

CALL TO ORDER:

President Bartels calls to order the Committee of the Whole Meeting of the Village Board at 7:00 pm.

ROLL CALL:

Roll: Michael Ruffulo, Paul VanOstenbridge, Frank Scarpelli, Jr., Daniel O'Leary, Robert Gorman, James Carlini and President Bartels. Paul Nicholson and T.J. Moore are also present.

CONSIDERATIONS:

1) Transfer Station Siting Ordinance

T.J. Moore introduces Chuck Helston who is the attorney assisting the Village with the Siting Ordinance. The Village has been approached on a possibility of a waste transfer station. The Village would need an Ordinance to regulate this in order to consider a Siting Ordinance for a pollution control facility.

Mr. Helston states that he has been retained by the Village to help with the siting process. He states that 30 years ago Illinois legislators decided to have a statute to govern transfer stations, landfills and pollution control facilities so they do not have to be zoned. However, the Village would want an Ordinance that further defines and places more requirements than just the minimum. The State's siting statute says there are minimal requirements. An application includes nine-numbered criterion and 1 unnumbered criterion. Once the application is filed timelines are put in place. The Village must have a Public Hearing not less than 60 days or more than 90 days of the filing and must prove or deny within 180 days of filing. This then becomes a quasi-judicial procedure that once an application is filed the Village may have no contact with any formal participant, as they become the judge.

The Ordinance will further define and flush out minimal requirements and the Siting Ordinance will define specifics. Mr. Helston also mentions that generally the Hearing Officer will provide the Board with a summary of important evidence and will give the Board his finding of facts, however the Village must make the decisions. He also states that what has been provided is the recommended Ordinance.

Mr. Helston informs the Board that the host agreement is the dialogue; the application is not. Also it could be stated in the host agreement that any other district would not be compatible if the Board only wanted this in the M district. The Village can own the site and site themselves. It is a good idea, as then the Village would have the siting approval. If a Board member is against this they could opt out if they cannot be objective and should not vote on it. However, he does not recommend campaigning against it.

Mr. Moore would like all questions on this document to be sent to him as soon as possible as this topic is on the agenda for the next Board meeting. Mr. Helston finishes up with a few things by letting the Board know that they can only deny an applicant if they fail to comply with the 9 criterion, however, the judge is the finder of fact. He states that there is a simple majority vote on each criterion.

Motion to move up agenda item #4 by O'Leary/Carlini.

Roll: 7 Ayes (Ruffulo, VanOstenbridge, Scarpelli, O'Leary, Gorman, Carlini, President Bartels), 0 Nays, Motion carries.

4) Vacation of Public ROW – Ravine Rd.

Mr. Moore states that Ron Heider, 524 Bonnie Dundee, approached the Village regarding the vacation of the right of way. This is a public right of way that may have been an extension of Ravine Road at one time and Mr. Heider's driveway is on this right of way. Mr. Moore saw nothing that would be an issue with this property changing ownerships. Mr. Heider is interested in the entire parcel. Staff will have to inform his neighbor, clarify the law and check on fair market value, as the land is non-buildable. Trustee O'Leary also suggests looking at other roads that the Village is not using.

2) BSI (Backflow Prevention Program) Agreement – Discussion

Mr. Moore states that this is just an update. The State has agreed to review the program. They are currently looking at the options to bring it in house. This will be discussed at the next COTW meeting.

3) Municipal Water Supply & Use Restrictions – Discussion

Mr. Moore suggests some possibilities surrounding the water condition. They would like to encourage conservation of water by limiting usage from 9 am – 6 pm, no water usage regardless of day of the week or address (including car washing.) However, hand on hose is okay to water flowers. Another option is a water conservation rate such as when a threshold is met; a higher rate would kick in. Some feel we are charging too much for our water now to justify a significant increase when passing the threshold. While some feel that limiting the time usage is a good idea, others would prefer to leave the water usage times and days as is. Also, there is uncertainty whether or not this applies to persons on a private well.

Mr. Heinz' simulation of maximum daily usage with well #3 down shows that it would not be able to meet the demand. The Village would have to go to a code red status if a well was lost. Since an agreement cannot be met, Mr. Nicholson will incorporate various suggestions into a draft amendment.

Trustee Scarpelli makes a motion to move up agenda items 10g, 11, and 12, as well as calls for an Executive Session. The motion is not seconded.

Mr. Nicholson states that an Executive Session can be called even if it is not on the agenda as long as a decision is not made.

Motion to move up agenda items 10g, 11 and 12 by Gorman/Carlini.

Roll: 7 Ayes (Ruffulo, VanOstenbridge, Scarpelli, O'Leary, Gorman, Carlini, President Bartels), 0 Nays, Motion carries.

10) STATUS REPORTS/UPDATES

g) Rashid SU Petition

Mr. Nicholson states that they are trying to get things clarified with Mr. Rashid. He will need to come in front of the Commission to request the license strictly for beer and wine. Mr. Nicholson states that the P & Z Commission has recommended the granting of the variance even with the withdrawal of the letter from the owner of the Manor Restaurant. Attorney O'Connor states that the Village can put time restrictions and that the special use is condition upon him doing whatever he is doing by a special date.

11) Santa's Village – Discussion

Pat O'Connor (Sterling Bay) spoke with Chief Pena and stated that the status is unchanged. He also contacted Scott Harrington and said that the park will not open this year. Attorney O'Connor believes that the deal may not go through and states that the lien stays with the property until it is satisfied. The only way the lien should be removed is if there is satisfaction of the outstanding bills being paid.

The new owners should probably come in front of the Board. Trustee Scarpelli is in favor of contacting them or any new business in our community that would like to do business in our town. Mr. Nicholson is asked to contact Steve Hopp to find out how the Village can work with them. He is also asked to look into the liquor license and the fees for the background check.

Motion to call for an Executive Session to the COTW meeting for agenda item #12 by Scarpelli/Carlini.

Roll: 7 Ayes (Ruffulo, VanOstenbridge, Scarpelli, O'Leary, Gorman, Carlini, President Bartels), 0 Nays, Motion carries.

8) Open Burning – Discussion

Trustee Ruffulo states that agenda item 8 is just a question for the Chief. He would like to have a report from Chief Pena on the number complaints regarding open burning.

7) Electronic Signage Amendment – Discussion

Trustee O'Leary inquires why item 7 is on the agenda. Mr. Nicholson states that since the Board authorized expenditure in the amount of \$30,000 as well as authorized the execution of that contract, the Board will need to waive the competitive bid next Monday by formal motion. It is stated that the Ordinance needs to be modified so the Village is not in violation of their own Sign Ordinance.

Motion to convene to Executive Session by Scarpelli/O'Leary.

Roll: 7 Ayes (Ruffulo, VanOstenbridge, Scarpelli, O'Leary, Gorman, Carlini, President Bartels), 0 Nays, Motion carries.

Motion to reconvene to COTW meeting by Scarpelli/O'Leary.

Roll: 4 Ayes (VanOstenbridge, Scarpelli, O'Leary, President Bartels), 0 Nays, Motion carries.

(Trustee Gorman is present, but momentarily left the room.)

President Bartels leaves at 10:45 pm.

Regarding the electronic sign, it is a replacement not a new sign therefore it should not be an issue with the Historic Board. However, any change should go in front of the Historic Board. They can only make suggestions and this would be included in the Building Inspector's normal process. Mr. Nicholson again states that the Board needs to clean up the authorization of the \$30,000 for the sign in the budget. The Board could side step the competitive bid, but it would have to be done by two-third's majority vote.

5) Clarke Environmental Agreement (Mosquito Abatement)

Trustee Gorman called Ruth Munson's office and they will support us in a Mosquito control program. There was \$250,000 expended out to the State's Health Department. The bricks are free of charge and they would give Staff the necessary training. This information will be given to Mr. Moore.

6) Community Events Sign Replacement – Discussion: *Not Discussed*

9) Wendt Ave Sewer Report – Discussion: *Not Discussed*

10) STATUS REPORTS/UPDATES: *None of following were discussed*

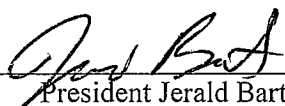
- a.) TIF Implementation Timetable
- b.) Police Chief Selection Process
- c.) Lunch In The Park
- d.) Sidewalk Cafe Regulation
- e.) Zoning Map Update
- f.) ED Retail Partners Annexation Agreement

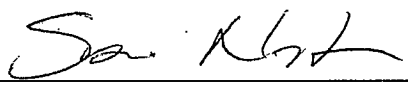
ADJOURNMENT: (Special Village Board Meeting – IF NECESSARY): *Not Necessary*

Motion to adjourn the COTW meeting by O'Leary/Scarpelli.

Roll: 4 Ayes (VanOstenbridge, Scarpelli, O'Leary, Gorman), 0 Nays, Motion carries.

Respectfully Submitted,
Susan Norton

By: 
President Jerald Bartels

Attest: 
Village Clerk Susan Norton