

**VILLAGE OF BANNOCKBURN  
BOARD OF TRUSTEES  
FEBRUARY 10, 2014  
MEETING MINUTES**

1. **Call to Order.** President Barkemeyer called the meeting to order at 7:00 PM.

President: James Barkemeyer

Trustees Present: David Ansani, James Boyle, Timothy Fisher, David Korner, Daniel Orth III (7:48PM), Frank Rothing.

Trustees Absent: None

Also Present: Village Clerk Estelle Raimondi, Village Manager Maria Lasday, Finance Director Linda McCulloch, Village Police Chief Ron Price, Village Engineer David Gewalt, Village Counsel Vic Filippini, Assistant to Village Manager Ryan Mentkowski, Village Intern Cory Poris.

Visitors: Bob Heilman (Metro Storage); David Meek (Metro Storage); Blair Nagel (Metro Storage); Bruce Nelson (Synergy Group).

2. 01-02/10: **Pledge of Allegiance.** President Barkemeyer led everyone in reciting the Pledge of Allegiance.

3. **Visitors' Business.**  
No visitor's spoke.

4. 02-02/10: **Discuss an Ordinance Instituting a Tax on the Privilege of Using Rental Storage Units.**

Village Attorney Filippini presented a draft of an ordinance to establish a tax on the privilege of renting storage units. He stated that there is no rate at this time and that this is an option available for the Board. The ordinance as drafted has the owner of rental facility collect the tax, and the owner can then charge an administrative fee to tender tax to Village.

Blair Nagel, CEO of Metro Storage, introduced himself to the Board. He stated he lives in Lake Forest and owns the company with his brother. He highlighted several points that were contained in the letter he sent to the Board. He stated that self-storage is like an apartment or an office building because Metro Storage rents space to individuals and businesses. He noted this tax is not fair, and if there is a tax then it should be for all landlords renting space in Village. He noted that it is difficult to compete in this industry already. There is a high demand, but there are 3 other self-storage facilities in the immediate area that are 90% full. Metro Self Storage is trying to succeed as new business in Bannockburn, and because of the tax, renters may choose to go to another

company in another city without the tax. Lastly he stated that the Metro Storage is investing millions and renovating a property that has been an eyesore for the community. He noted that they spend a lot of money on maintenance to provide clean and safe space for consumers at all of their facilities. He also noted that the business will be a good neighbor for the Village; they will be increasing tax base for the property by building two new buildings and that should offset the sales tax lost from Sears. He asked that the Board consider these points along with the other points in the letter.

Trustee Korner asked if the tax itself was onerous or is the issue the amount that they can reasonably expect to shift to the consumer. Mr. Nagel stated there were two issues. If you are a consumer researching where to rent, you want it to be convenient within 3 or 4 miles. Those consumers have a lot of choices in the surrounding area. If two facilities are both \$100 but Bannockburn has a tax, then consumers can see that online when researching their options and may go somewhere else. To compensate, Metro Storage may need to lower their rate to compete, and that will impact their ability to perform.

Trustee Korner noted that how the tax is packaged makes a difference and it can be disclosed up front or the price can be stated "plus tax". He noted that the Board is balancing the interests of the business within the community, and that while there needed to be an effort to be a good business partner, the Board also needs to balance the financial needs of the community. Mr. Nagel stated that consumers will drive by a facility many times, then decide one day they need storage. The consumers "google" Metro Storage, in addition to other storage facilities, and compare pricing. All of the companies disclose their rates. As a result it is difficult to say definitely how it will impact.

Trustee Fisher asked what percentage of rentals are corporate contractual rentals. Mr. Nagel stated that it is predominantly residential but there is approximately 25% commercial users. Trustee Fisher asked if the rentals tend to be long term or short term. Mr. Nagel stated that the contracts are a month to month lease, however the average business rents for 36 months, and the average consumer rents for 18 months. Trustee Fisher asked if there were any pre-commitment for space from any businesses. Mr. Nagel stated there were not and that 50% of business is driven because of a move and so there did not tend to be pre-commitments.

Trustee Rothing asked if there are different rates at different locations. Mr. Nagel stated that this will be similar to other locations but not exactly the same and they are anticipating a 5% to 10% difference. There will be more of a premium in Bannockburn because it is all single story, while Lake Bluff is 2 story and the 2nd floor is less money per month. Trustee Korner asked if he was aware of any other community that has a similar tax. Mr. Nagel stated that he was not aware of anyone in the area, but that it was not unprecedented.

Village Manager Lasday advised the Board that Staff needs direction on how to proceed, including if it needs to be on the next agenda. There was general discussion among the Trustees that a decision would require more discussion time. Village Attorney Filippini clarified that this matter was separate from the text amendments, and could be tabled

without tabling the vote on the text amendment. The Board decided to table the issue until the next meeting.

5. 03-02/10: Report from the Plan Commission / Zoning Board of Appeals Meeting on February 3, 2014:

- **Continued Public Hearing for the Consideration of Proposed Zoning Code Text Amendments, Special Use Permits, Variations, and any other Zoning Relief Necessary in Connection with the Proposed Establishment of a Self-Storage/ Mini-Warehouse Facility on the Property Commonly Known as 1951 Waukegan Road, Bannockburn, Submitted by Metro Storage LLC and Sears, Roebuck & Co.**

Village Manager Lasday advised that PCZBA did like the proposal but also wanted Metro to work with the ARC regarding exterior look as they had concerns about the use of metal panels.

David Meek, attorney for Metro Storage, introduced himself to the Board. He stated their proposal was an adaptive reuse of the existing facility in addition to adding two single story buildings in the rear, with parking and access around the buildings and enhanced landscaping at the site. He noted that the site is compatible with the storm water retention facility and rain garden recently installed by the Village, and that Metro has made modifications to the site plan to ensure drainage. He introduced Bob Heilman, the project manager, to the Board.

Mr. Meek noted that at PCZBA Metro Storage had asked for a text amendment to create a special use as there were no allowances for this type of use in the Village. The special use for this facility was specifically for the 3 buildings on site. They designed the site to be zoning compliant, and are in full compliance with all requirements except for opacity requirements on the rear yard. Because of the retention system, the Village Forester recommended a variance be applied for in order to modify the bufferyard or opacity requirements in the rear of the site.

Mr. Meek further stated that Metro Storage has made a submittal for the two additional buildings that is compatible with original building exterior. Mr. Heilman stated that the two buildings in the back will have a stucco finish of the same color and more compatible with the primary building. Mr. Meek also noted the proposal incorporated less impervious area than what was there before, and additionally added green area by reconfiguring parking. The area will be secured with a keypad entry, and the passcode terminates when the lease expires. The exterior lighting is also compliant with code.

Trustee Rothing asked about the landscape plan for street side. Mr. Meek advised there are 2 areas of landscaping along the road and behind the building, but they have left the detention area because it is in use. Mr. Heilman noted there is a 40 foot wide landscape buffer along Waukegan proposed. Trustee Rothing asked if the parking areas are shielded. Heilman stated it is shielded from the street. Village Engineer Gewalt noted that the detention area has to stay, so he suggested rain garden.

However, he clarified that it is a suggestion and not a formal element necessary for plans; he is not requiring a rain garden at the facility.

Police Chief Price stated that the proposal is an improvement over what is there now. Trustee Fisher asked him if it was anticipated that there would be issues with the adjoining Deerfield High School. Police Chief Price stated that Metro Storage has a security system and adequate lighting so he anticipates no issues.

Mr. Heilman noted that there is a 6 foot high cedar fence and two gates. Snow can be either pushed out through the gates or left in the green spaces within the gated area. Security cameras will be installed throughout the site, and there will be an employee on site from 9:30 to 6:00 Monday through Friday, 8:30 to 4:00 on Saturday and 10:00 to 2:00 on Sundays. Access hours for the facility are generally a couple of hours before and after the office hours.

Police Chief Price asked what would happen if someone entered the property at 9:00 pm to have party. Mr. Nagel stated that at 10:00 pm they can leave but they cannot come back in. Mr. Nagel noted that this is the same as in an office building in town that people could be there outside of regular office hours. Police Chief Price asked if it was possible that someone could spend the night. Mr. Nagel stated that it was theoretically possible, but that does not happen in this area. However if it became a problem, they could hire someone to walk the buildings and close it down.

Village Manager Lasday asked for clarification on the location of the light fixtures. Mr. Heilman stated that due to code they are limited wattage fixtures, but they are generally around the exterior of the buildings. The fixtures are at the height of door and they shine straight down and there is no glare. Light will be at door locations, and there will be no pole lights.

Trustee Boyle asked if there will be security cameras or security guards to monitor the property on a 24/7 basis. Mr. Nagel stated that the cameras are operational 24/7, and the office monitors cameras during office hours. The cameras record overnight so even if no one is watching them after hours, the information is still available. The police will be given a code so they can have access to the property 24/7. The DVR for the security camera is kept for 30 days.

Trustee Boyle asked if the Village could need to get a search warrant for unit. Mr. Nagel clarified that walking the perimeter of the building or in the hallways of the buildings is fine. However, a search warrant is needed to enter a storage unit itself. Employees walk through the facility and perform a lock check 2 times a day, and if there is anything suspicious, it is addressed right away. The company contacts the tenant, but they can cut the lock and enter as part of lease. They have the right to protect the safety of the other consumers so they will enter a unit if necessary.

It was noted for the record that Trustee Orth arrived at 7:48 pm.

Trustee Fisher asked if there will there be storage auctions. Mr. Meek advised that there would be, but that it generally only happens twice a year in area like Bannockburn. Trustee Korner asked if tenants swipe out when they leave, so that if 49 people come in but only 46 go out then could that be tracked. Mr. Nagel advised that motion detectors can kick in at 10:30 pm if the facility closes at 10:00 pm if there are concerns. Trustee Korner asked if there would there be concern if someone did not swipe out. Mr. Nagel stated that patrons can exit without swiping in certain areas. However they would probably know if someone left after 10:00 pm unless they spent the night. The Village Board directed Village Attorney Filippini to prepare the ordinance.

- **Public Hearing for the Consideration of a Proposed Update and Amendments to the Comprehensive Plan for the Village of Bannockburn.**

Village Manager Lasday stated that the PCZBA held the first meeting for the Comprehensive Plan. The meeting was attended by resident Bruce Nelson and his wife and they had some concerns, including concerns that a 1978 date might actually be 1960.

Village Manager Lasday stated they also were concerned about tear downs in the “B” district and also if the Village will be willing to look at bulk regulations in the “B” district. They felt that the regulations in that district were too onerous for residents in that district. Village Manager Lasday also said that Mr. Nelson suggested that the wording of the Comprehensive Plan should be amended as not all housing in the Village exudes an estate feeling and there are many smaller lots.

Trustee Orth said that Bruce Nelson was worried about larger properties being focused on to the exclusion of smaller properties. Village Manager Lasday stated that the smaller lots are often non-conforming, and Mr. Nelson is worried that if one of them was to burn down it might take more than a year to rebuild on the lot. She stated the question is if the ordinances are too onerous for the smaller lots.

Trustee Fisher stated it can take 9 to 10 months minimum for full resolution with an insurance company after a fire. He stated that he can see that even starting the rebuilding process within a year may be moving really fast. Mr. Nelson asked why the Village has two tracks and why a 10 acre lot has forever to rebuild, while a ½ acre lot does not. Village President Barkemeyer stated that more time should be given. Trustee Fisher said he has seen situations where an insurance company doesn’t fully settle a claim for more than a year and that may be too burdensome to a resident. He stated that the process should be initiated in 2 year period. Trustee Boyle agreed that the time frame can be changed and noted that if redesign is included, that takes time too. Trustee Fisher also stated that if the ARC was to ask for modifications to plans it could take even longer. He believes that it is reasonable to consider not when the project is completed, but when the process is initiated.

Village Manager Lasday stated that she met with Bruce Nelson earlier in the day and is trying to understand his concerns. She noted that Mr. Nelson stated he wants a

“green environment” to be used instead of “estate feel” to be the language included in the Comprehensive Plan.

Trustee Fisher asked if the Village can set timelines for building to be set in zoning code. Village Attorney Filippini stated that the conversation regarding changes to zoning should be considered separately from the Comprehensive Plan. However the zoning code can be modified to address these concerns. Bruce Nelson asked the Board what would happen if someone does not want to rebuild. He stated that there should be no reason for 2 tracks, one for larger lots and one for smaller lots.

Village Attorney Filippini stated that there are similar codes in other communities for non-conforming lots. Use, structure, and lot are all treated differently in regard to non-conformities in the ordinances in Bannockburn and in other communities. There was discussion among Board members that the concerns about non-conforming lots should be addressed at another time.

6. **04-02/10: Consider Approval of Updated Gewalt Hamilton Associates, Inc. Fees (Engineering Consulting Services).**

Village Engineer Gewalt stated that although rates were raised last year, they have only been raised four times in 12 years.

Trustee Orth moved, seconded by Trustee Rothing, to approve the Updated Gewalt Hamilton Associates, Inc. Fees (Engineering Consulting Services). On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing); Nays: None; Absent: None.

7. **05-02/10: Village Engineer Report: Top Project List.**

Village Engineer Gewalt reported on a meeting with several homeowners regarding Stirling Circle and stated that they provided input on the proposed plans. The plan will be revised to incorporate those suggestions and prepared for the 1st meeting in March. The homeowners wanted more grouping and were concerned about opacity. Trustee Rothing asked how many residents were at the meeting. Village Engineer Gewalt stated that all affected resident except Mr. Tinucci were present. Trustee Korner stated that it was a productive meeting and gave the landscape architect suggestions to revise the plans going forward.

Village Engineer Gewalt stated that the 4th quarter water audit has been completed and the spreadsheet from 2012 to 2013 showed the percentage was better and the report did incorporate 25 days where there was a substantial leak. The Village still has a problem as we are exceeding unaccounted for flow. He stated that we need to monitor this for the next 3 months and also recalibrate larger meters. He is also trying to calibrate some of the meters that are inside, but the others will have to wait until the snow melts.

Trustee Rothing asked if we have a master meter to measure the water received from Highland Park. Village Engineer Gewalt said that we do have a master meter and that is being recalibrated also. Trustee Fisher stated that Highland Park knows they are using secondary meters at this point because of construction. Village Engineer Gewalt stated

that the meters measuring water coming from Highland Park will be the first ones calibrated. Village President Barkemeyer asked if gearless ones should be used. Village Engineer Gewalt stated that usually those have more inaccuracies. Meters are generally calibrated within certain ranges. They are then compared to another meter or you can attach to a test apparatus.

Village Engineer Gewalt stated that regarding the 2013 MFT project IDOT has received all paperwork and has signed off on the Sunset and High Terrace projects.

Trustee Rothing asked if there was any concern about freezing of water pipes. Village Engineer Gewalt stated that there had been no water main breaks recently, but that some residents have been keeping their water dripping to prevent the pipes from freezing. Village Manager Lasday noted that Midtown is telling customers that they are being fined by IEPA at \$100,000 a day. Village Engineer Gewalt stated that he was not aware of it, but that perhaps they are not using water saving fixtures. Trustee Fisher said that Midtown took off their restrictors so they have more forceful flow. Village Engineer Gewalt suggested that they may have been advised that they could face fines for non-compliance.

8. **06-02/10: Village Police Chief.**

Village Police Chief Price stated that on page 8 of the Bannockburn Police Department annual report it is noted that the Police Department has been accepted by the accrediting Board, we are just waiting for the certificate and Board presentation. He noted that Jon Leary was a big help on the accreditation project. He stated that the men and women at the Police Department are the backbone of the report and he is very proud of the job performed by the Police Department. There is a link to the report on website and Facebook.

Village Police Chief Price noted that donations are being received to honor resident Jeremy Harris, who passed away last week. There has been over \$2,000 donated to the Bannockburn Dare program, and the school is working on a Valentine's Day fundraising project and that will also be donated to DARE in Jeremy's name. Additionally, Trinity called and they will be providing a donation to DARE program.

Village Police Chief Price also stated that the Police Department has also received several donations for Dex after a local news article ran a story. He suggested using the donations to purchase a bronze statue of a German Shepard that could perhaps be installed at the park. The statue would cost approximately \$3,000 and would be covered by donations.

Village Police Chief Price also reported on two minor vehicle mishaps that occurred recently. In the first incident a driver backed into a squad car at Midtown. That car has been repaired. The second incident occurred when an officer out on a call had a minor car accident with a Metra truck. There were no injuries. The insurance agent for the Village felt it would be best for the second incident to be paid out of pocket so there are not 2 crashes in 1 month reported to the insurance company.

Trustee Orth asked about donations for new dog, and Village Police Chief Price stated that the price of the new dog and training is covered by grant dollars. Hopefully the new dog, Odin, will be through his training by June 2014.

9. 07-02/10: **Village Counsel Report.**

Village Attorney Filippini stated he had no report

10. 08-02/10: **Village Manager Report.**

Village Manager Lasday stated that we have good news, we have a grocery store. She noted at this time we are just waiting for the official press release from Safeway. She noted that Dominick's is now closed and the new grocer is planning to open by Memorial Day, and they have already had architects inside the building to evaluate the space. Additionally, there are several leases that were contingent on a grocery store, including a Greek restaurant that will be there now that a grocery is signed.

Village Manager Lasday also stated that there is a very good possibility of a \$100,000 grant for next year. There will be another capital bill, so if there is a big project we want to do this is the time to decide. Village Manager Lasday and Village Engineer Gewalt will be doing another presentation on 319 projects.

Village Manager Lasday also asked the Board for clarification on the date for the new employee contribution rate to the insurance. The contract starts Feb 1st but April 1st is when premiums go up this year. After discussion the Board decided the employee contribution rate should be effective April 1st. Another issue is if someone ends their employment with the Village and there are funds for them in the HRA. Clarification is needed from the Board if they should still get access to those funds or if that should terminate. The Board decided the access to the funds should also terminate. Village Manager Lasday asked if an employee dies, will the family still have access to the HRA. She stated that this issue must be resolved because of the new HRA account being created. Trustee Ansani asked if money is already in the account, and Village Finance Director McCulloch stated that money will already be in the account and it is there through December 31st of that particular plan year. It is a Village asset, and if unused, remains Village funds. Trustee Orth stated that if it is Village funds, then it is a benefit to employees while alive, but is not a death benefit. He stated if we want to establish a death benefit, we should not do it with these funds. Trustee Fisher stated that the Board always needs to look at extenuating circumstances, particularly in the case of an officer who loses their life in the line of duty. Finance Director McCulloch stated that she would set up the account so that with termination, retirement or death, the HRA funds will no longer be available.

11. 09-02/10: **Village Clerk Report.**

Village Clerk Raimondi stated she had no report.

12. 10-02/10: **Village Commissioner Reports.**

*Finance Commissioner.*

- **February Bill Submit List.** Trustee Ansani stated that the weather has been costing



us, as reflected in the expenses for salt and plowing. Disbursement to the HRA is reflected, along with the payment for the Telegraph Road lift station calibration and repairs. Additional expenses listed are tree removal and medical premiums.

Trustee Fisher moved, seconded by Trustee Orth, to approve the February Bill Submit List. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing); Nays: None; Absent: None.

- **January Monthly Financial Budget Report.** Finance Director McCulloch stated that she is using January and February activity to create budget documents. She asked for input from the Board if there were additional items that should be included.
- **Quarterly Investment Report.** Finance Director McCulloch stated there were basically no returns. However IMRF did provide some preliminary numbers so the supplemental funding was a good decision. Village Manager Lasday noted that with the additional \$1,000,000 of funding through IMRF over the last 2 years the rate of return was approximately 20%, or \$200,000.
- **Discussion of Fiscal Year 2014-2015 Capital Projects and Budget and the Ranking of Capital Projects.** Finance Director McCulloch requested that the ranking sheets illustrating the different Capital Projects on the Village's radar be submitted back to her office in the next week.

13. 11-02/10: **Village President Report.**

Village President Barkemeyer distributed the annual evaluation for Village Manager Lasday to the Board and asked that it be returned back to him in the next week.

14. 12-02/10: **Consideration of Approval of the January 27, 2014 Board Meeting Minutes.**

Trustee Ansani moved, seconded by Trustee Korner, to approve the January 27, 2014 Board Meeting Minutes. On a voice vote the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing); Nays: None; Absent: None.

15. **Adjournment.**

Trustee Fisher moved, seconded by Trustee Korner, to adjourn the meeting at 8:17 PM. On a voice vote the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing); Nays: None; Absent: None.