of this Committee. He asked to continue to be involved in this Committee and stated that he will be able to attend more meetings in the future.

XI. Other Village Official’s Reports And Comments

A. Village President

B. Village Treasurer

1. August Financial Report

The Village Treasurer went over the highlights in the report. There were no questions or comments from the Board

C. Village Attorney

D. Village Manager

He recently missed his first Village Board meeting in his 25 year career in local government. He was in the hospital and stated that he is okay now. He thanked everyone who expressed their concern about him. He regrets missing Good Old Days due to his hospital stay. He thanked all that were involved in Good Old Days.

He reminded everyone that the next Village Board meeting will be October 5, 2006 and it will be held at Klein Creek.

E. Village Clerk

XII. Adjourn To Committee Of The Whole
Passed Unanimously.

Committee Of The Whole

XIII. Old Business

A. Environmental Concerns Commission – Trustee Bajor

1. Intergovernmental Agreement With DuPage County For The Installation Of A Drinking Fountain at the Southwest Corner of County Farm Road and Geneva Road

A GRANT FROM THE PRAIRIE PATH HELPED TO MAKE THIS POSSIBLE.

B. Other: - Village Manager

1. Ordinance Amending Title 9 – Building Regulations, Chapter 1 – Building Code, Article B – Contractor Registration of the Winfield Village Code

This new Ordinance has been successful but there have been a few complaints about the amount of liability insurance (\$2 million) that is required. Therefore changes were made to the ordinance to address this issue. The higher liability insurance requirement will only apply to new home construction and contractors involved in a significant home addition (800 square feet or more). There were definitions added.

XIV. New Business

A. Plan Commission – Trustee Petitti

1. Pre-Annexation Agreement For DTA Sports Management (10 Acres At The Southeast Corner of St. Charles And County Farm Roads)

There was a representative from Sports Management that just updated the Board on development process of this project. Winfield has already held a public meeting and our Plan Commission has already approved this project. He gave an update on their dealings with the County and our Village staff. He hopes that water and sewer will be provided by the Village of Winfield.

2. Final PUD Approval – Fisher Farms

There was a presentation by Cort Airhart of Airhart Construction. There were some changes made between the preliminary plat and the final plat. The primary change is that the number of homes has decreased from 74 to 71 homes. He presented drawings of the homes, landscape designs and the plat. These manor homes will start around \$475,000. He also is requesting a reduction in impact fees. The new impact fees will cost Airhart approximately \$500,000 more than they previously would have been required to pay. There was a great deal of discussion about the impact fees. Bianco stated that the request was reasonable. Kunesh said we need the money. Bajor said that Airhart presented a good case but he was leaning toward collecting the entire amount of the collection fees. Birutis stated that we have not raised our impact fees since 1989 and that the new fees are now consistent with the impact fees in surrounding communities. She doesn't think we should change the annexation agreement or credit any fees. Petitti asked Cort Airhart if they have ever requested a reduction in impact fees from any other Village. The answer was no. There will be a vote on the final approval on Oct 5, 2006.

B. Other

Levan – He is dissatisfied with his fellow Board members and Village staff because they are not communicating with him. There a number of issues that he would like responses to. 1. He is concerned that the new Heidi's deli sign does not conform to Town Center guidelines. The Village Manager stated that they are aware of this issue but the Village can not do anything about the sign since it does conform to our sign ordinance. The Town Center guidelines are guidelines, not law, and are therefore not enforceable. 2. He is concerned that Caliendos is not the right business for the new building because there is already a restaurant in the building and there may not be enough parking. Village staff determined that Heidi's is primarily a breakfast and lunch establishment and Caliendos is primarily a dinner establishment and hopefully parking will not become an issue. 3. Levan is concerned about the construction of an addition to the home at the corner of Summit and Washington. He is concerned about the safety and adherence to Village construction procedures. The Village Manager stated the owner does have a permit and staff will look into the construction procedures and safety of this addition. 4. He asked about the Antiques of Winfield and if they had a permit to renovate the building and if they are ADA approved. Village staff stated that there was a permit issued

for the renovation. There had been a minor issue in regard to a lock that has been resolved. The building is ADA compliant. 5. Levan asked if an appraisal was done on a piece of property that was recently vacated by the Village for \$800.00. He also stated that he thinks the Board may have violated State Statutes when we vacated this land. The Village Manager and Village Attorney both stated that this situation did not apply to the State Statute Levan was citing. The Village did not sell land, rather the Village vacated a right of way. Village staff determined the value of the property to be \$800. The Village Attorney also stated that the Village Board is required to determine the value of the land on a reasonable basis and that every situation is different. She also noted that this vacation included wetlands and that was a factor in the value determination.

Birutis – Thanked Winfield Community Bank for the Summer in the Park Series. She also thanked everyone involved in Good Old Days.

Other – Village Manager

A. Request for an Additional Class B Liquor License – Caliendo’s

NO COMMENTS

B. Ordinance to Establish A Policy on Village Board Meeting Minutes

LEVAN HAS A PROBLEM WITH THIS ORDINANCE. HE DOESN'T THINK THE CLERK IS CAPABLE. SHE SHOULD HAVE MORE RESPECT FOR AN ELECTED OFFICIAL. HE IS UPSET THAT MORE OF WHAT HE SAYS IS NOT RECORDED IN THE MINUTES. CZECH NOTED THAT THE VILLAGE CLERK IS ALSO AN ELECTED OFFICIAL WITH EXPERIENCE AT TAKING MINUTES, A BA DEGREE IN COMMUNICATIONS AND THAT SHE IS DOING AN EXCELLENT JOB. THE MINUTES ARE NOT MEANT TO BE A DETAILED ACCOUNT OF THE MEETINGS, RATHER THEY ARE A LEGAL RECORD OF THE ACTIONS AND VOTES TAKEN BY THE BOARD. DETAILED ACCOUNTS OF THE MEETINGS CAN BE VIEWED ON VIDEO TAPE. BIRUTIS MADE MINOR CHANGE TO ORDINANCE. BAJOR THINKS THE ORDINANCE IS A GOOD START. BIANCO DOESN'T CARE ABOUT THIS HOWEVER, HE FEELS THAT SINCE IT IS SO IMPORTANT TO LEVAN THE REST OF THE BOARD SHOULD CARE ABOUT HIS CONCERN.

C. Discussion on Solid Waste Contact Status

WE HAVE A 5 YEAR CONTRACT THAT IS ABOUT TO EXPIRE. WASTE MANAGEMENT IS OFFERING 2 ONE YEAR EXTENSIONS TO THE CONTRACT. THERE WILL BE A 3% INCREASE. ALL BOARD MEMBERS AGREE THAT THE EXTENSION IS A GOOD DEAL FOR WINFIELD.

D. Citizen/Business of the Month Program

Bajor, Kunesh, Birutis, Bianco all expressed approval for this program.

E. Discussion on Affordable Housing

Moved to next meeting's agenda.

F. Ordinance to Establish A Village E-Mail Policy

MOVED TO NEXT MEETING'S AGENDA

XV. 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)

LEVAN REQUESTS TO ADD DISCUSSION ABOUT THE "PLEASURE SPA" TO THE AGENDA. THIS BUSINESS IS LOCATED NEXT TO THE NEW SPORTS COMPLEX. IT IS AGREED TO ADD THIS TO THE AGENDA.

Bianco requests to add discussion about possible annexation of property on South side of St Charles Road. This will be added to the agenda.

XVI. Public Comments

A RESIDENT COMPLAINED ABOUT NEW CONSTRUCTION AT DELANO AND GENEVA ROADS.

A resident questioned the cost to bring water and sewer to the new proposed sports complex. He also questioned the value of the property vacated on Roosevelt Road for only \$800.

A resident welcomed back Kunesh. He also noted that the video recordings of the meeting will provide a more detailed account of the meetings and that should satisfy Levan's concern about lack of detail in the official Clerk minutes.

XVII. Village Board Comments

IT WAS LATE AND THERE WAS A VERY LONG AND HEATED DISCUSSION. SOME BOARD MEMBERS CONTINUED TO EXPRESS THEIR FRUSTRATION WITH LEVAN, CLAIMING THAT HE WAS DIFFICULT TO WORK WITH. BIANCO RESIGNED FROM ALL COMMITTEE ASSIGNMENTS.

XVIII. Executive Session

CANCELLED

- B. Executive Session Minutes
- C. Land Acquisition

XIX. Adjournment