

**VILLAGE OF BANNOCKBURN
BOARD OF TRUSTEES
AUGUST 10, 2015
MEETING MINUTES**

1. **Call to Order:** President Rothing called the meeting to order at 7:03pm.

President: Frank Rothing

Trustees Present: David Ansani, Jim Boyle, Mary Herrmann, David Korner, Diana Lackner, Kerry Martin.

Trustees Absent: None.

Also Present: Village Manager Maria Lasday, Finance Director Linda McCulloch, Village Counsel Vic Filippini, Village Engineer David Gewalt, Village Forester Todd Sinn, Assistant to Village Manager Ryan Mentkowski and Administrative Assistant Joan Koriath.

Visitors: Mark Fowler (Northwest Municipal Conference), Michael Flynn (NAI Hiffman), James Brownow (Student – Seville), Ann Maine (Lake County Board).

2. 01-08/10: **Pledge of Allegiance.** President Rothing led everyone in reciting the Pledge of Allegiance.

3. 02-08/10: **General Discussion of Lake County Activities by Lake County Board Member Ann Maine.**

Lake County Board Member, Ann Maine provided a summary of Lake County Board and Lake County Forest Preserve current projects including road projects, court building project, Des Plaines River trail completion, 911 Call center –shared service, and forestry initiatives. She noted that the County and the Forest Preserve have an AAA Bond rating.

4. 03-08/10: **General Discussion of Northwest Municipal Conference by Executive Director Mark Fowler.**

Mark Fowler provided a summary of initiatives and services provided by the Northwest Municipal Conference (NWMC). He noted the Village of Bannockburn membership fee is \$5,421. He noted that the NWMC mission includes advocacy, transportation planning and suburban purchasing cooperative. He noted that a significant part of their work is to lobby on behalf of municipalities for proposed legislation. He noted recent projects include pension fairness, and ComEd smart grid bill. He thanked the Board for Village Manager Maria Lasday significant participation in the NWMC.

5. 04-08/15: **Other** (for non-agenda items). None.

6. **05-08/10: Report of the Plan Commission / Zoning Board of Appeals Meeting on August 3, 2015:**

Public Hearing for the Consideration of Proposed Zoning Code Text Amendments, Special Use Permits, Amendments to Existing Special Use Permits, Amendments to Approved Site Plans, Variations, and any other Zoning Relief Necessary in Connection with the Proposed Installation a New Generator, Landscaping or Other Screening, and Related Facilities and Improvements on the Property Commonly Known as 3000 Lakeside, Bannockburn, Illinois, Submitted by Donlen Corporation and C-111, MLCFC-2006-4; Bannockburn c/o NAI Hiffman.

Village Manager Lasday noted that at the August 3, 2015 PCZBA meeting, Applicant requested zoning relief to install a standby generator on existing green space to provide back-up electrical service for the office building and related facilities, an approximately 27' x 8' concrete pad, walkway for access, fence, landscaping, and a rain garden (collectively, the "Proposed Improvements") at 3000 Lakeside Drive ("Subject Property"), as well as an increase of impervious surface at the Subject Property.

The proposed generator will be screened by a 6 foot high closed fence and landscaping. It will be enclosed in a level 2 acoustic enclosures that limits sound levels to 75dBA, which is zoning compliant and consistent with a recommendation by Village Engineer David Gewalt.

The Proposed Improvements will add approximately 261.5 square feet of additional impervious surface coverage, and after the construction of the Proposed Improvements, the lot coverage on the Subject Property will be approximately 51.57%, which exceeds the applicable 50% maximum lot coverage under the Zoning Code. Applicant proposed mitigating the increased impervious surface coverage through the installation of an approximately 300 square foot rain garden on the Subject Property.

The installation of the proposed standby generator would be considered zoning compliant provided (a) the standby generator is at least 10 feet from any window or door of the building, and (b) the Building Commissioner approves the location of the proposed standby generator. Upon review of the application materials, the Building Commissioner approved the location of the proposed generator and concrete pad, subject to Applicant installing the proposed generator and concrete pad consistent with Village Engineer David Gewalt's recommendations, as noted below.

The proposed generator appears to be at least 10 feet from any door and/or window of the office building at the Subject Property. However, the Proposed Improvements are to be installed in current green space, which alters the previously approved Site Plans and Landscape Plan for the Subject

Property pursuant to Ordinance 98-13, as amended, and further increases the lot coverage at the Subject Property by 261.5 square feet, which amounts to a total of 337,104 square feet of lot coverage at the Subject Property. As a result, at the August 3, 2015 PCZBA meeting, Applicant requested the following zoning relief to install the Proposed Improvements:

An amendment to the Original SUP to modify the approved site plan and landscape plan to authorize installation of the Proposed Improvements; and

A Special Use Permit pursuant to Section 5-106.C.22 of the Zoning Code to authorize lot coverage in excess of 50%.

An Amendment to Section 5-106 of the Village of Bannockburn Zoning Code. In light of the unique circumstances for properties in the Office District that front on Illinois Route 22 and have dedicated right-of-way to the Illinois Department of Transportation for highway and other public purposes, as well as the addition by Applicant of impervious surface due to the installation of the Proposed Improvements, zoning relief is also required to amend Section 5-106 of the Village of Bannockburn Zoning Code. The proposed Section 5-106 amendment would require a special use permit to authorize lot coverage in excess of the 50% limitation, but not exceeding 52% coverage, for such properties under certain circumstances.

7. **06-08/10: Consider Approval of An Ordinance Amending Section 5-106 of the Bannockburn Zoning Code Regarding Lot Coverage in the Office District.**

Trustee Ansani moved, seconded by Trustee Boyle, to approve Ordinance 2015-15, an Ordinance Amending Section 5-106 of the Bannockburn Zoning Code Regarding Lot Coverage in the Office District. On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Herrmann, Korner, Lackner, Martin); Nays: None; Absent: None.

8. **07-08/10: Consider Approval of an Ordinance Amending Ordinance 98-13 Relating to Installation of an Outdoor Electric Generator and Related Facilities and Granting a Special Use Permit for Increased Lot Coverage (3000 Lakeside Drive).**

Trustee Martin moved, seconded by Trustee Herrmann, to approve Ordinance 2015-16, an Ordinance Amending Ordinance 98-13 Relating to Installation of an Outdoor Electric Generator and Related Facilities and Granting a Special Use Permit for Increased Lot Coverage (3000 Lakeside Drive). On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Herrmann, Korner, Lackner, Martin); Nays: None; Absent: None.

9. **08-08/10: Consider Approval of a Waiver to the Village Board Appeal Process Regarding the Following Architectural Review Commission Application:**

- Consider Approval of the Installation of a New Generator, Concrete Pad, Access Walkway, Rain Garden and Fence at the Property Commonly Known as 3000 Lakeside, Bannockburn, Illinois, Submitted by Donlen Corporation and C-111, MLCFC-2006-4; Bannockburn c/o NAI Hiffman.

- Consider Approval of a Modification to the Previously Approved Elevation Plans for the Home Presently Under Construction at 29 Aberdeen Court in the Tarns of the Moor Subdivision to Remove a Chimney and Replace it with Windows, Submitted by Capitol Custom Homes, Inc. for Foxford12 LLC.

- Consider Approval (i) to Expand an Existing Deck, (ii) to Remove, Relocate and Install a New Hot Tub and Pergola, and (iii) to Relocate Some of the Existing Exterior Landscape Lighting, (iv) to Install a New Fireplace, Seat Wall, Pillars, and Landscaping, (v) to Remove an Existing Tree at the Rear Yard of the Existing Residence Located at 8 Bannockburn Court, Submitted by Paul Johnson.

Village Manager Lasday provided a summary of the proposed considerations. She noted that these recommendations will be sent to the Architectural Review Commission (ARC) August 18, 2015 meeting.

Trustee Boyle moved, seconded by Trustee Martin, to approve the Architectural Review Commission recommendations. On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Herrmann, Korner, Lackner, Martin); Nays: None; Absent: None.

10. **09-08/10: Consider Approval of An Ordinance Amending Bannockburn Ordinance 2004-16, As Amended (The Bannockburn Morals and Conduct Code) Relating to Liquor Licenses.**

Village Manager Lasday noted the reason for this amendment is to address the needs of Rosati's outdoor patio design for liquor service. She noted that the amended ordinance is narrow and would not allow other potential establishments to utilize this amended ordinance. Trustee Lackner asked why this amendment was needed. Village Manager Lasday noted that the Class C-1 license is for liquor serving with restaurant meals and the Class D-1 license is for the patio. She noted that Rosati's outdoor space and table configuration is different than other establishments granted a liquor license. Village Manager Lasday also noted that to date Rosati's has not submitted any building plans for review. She noted that Rosati's has agreed to lease terms beginning September 2015 with Bannockburn Green.

Trustee Boyle moved, seconded by Trustee Herrmann, to approve Ordinance 2015-17, an Ordinance Amending Bannockburn Ordinance 2004-16, As Amended (The Bannockburn Morals and Conduct Code) Relating to Liquor Licenses. On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Herrmann, Korner, Lackner, Martin); Nays: None; Absent: None.

11. **10-08/10: Consider Approval of Class C-1 and Class D-1 Liquor Licenses to Rosati's Pizza Pub Development - Bannockburn LLP**

Trustee Ansani moved, seconded by Trustee Korner, to approve Class C-1 and Class D-1 Liquor Licenses to Rosati's Pizza Pub Development - Bannockburn LLP. On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Herrmann, Korner, Lackner, Martin); Nays: None; Absent: None.

12. **11-08/10: Consider Approval of a Waiver of Competitive Bids and a Resolution Approving a Contract Between Tracz & Son, Inc. and the Village of Bannockburn for Snow Removal and Salt Application Services for the Village Hall, the Village Shelter, and the Village Water Reservoir (Fall 2015- Spring 2016).**

Trustee Martin moved, seconded by Trustee Boyle, to approve a Waiver of Competitive Bids and Resolution 2015-R-31, a Resolution approving a Contract Between Tracz & Son, Inc. and the Village of Bannockburn for Snow Removal and Salt Application Services for the Village Hall, the Village Shelter, and the Village Water Reservoir (Fall 2015- Spring 2016). On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Herrmann, Korner, Lackner, Martin); Nays: None; Absent: None.

13. **12-08/10: Consider Approval of a Waiver of Competitive Bids and a Resolution Approving a Contract Between SE Inc. (Sciarretta Enterprises) and the Village of Bannockburn for Snow Removal and Salt Application Services for Village of Bannockburn Roadways and the Sidewalks/Pathways on Telegraph Road, Half Day Road and Waukegan Road within the Village of Bannockburn (Fall 2015- Spring 2016).** Village Manager Lasday noted that we have received outstanding service from Sciarretta Enterprises each winter. Trustee Herrmann asked if have received other competitive bids. Trustee Korner noted that Sciarretta Enterprises has held their prices for the last five years and provided outstanding service. He noted that Sciarretta Enterprises has invested in snow removal equipment to service our pathways.

Trustee Martin moved, seconded by Trustee Korner, to approve a Waiver of Competitive Bids and a Resolution 2015-R-32, a Resolution approving a Contract Between SE Inc. (Sciarretta Enterprises) and the Village of Bannockburn for Snow Removal and Salt Application Services for Village of Bannockburn Roadways and the Sidewalks/Pathways on Telegraph Road, Half Day Road and Waukegan Road within the Village of Bannockburn (Fall 2015- Spring 2016). On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Herrmann, Korner, Lackner, Martin); Nays: None; Absent: None.

14. **13-08/10: Consider Approval of a Resolution Accepting a Preventive Maintenance and Inspection Agreement with Steiner Power Systems for Village Owned Generators (Route 22 Lift Station, Telegraph Road Lift Station, Water Reservoir, and Village Hall).**

Trustee Boyle moved, seconded by Trustee Martin, to approve Resolution 2015-R-33, a resolution accepting a Preventive Maintenance and Inspection Agreement with Steiner Power Systems for Village Owned Generators (Route 22 Lift Station, Telegraph Road Lift Station, Water Reservoir, and Village Hall). On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Herrmann, Korner, Lackner, Martin); Nays: None; Absent: None.

15. **14-08/10: Village Engineer Report.**

Village Engineer Gewalt noted that the Lakewood Drive and Bridle Lane project is waiting for reflectors for the fire hydrants to be complete. He noted that this project's actual cost was \$15,000 under the estimate. He noted that the North Avenue project is in phase 1 with the environmental study forwarded to Illinois Department of Transportation (IDOT). He noted that there will be a resident meeting scheduled in the near future. Village Engineer Gewalt noted it was decided to postpone the Woodland landscaping on Route 22 until this fall. Trustee Lackner asked if we had a maintenance plan (including the use of Gator bags) for the existing trees on Route 22.

President Rothing began a discussion of the summaries pathways and storm water in Village. President Rothing noted that the 1900 Telegraph easement was created with the understanding that the homeowner would keep, use and maintain the pond. He noted that the pond is in poor condition but cannot be filled in. Village Manager Lasday noted she will speak with Theresa Zagnoti about the condition of the pond.

16. 15-08/10: **Village Police Chief.**

Chief Price summarized an incident where Michigan police recovered collections of old coins and stamps belonging to Bannockburn resident, Gregg Panek as a result an unknown burglary in his home. Chief Price discussed a recent felony drug arrest which resulted in a seized vehicle. He summarized the two options available to the Village; sell the vehicle for a 60/40 split with the State of Illinois or use the seized vehicle for D.A.R.E. education. The Board consensus was to utilize the seized vehicle for D.A.R.E. education for one year. Chief Price noted that intern, Calla Ziemba, has been a valuable asset to the department this summer. He noted she worked on the annual report, Emergency Operation Manual, participated in D.A.R.E., ride-a-longs with several departments, assisted with the BBQ challenge and photographed events. He recommended providing Calla with a gift card for her summer of service. The Board consensus was to give Calla a \$500 gift card.

17. 16-08/10: **Village Counsel.** None.

18. 17-08/10: **Village Clerk.** None.

19. 18-08/10: **Village Commissioners.**

- *Finance*

Finance Linda McCulloch summarized the Quarterly Investment Report, noting that the Motor Fuel Tax fund balance is reduced from a combination of paying for Dunsinane and Lakewood/Bridle plus the conclusion of the State 5-year capital funding that was \$6,205 per year; escrow deposits were returned to 21 Aberdeen for \$80,000 and 2151 Waukegan for \$15,000, reducing cash on hand; the target allocation for investments remains at 10% - 20% per financial institution; with uncertain State funding, the Village Hall lighting project will likely be postponed; and we are anticipating a \$53,000 permit fee from the forthcoming McDonald's project.

With 5+ weeks between Village Board meetings, there were no objections to continue the practice of the Finance Commissioner approving payments that would otherwise be past due before the September 16th meeting.

Trustee Boyle moved, seconded by Trustee Ansani, to approve the August Bill Submit List. On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Herrmann, Koror, Lackner, Martin); Nays: None; Absent: None

- *Buildings:*

Trustee Koror noted that the reforestation plan for 1250 Cedarcrest is progressing.

- *Roads & ROW: None.*

- *Water & Sewer: None*

- *Police:*

Trustee Boyle noted that he will be attending a EMOC meeting in Springfield in September.

- *Community:*

Trustee Lackner noted the Bannockburn Day is September 12th.

20. 18-08/10: Village Manager.

Village Manager Lasday noted that the next Village Board meeting will be on Wednesday, September 16th. She noted that Baxalta was considered for sale via a hostile takeover. She noted that Heinen's Chili cook off is August 29th. Trustee Ansani asked about the recent mosquito spraying in the Village. Village Manager Lasday noted that the only notification received by the Village is a couple of hours before they spray. Trustee Lackner asked whether regulations can exist on a local level to regulate spraying on private property.

Village Manager Lasday noted that the special Tree Commission meeting will be held after the ARC meeting on Tuesday, August 18th. She noted the process will include the tree commission review with a recommendation on the drafted regulations, and then the recommendations will be sent back to the Village Board for their review prior to review by the Planning Commission Zoning Board of Appeals (PCZBA).

21. 19-08/10: Village President.

President Rothing distributed the new car magnets of the Village crest to the Board. He noted the recent Tennis Day and concert was fun and successful. He noted that Bannockburn Day is September 12th 12:00pm-4:00pm. Trustee Herrmann asked why they have a Village email account if they are unable to have direct access to the mailbox. Village Counsel Filippini noted that emails coming into a central location and then distributed protects Trustees from making immediate responses; this is important because statements in e-mails only have qualified immunity under the law, were as statements during a meeting are fully immune. In addition, FOIA can only request Village email accounts. He noted that Trustees personal email accounts are generally not subject to FOIA.

Executive session for the discussion of (1) Pending or Probable or Imminent Litigation Pursuant to 5 ILCS 120/2(c)(11) and (2) Personnel.

Trustee Martin moved, seconded by Trustee Korner, to enter into Executive session for the discussion of (1) Pending or Probable or Imminent Litigation Pursuant to 5 ILCS 120/2(c)(11) and (2) Personnel. On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Hermann, Korner, Lackner, Martin); Nays: None; Absent: None. Executive Session was entered at 9:51pm.

There being no further discussion in Executive Session, Trustee Ansani moved, seconded by Trustee Martin, to exit out of Executive Session. On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Hermann, Korner, Lackner, Martin); Nays: None; Absent: None. Executive Session was adjourned at 10:18pm.

22. 21-08/10: Consider Approval of the July 13, 2015 Board Meeting Minutes (Subject to Minor Corrections). On a roll call vote, the motion was approved. Ayes: Six (Ansani, Boyle, Hermann, Korner, Lackner, Martin); Nays: None; Absent: None.

ADJOURNMENT.

Trustee Boyle moved, seconded by Trustee Martin, to adjourn the meeting. On a voice vote, the motion was approved. Ayes: Five (Ansani, Boyle, Herrmann, Korner, Lackner, Martin); Nays: None; Absent: None. The meeting was adjourned at 10:19pm.