

**VILLAGE OF BANNOCKBURN
BOARD OF TRUSTEES
JANUARY 13, 2014
MEETING MINUTES**

1. **Call to Order.** President Barkemeyer called the meeting to order at 7:04 PM.

President: James Barkemeyer

Trustees Present: David Ansani, James Boyle, Timothy Fisher, David Korner, Daniel Orth III, Frank Rothing

Trustees Absent: None

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

Visitors: Walter Willis (SWALCO), Josh Cornell (Lakeshore Recycling Systems, LLC)

2. 01-01/13: **Pledge of Allegiance.** President Barkemeyer led everyone in reciting the Pledge of Allegiance.

3. **Visitors' Business.** None.

4. 02-01/13: **Public Hearing for the Purpose of Seeking Comment on the Advisability of Awarding a Franchise to a Private Entity for the Collection of Waste from Nonresidential Locations within the Village of Bannockburn.**

President Barkemeyer opened the Public Hearing for the Purpose of Seeking Comment on the Advisability of Awarding a Franchise to a Private Entity for the Collection of Waste from Nonresidential Locations within the Village of Bannockburn at 7:04 PM.

Trustee Rothing stated that there are no franchise or administration fees that are attached to the agreement. Village Attorney Filippini clarified that state statute requires disclosure of any franchise or administrative fees, and that there are none. Trustee Rothing introduced Walt Willis of SWALCO and thanked him for his assistance. No public spoke about the item.

Trustee Fisher moved, seconded by Trustee Ansani, to close the Public Hearing at 7:05 PM. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

5. 03-01/13: **Discuss the Following Plan Commission / Zoning Board of Appeals' January 8, 2014 Meeting Agenda Items:**

- **Public Hearing for the Consideration of a Text Amendment(s) to the Bannockburn Zoning Code, a Special Use Permit or Amendment Thereof, Variations, and/or Any Other Zoning Relief to Allow the Use of the Campus for Non-Student Recreational Uses for Summer 2014 on the Existing Trinity International University Campus, located at 2065 Half Day Road and 2075 Half Day Road, Submitted by Trinity International University.**

Village Manager Lasday stated that the uses requested are approximately the same as last year, except there are three from last year that are not included this year, and one new one. The new use is a support system called Teen Mothers Choices and will include approximately 4 women. PCZBA saw no issue with the proposed uses, and complimented Trinity on how well they have worked with the Village and recommended approval.

- **Work Session on Comprehensive Plan Update.**

Village Manager Lasday stated that a Public Hearing will be held on the Comprehensive Plan in February. Final modifications are being made and the proposed Plan will be on the website later in the week. Notice will be filed this week for the Public Hearing in accordance with state statute.

- **Other Business: 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 this matter was continued until February.

6. 04-01/13: **Discuss the Bannockburn Annual Citizen Survey.**

Village Manager Lasday stated that any comments on the proposed survey would be appreciated, and that the survey can be included in the February newsletter if desired. Additionally, the survey can be done digitally via Survey Monkey and accessed online if sent out via email. The Trustees agreed to use Survey Monkey in addition to sending it out in the February newsletter.

7. 05-01/13 **Consider Approval of an Ordinance Providing for the Licensing and Regulation of Non-Residential Solid Waste Haulers and Approving a Commercial Solid Waste Hauling Agreement between the Village of Bannockburn and Lakeshore Recycling Systems, LLC.**

Village Manager Lasday stated that overall the Village was happy with the terms of the agreement, including three years of frozen rates, a seven year contract, and recycling for free for up to 4 cubic yards. Trustee Rothing stated that the Village had done a full analysis of the past costs for businesses as well as what projected costs would be, and there are substantial savings for most of the commercial customers and some savings for all of the customers. There had been 5 or 6 different waste haulers operating in the Village, and the RFP went to 5 waste haulers. Village Manager Lasday noted that 100% of the businesses participated in the survey, even some that have not been responsive in

the past. Trustee Rothing stated that they recognized that the Village was working on their behalf and that fueled the participation. Trustee Korner noted that this is a tangible savings that the businesses were able to recognize, and that it was important for the Village to get involved in these types of issues. Trustee Rothing introduced Josh Cornell, Manager for Lakeshore Recycling Systems, LLC. Village Manager Lasday noted that the insurance section was amended so that it is consistent with the residential contract. Trustee Rothing stated that they will be meeting with the businesses over the 15 month implementation period to make sure that the size of the containers they are assigned are appropriate and allow for adjustments.

Trustee Orth moved, seconded by Trustee Korner to Approve Ordinance 2014-01, an Ordinance Providing for the Licensing and Regulation of Non-Residential Solid Waste Haulers and Approving a Commercial Solid Waste Hauling Agreement between the Village of Bannockburn and Lakeshore Recycling Systems, LLC. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

8. **06-01/13: Consider Approval of an Ordinance Amending the Bannockburn Zoning Code Regarding Personal Wireless Services Facilities.**

Village Manager Lasday stated that she had received an email from the attorney for AT&T stating that he had zero objections and just asked that the date be changed from 2013 to 2014.

Trustee Fisher moved, seconded by Trustee Korner, to approve Ordinance 2014-02, an Ordinance Amending the Bannockburn Zoning Code Regarding Personal Wireless Services Facilities. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

9. **07-01/13: Consider Ratification of Approval of the Village of Bannockburn 2013 Lake Michigan Water Audit Report.**

Village Engineer Gewalt reported on the annual 2013 Lake Michigan water audit that is from October of 2012 to September of 2013. The Village purchased over 131 million gallons of water from Highland Park. This was the first year it sold over 6 million gallons to Del Mar Woods. So the net increase from 2012 to 2013 was approximately 500,000 gallons. The change is that the commercial consumption went down by 4 million gallons, and the residential consumption went down over 8 million gallons. He noted that our unaccounted for flow was much higher, it went from 5 million in 2012 to 18 million in 2013. It went from 4% in 2012 to 14.5% in 2013. There were two major projects on Waukegan Road and Cedarcrest Lane, the Village had a major water main break in the Bannockburn Lakes Office Plaza area that went undetected, and additionally we believe there was unaccounted for flow on Half Day Road with landscaping work. He advised that we do have to get that back under 8% going forward, and we are already working on doing a quarterly analysis of what we have purchased and how much we sell. Village Engineer Gewalt stated the results from the 4th quarter of last year would be available in February. Trustee Rothing asked if water meters should be upgraded to prevent unaccounted for water flow. Village Engineer Gewalt stated that could be done

for some of the larger commercial customers and the meters can also be recalibrated, but residential meters have been changed out over the last few years already. Commercial users are the largest users of the water and so that should be monitored. The leaks that have already been found are probably to blame for the water loss, and the one in Bannockburn Lakes Office Plaza alone could have accounted for as much as a third of the unaccounted for water. That leak was detected because water was seen on dry days flowing over a pathway, and it was not seen sooner because it was in an area that is heavily wooded. Trustee Orth asked if there was a penalty if we exceeded the maximum permitted unaccounted for flow. Village Engineer Gewalt said that no fines were generally assessed but that we need to show we are trying to fix the issue.

Village Attorney Filippini stated that it was possible to have our allocation of water reduced if there is not a good faith effort to control unaccounted flow. There is a presumed loss of flow, but they are concerned about excessive waste. Trustee Korner asked how the State will know that we are taking steps to control the flow. Village Engineer Gewalt stated that they had already notified the State by letter that The Village is taking measures to reduce flow by reviewing quarterly consumption instead of annual consumption. The Village can also choose to hire a company to help find the leaks. Village Attorney Filippini explained that the State has the legal authority to prevent a municipality from drawing more than their allocation. He stated that he is aware of communities that have lost their allocation but that is due to lack of use. By Supreme Court decree, Illinois only has a certain amount of water it can draw from Lake Michigan. As we have approached 100% of that maximum water draw any municipality that is not using their allocated amount is having their amount decreased. As a result communities need to be aware but there has not been any aggressive action taken by the Illinois Department of Natural Resources at this time.

Trustee Rothing asked about the largest commercial accounts, and suggested that when there are no leaks that those meters be checked and calibrated. Village President Barkemeyer suggested that commercial accounts be put on a 3 year rotation to check and calibrate the meters.

Trustee Orth moved, seconded by Trustee Fisher, to Ratify Approval of the Village of Bannockburn 2013 Lake Michigan Water Audit Report. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

10. **08-01/13: Consider Approval of a Donation to Deerfield High School Parent Network and Prom after Party Committee.**

Village Manager Lasday stated that \$1,000 was donated last year. Trustee Orth moved, seconded by Trustee Rothing, to approve a donation of \$1,000 to Deerfield High School Parent Network and Prom after Party Committee. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

11. **09-01/13: Consider Approval of a Resolution Authorizing the Appropriation of Funds from the Village of Bannockburn's Motor Fuel Tax Fund in the Amount of \$180,000.00 for the Dunsinane Lane Repaving Project.**

Village Manager Lasday clarified that this was to authorize the project. Village Engineer Gewalt stated that Dunsinane was the next road identified by the Village for improvements. The Village will be working with Highland Park and Lincolnshire to coordinate bidding, but it will still be a Village project. Trustee Fisher asked about the shoulders on Dunsinane and if those could be improved. Village Engineer Gewalt stated that the same type of shoulders that had been done in the past had been planned, and options were somewhat limited because of the ditches in the area.

Village Manager Lasday noted that although the cost of the project was \$207,000 the resolution was only for \$180,000. This is because of the new IDOT rules, and if the Village asked for construction engineering the Village would need to go to bid for those services. That would require an RFP for engineering services, and the Village Board does have the option of going to RFP for those services or Gewalt Hamilton can do the engineering work as long as those expenses are not included in the appropriation of funds.

Trustee Rothing suggested that homeowners be notified prior to repaving that the work is being done. Other municipalities have advised their residents that if they have sewer or other work to be done they can do it at the same time without incurring a street opening fee. Village Attorney Filippini stated that we may already have an Ordinance in place for charging a street opening fee although we may not generally charge that fee. Village Engineer Gewalt advised he would send the residents a letter notifying them of the work to be done in the summer and suggesting that they have work done on their properties that may require opening of the street in the spring.

Trustee Korner moved, seconded by Trustee Ansani, to approve Resolution 2014-R-01, a Resolution Authorizing the Appropriation of Funds from the Village of Bannockburn's Motor Fuel Tax Fund in the Amount of \$180,000.00 for the Dunsinane Lane Repaving Project. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

12. **10-01/13: Consider Approval of a Resolution for Improvement by Municipality Under the Illinois Highway Code (Motor Fuel Tax Authorization for \$180,000 Road Improvement Project for the Village of Bannockburn 2014 Street Resurfacing Program - Dunsinane Lane).**

Trustee Fisher moved, seconded by Trustee Boyle, to approve 2014-R-01, the Resolution for Improvement by Municipality Under the Illinois Highway Code (Motor Fuel Tax Authorization for \$180,000 Road Improvement Project for the Village of Bannockburn 2014 Street Resurfacing Program - Dunsinane Lane). On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

13. **11-01/13: Consider Approval of a Resolution Approving and Authorizing the Execution of an Agreement Concerning Elevator Inspection Services.**

Village President Barkemeyer noted that the agreement was a joint effort between Bannockburn and numerous other municipalities and Lake County.

Trustee Orth moved, seconded by Trustee Boyle, to approve Resolution 2014-R-02, a Resolution Approving and Authorizing the Execution of an Agreement Concerning Elevator Inspection Services. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

14. **12-01/13: Consider Approval of a Resolution Approving the Amendment of an Elevator Safety Program Agreement with the Illinois State Fire Marshal and Adopting Elevator Safety Standards.**

Trustee Fisher moved, seconded by Trustee Boyle, to approve Resolution 2014-R-03, a Resolution Approving the Amendment of an Elevator Safety Program Agreement with the Illinois State Fire Marshal and Adopting Elevator Safety Standards. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

15. **13-01/13: Consider Approval of a Resolution Approving a Proposal by Keyth Technologies for the Replacement and Installation of Smoke Detector Devices at Village Hall.**

Finance Director McCulloch stated that we have had detectors replaced when they break but many of them are original from when the building was constructed in approximately 1991, and they generally have a 10 year life span. There are detectors in some of the air ducts that need to be replaced, and there are also areas that do not have smoke detectors and that needs to be rectified. There are four that are being wired and added as new, the rest will be replaced as appropriate.

Trustee Rothing moved, seconded by Trustee Korner, to approve Resolution 2014-R-04, a Resolution Approving a Proposal by Keyth Technologies for the Replacement and Installation of Smoke Detector Devices at Village Hall. On a roll call vote, the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing), Nays: None; Absent: None.

16. **14-01/13: Village Engineer Report**

- **Top Project List.** Village Engineer Gewalt stated that he was finishing the memo regarding the landscape description for Stirling Circle and would be forwarding that to Village Manager Lasday and Trustee Korner. A meeting with the homeowners could be set up after that. Trustee Korner asked about the timeline for a visual packet for the homeowners. Village Engineer Gewalt stated that a draft could be created by the end of the week of the three designs and the perspectives. He stated that if the landscape architect comes to the meeting that charge is already included in the previously submitted charges. Trustee Korner suggested a meeting no later than mid-February so that residents have an opportunity to give input if this is what they want. He also asked for a professional to confirm that the buckthorn has been completely

removed prior to any work being started. Village Manager Lasday stated that the plants had been removed down to the roots and that hopefully that will resolve the issue. Trustee Korer stated that the money for this project will need to be budgeted and that is another reason to have plans finalized in the spring.

17. 15-01/13: **Village Police Chief Report.**

- Village Police Chief Price advised that ILEAS will be approving the Bannockburn Police Department for accreditation on January 31st in Channahon, Illinois. He will be attending with Lt. Heneghan and Intern Jon Leary.
- Chief Price noted that Intern Jon Leary has been also helping the Police Department with the annual report.
- Chief Price noted that five of seven Police Department employees did not take a single sick day in 2013.
- Chief Price noted that the Bannockburn Police Department received donations of \$14,086 during the holidays for a total of \$17,586. Some of that is for the new K-9, a German Shepard named Odin. When the dog passes his training, Officer Lemmer will then go for two weeks of training with the dog in June.
- Chief Price noted that the streets were cleared well by our contractor, especially considering it was several days of non-stop snow. All intersections were salted and all major roads. The contractor salted side streets if they were icy, as has been practice for several years. Village Finance Director McCulloch stated that through the billing cycle that ended on December 25th the Village has used 95 tons of salt. Approximately 20 tons were used from December 25th to December 31st. Village Manager Lasday noted that Police Chief Price has monitored all public work activities, (including snow plowing, sewer issues. and water main breaks), even on weekends. That has been extremely helpful as the Village does not have a Public Works department but solely uses contractors. Trustee Fisher noted that Village Finance Director McCulloch also keeps him informed of water and sewer issues after hours. A resident recently contacted Trustee Rothing to compliment Village Police Chief Price for helping him out during the recent snow storm.

18. 16-01/13: **Village Counsel Report.** No report provided.

19. 17-01/13: **Village Clerk Report.** No report provided.

20. 18-01/13: **Village Manager Report.**

Village Manager Lasday stated that there had been recent water line breaks, but all were on private property. One large one was found when Assistant to Village Manager Ryan Mentkowski reviewed recent usage and noticed a large spike. Trustee Korer asked about functionality with the water billing software to help alert staff to possible water line breaks. Village Manager Lasday advised that the functionality of the system is not as extensive as the sales rep had promised with the package, and these functions are not automated.

Trustee Korer asked if there were any steps that could be taken to monitor potential water leaks that we were not taking already. Trustee Orth stated that when the system was

purchased the Village was promised certain things that were not delivered, including the ability to easily monitor the system. Trustee Korer asked if any steps could be taken to reduce the amount of the water bill owed by the homeowner in the case of a water line break. Trustee Fisher stated that they would not be charged for sewer, only water, and payment arrangements would be arranged if desired. Village Attorney Filippini clarified that water line breaks are not classified as unaccounted for water flow as the water is metered. Assistant to the Village Manager Mentkowski advised that water meter data was reviewed at least quarterly. Village Police Chief Price added that the large water line leak was in a coach house; the main house was being periodically inspected while the homeowners were gone but the coach house was not being checked at all or the leak would have been found much sooner. The coach house did not have a water shut off or water alarm.

Village Manager Lasday advised that the health insurance quotes had not been received yet. The policies expire February 1st, so it is a time sensitive issue and the Village has been assured updated quotes will be received soon.

The Comcast agreement will be reviewed in the near future, and Holland and Knight have been asked to revise the current 20 year old agreement. There was a break on Lakeside Drive that was initially believed to be a water break, but found to actually be a sewer issue at Trinity University. Lake County Public Works Department responded and resolved the problem. There is another meeting of shared services that will evaluate other contracts where it may be possible to share services, including plumbing, building software, and possibly salt. Purchasing salt is being considered as it may be more financially advantageous to purchase with other local communities. Northwest Municipal Conference meetings are scheduled for January 15, 2014, including a meeting that will be discussing the AT&T Personal Wireless Service antenna. The Affordable Housing response was sent to the Illinois Housing Development Authority. The Citizen Survey is being sent out again in the newsletter.

Village Manager Lasday advised that there was no news on Dominick's. She also had a pre-application planning meeting regarding a home to be constructed on Aberdeen Court.

21. 19-01/13: Village Commissioner Reports.

**Finance Commissioner's Report.*

- Bill Submit List: Finance Commissioner Ansani noted that snow plowing services are included in the bill submit list, as well as salt purchasing. He also noted that included were the fees for Lake Forest, legal fees, and the payment to IMRF. For additional clarity, Finance Director McCulloch itemized disbursements previously approved under the Bill Submit List. She noted that salt may need to be paid for prior to the February meeting. Lake Forest plan reviews include fees for the ARC zoning compliance of signs and exterior appearance changes for residential and commercial buildings. The process seems to be going well and the costs are modest. As we have more construction we may need to monitor those costs.

Trustee Orth moved, seconded by Trustee Boyle, to approve the January 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.

- Budget Report: Finance Director McCulloch noted that the spike in expenditures is reflective of the planned disbursements, including having the 2006 water bonds paid off in full. Additional funding to IMRF is also included in the report. She did explain the included notes were to help plan for the budget next year.

Village President Barkemeyer asked if more furnaces were being done next year. She said that there was one furnace and two air conditioners left that were original to the building and they are budgeted to be replaced before they break. Village President Barkemeyer noted that there may be grants available to municipalities through the utility companies and Finance Director McCulloch will check into that further. Village President Barkemeyer also asked when police radios would need to be replaced. Police Chief Price said that although there might be more portable radios needed, no other purchases were planned. There may also be some grant money available to purchase additional radios if needed.

Finance Director McCulloch noted that Stirling Circle was included under maintenance, but new landscaping plans would be listed under capital improvements. Village Manager Lasday suggested that \$40,000 be included as an estimate if needed for budgeting purposes. The generator is listed for replacement in the budget this year, but it is doing very well and is being pushed back to next year. Trustee Rothing requested a line item for recreation so that events such as the hayride could be planned throughout the year. Trustee Boyle asked if ticket machines were going to be included in police cars and if that needed to be budgeted. Police Chief Price stated that they had not planned to use that technology at this time. Village Manager Lasday suggested that 911 funds might be used to purchase those machines. Police Chief Price noted it could not be used for compliance tickets.

**Water/Sewer Commissioner's Report.*

- Water and Sewer Commissioner Fisher stated there were two water leaks as previously discussed. He will be attending a conference regarding fluoridation of water in February in St. Louis.

**Economic Development Commissioner's Report.*

- The hayride was successful, with approximately 50 people in attendance. Popcorn, hot chocolate, and cider were served. The horse drawn wagon worked out well. There was a CD with music and flyers with the words so that attendees could participate in a sing-a-long. He noted that it was well received by residents and a lot of family pictures were taken with the horses.

September 14th is the date of the golf outing for next year and it has been confirmed with the golf course. He is also looking into reviving a tennis outing on local tennis courts in early June. He is talking to several residents with tennis courts on their

properties to see if they will participate. He would like to follow it up with a picnic at the Open Space, and include a Beatles Tribute band. The picnic could be open to everyone in the Village, including those who do not play tennis earlier in the day. He has not heard yet from the re-enactors if they would like to hold the official tournament commemorating the victory at the Battle of Bannockburn.

22. 20-01/13: **Village President Report.** No report.

23. 21-01/13: **Consideration of Approval the November 25, 2013 Board Meeting Minutes.**

Trustee Fisher moved, seconded by Trustee Orth, to approve the November 25th, 2013 Board Meeting Minutes. On a voice vote the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing); Nays: None; Absent: None.

24. 22-01/13: **Consideration of Approval the December 9, 2013 Board Meeting Minutes.**

Trustee Orth moved, seconded by Trustee Boyle, to approve the December 9th, 2013 Board Meeting Minutes, as amended at the meeting. On a voice vote the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing); Nays: None; Absent: None.

25. 23-01/13: **Consideration of Approval of the December 9, 2013 Executive Session Meeting Minutes.**

Trustee Fisher moved, seconded by Trustee Korner, to approve the December 9th, 2013 Executive Session Meeting Minutes. On a voice vote the motion was unanimously approved. Ayes: Six (Ansani, Boyle, Fisher, Korner, Orth, Rothing); Nays: None; Absent: None.

26. **Adjournment.** Trustee Rothing moved, seconded by Trustee Korner, to adjourn the meeting at 8:41 PM. On a voice vote the motion was unanimously approved. Ayes: Six: (Ansani, Boyle, Fisher, Korner, Orth, Rothing); Nays: None; Absent: None.