

**VILLAGE OF BANNOCKBURN
BOARD OF TRUSTEES
FEBRUARY 24, 2014
MEETING MINUTES**

1. 01-02/24: **Call to Order.** President Barkemeyer called the meeting to order at 7:03 PM.

President: James Barkemeyer

Trustees Present: David Ansani, James Boyle, Timothy Fisher (7:08), David Koror, Daniel Orth III

Trustees Absent: Frank Rothing

Also Present: Village Clerk Estelle Raimondi, Village Manager Maria Lasday, Finance Director Linda McCulloch, Village Engineer David Gewalt, Village Counsel Vic Filippini, Village Intern Cory Poris

Visitors: Andrew Feeley, Inbox & More; Bob Heilman, Metro Storage; David Meek, Metro Storage; Blair Nagel, Metro Storage.

2. 01-02/24: **Pledge of Allegiance.** President Barkemeyer led everyone in reciting the Pledge of Allegiance.

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

4. 02-02/24: **Report from the Architectural Review Commission Meeting on February 18, 2014 of the following Applications:**

- **Consider Approval of the Installation a New Exterior Wall Sign at Inbox & More in the Bannockburn Green Retail Center, Located at 2549 Waukegan Road, Bannockburn, Illinois, Submitted by Sign America, on behalf of Inbox & More, and AP POB Bannockburn, LLC.** Village Manager Lasday stated that the meeting went well and the Commission liked the proposed sign for Inbox & More. Andrew Feeley of Inbox & More introduced himself and explained that it is the North Shore version of Mailboxes, Etc. and will be offering mailboxes, shredding and other services.
- **Consider Approval of the Installation of a New Concrete Pad, a New Standby Generator and Landscaping Adjacent to an Existing Monopole Located at 2051 Waukegan Road, Submitted by Verizon Wireless and Mr. Richard Dolan.** Village Manager Lasday stated that the Commission liked the proposal and it passed with no problem. The Building Commissioner approved it as the plan is zoning complaint and has appropriate landscaping with it.
- **Consider Approval of the Installation of (i) Three New Additional Antennas, Three Additional Remote Radio Units and Cabling to an Existing Tower Configuration at an Existing Monopole, and a (ii) Growth Cabinet to an Existing Equipment Shelter at an Existing Monopole Located at 2051 Waukegan Road,**

Submitted by Sprint PCS and Crown Castle USA. Village Manager Lasday stated it is very similar to Sprint's current antenna, and the proposal passed quickly. The growth cabinet did not need to be approved, as it is in an existing shelter.

- **Consider Approval of (i) Modifications to an Existing Building and the Addition of 2 New Buildings for a Self-Storage / Mini-Warehouse Facility, (ii) Modification to the Existing Exterior Landscaping, (iii) Modification to the Existing Off-Street Parking (iv) the Installation of Exterior Lighting, (v) the Installation of Exterior Signage, (vi) the Installation of a Fence, and (vii) the Installation of Two Gates at the Property Commonly Known as 1951 Waukegan Road, Bannockburn, Submitted by Metro Storage LLC and Sears, Roebuck & Co.**

Village Manager Lasday stated that the Commission liked the signage. There were no problems with lighting as it is zoning compliant. One resident, Karen Walters, did call about the proposal. When Village Manager Lasday explained the proposal, the resident was fine with it. Trustee Orth asked if the lights will be seen as they are at a height of 14 feet. Village Manager Lasday stated that the photometric plan showed that the lights will not be an issue as they will not be seen. The photometric plan is zoning compliant.

Additionally there was also a revision of plans because of suggestions from PCZBA and ARC. Bob Heilman of Metro introduced himself and explained that on the main building the existing surfaces will be white and green west and north sides. On the east and south sides the proposed green has been removed from the plans and is now white. The two rear buildings will have a skin that is an insulated metal panel with a surface that emulates synthetic stucco on the existing building. There was also a concern about the green doors, so the exterior doors are now white. The building color has been changed to a parchment color. So the building will be off white, with white doors and green trim. Village Manager Lasday stated that the Commission liked the revised plan but said approval was subject to PCZBA approval and conditions. There is a page of conditions that they requested be met. The also clarified that these new revised plans be used for permitting, not the original plans.

Village Attorney Filippini stated that one condition from the ARC report is the easement for bioswales. The issue there is that the Village has an access easement, but it is not consistent with the revised site plans, and we need the easements to line up. Metro will need to give us a revised easement. Village Manager Lasday asked if this should be reflected in the transfer compliance inspection report. Village Attorney Filippini stated that it would be clearer if this was reflected in that report.

5. **03-02/24: Consider Approval of An Ordinance Amending the Bannockburn Zoning Code Regarding Self-Storage and Mini Warehouse Facilities in the "O" Office District.**

Village Attorney Filippini stated that the amendment to the Ordinance is to accommodate the request from Metro. There are two provisions that are changed, one is specifically relating to the self-storage, mini warehouse facilities. It does require a Special Use Permit, and as part of this provision it does authorize several structures.

There is another section that is being changed as it limits all lots in the “O” District to one principal building. So this will make sure that what is allowed in the Special Use Permit section has a parallel provision in the performance standards.

Trustee Orth moved, seconded by Trustee Boyle, to approve Ordinance 2014-04, an Ordinance Amending the Bannockburn Zoning Code Regarding Self-Storage and Mini Warehouse Facilities in the "O" Office District. On a roll call vote, the motion was unanimously approved. Ayes: Five (Ansani, Boyle, Fisher, Korner, Orth); Nays: None; Absent: Nothing.

6. **04-02/24: Consider Approval of An Ordinance Granting a Special Use Permit and Variation for the Operation of a Self-Storage Facility (1951 Waukegan Road).** Village Attorney Filippini stated that the proposed Ordinance was both a Special Use Permit and a Variation. The Special Use Permit is for the warehouse amendment just approved, and the variance is for bufferyards along the east part of the property, which borders the Forest Preserve Property. The Ordinance if approved would grant the right to develop the warehouse and excuse the need for the opacity standards on the property that borders the Forest Preserve District to the east. There are a number of conditions in this Ordinance, but they are fairly standard conditions. It does specifically mention the fencing.

He stated that the security concerns are reflected in the document, including hours of operation, lighting, and onsite auctions. There was some concern from the applicants regarding the onsite auctions, and it is proposed that those be subject to Building Commissioner approval and issuance of a Temporary Use Permit. Village Attorney Filippini stated that there is a notice requirement for the auctions and that would be a trigger to let the Village know about the need for the Temporary Use Permit. Reasons for Village notification include the possibility of a large crowd that may need additional police for patrol. Additionally there are the standard provisions regarding payment of costs, etc. Village Manager Lasday asked if the proposed language also includes all ARC approvals, including conditions. Village Attorney Filippini stated that it did.

Metro Attorney Meek introduced himself to the Board and stated that Metro has reservations about the Special Use Permit for the onsite auctions. They are concerned about getting tripped over timing and issues of permits when they go to conduct the auctions. Metro only anticipates a handful of auctions per year. The auctions are not run frequently, they occur during business hours, and maybe a dozen people who come to participate in the auction. It only takes about 30 minutes. There is a statutory notification requirement for the lessee of the space, and the date has to be published. He asked if the Building Commissioner is unable to issue the building permit in a timely fashion, what happens to the auction.

Blair Nagel of Metro stated that as the auctions have to be done specifically according to the law, they cannot have a chance of misstep. He said that it is complicated enough to have a sale and he is afraid that having to get permit might become an issue. He stated that the sales are very low impact. When they do occur, they want to just follow the

requirements of the Self-Storage Act. He stated there is no signage on street, and the general public does not generally come, it is the same people that tend to come to these things. The auction takes approximately 5 min per unit, and they paperwork is filled out and they leave. These occur normally on a Tuesday, Wednesday or Thursday.

Trustee Orth asked how it is published. Nagel stated that it is published in local newspapers 2 times, a week apart. Metro publishes 2 weeks and one week prior to the sale. Trustee Fisher asked if Metro would be open to being given specific dates that Metro knows they will be allowed to hold the auctions. The dates could be determined 6 weeks in advance. Nagel stated that if the dates could be issued in advance for the whole year that would be acceptable, and suggested being issued 6 standard dates and the option to ask for additional dates as needed. Village Attorney Filippini stated that language could be included that they can seek additional dates with no limitation as to number.

Attorney Meek asked the Board what they are concerned about occurring at the facility. Village Attorney Filippini advised that one concern is that the use itself is an outdoor activity, which is prohibited. Nagel clarified that although people will park outside, normally they will be inside for the auction unless it is an exterior unit. Village Attorney Filippini stated that outdoor activities are prohibited in the district except with a Special Use Permit.

Attorney Meek asked if the Board wants to be notified, or if they want to review the request. Village Manager Lasday stated that the Village wants notice. Trustee Fisher stated a concern is that trailers could be backing up Waukegan Road and that could be a traffic problem. Nagel stated that normally it is just 12 or 16 foot box trucks and no trailers. Meek suggested that if the Village does not want to review each instance but to be notified, that language could be built into the Ordinance that Metro can conduct this type of activity as long as the Village is given notice. When Metro publishes, they will notify the Village. Village Attorney Filippini stated that this is new to the Village, involves something outdoor, and is not part of our ordinary and customary activities. As a result, we do not want to ignore our typical practice. After this is done once it will become routine.

Trustee Korner asked how long it takes from the start of the auction until the items are removed. Nagel stated that they have 24 hours to get property after the auction. The buyers will pull down the road with their trucks. There are generally 5 or 6 properties at a time. The auctioneer auctions off each unit, then the buyers all go back and get their property. The times of auction are known in advance. Nagel stated that as long as Metro and the Village work together to pick appropriate dates then that should be acceptable, as long as there are not fees. He also stated that he cannot imagine using even 6 days a year.

Attorney Meek asked if more dates are needed, would that request would have to come to board for approval. Trustee Orth stated it would not but would be approved by the Building Commissioner. Village Attorney Filippini stated that in addition to Building

Commissioner reference in the code it can also be added that the applicant can seek and receive multiple Temporary Use Permits on an annual basis. Village Manager Lasday stated that the procedure should be that Metro just sends an email with details about the auction and that will be forwarded to the Building Commissioner.

Trustee Orth moved, seconded by Trustee Fisher, to approve Ordinance 2014-05, an Ordinance Granting a Special Use Permit and Variation for the Operation of a Self-Storage Facility (1951 Waukegan Road), as revised. On a roll call vote, the motion was unanimously approved. Ayes: Five (Ansani, Boyle, Fisher, Korner, Orth); Nays: None; Absent: Nothing.

7. **05-02/24: Consider Approval of Updated Holland and Knight Fees (Legal Services).** Village Manager Lasday noted it was a 1.2% increase. Trustee Boyle moved, seconded by Trustee Korner, to approve Updated Holland and Knight Fees. On a roll call vote, the motion was unanimously approved. Ayes: Five (Ansani, Boyle, Fisher, Korner, Orth); Nays: None; Absent: Nothing.

8. **06-02/24: Consider Approval of a Resolution Authorizing the Opening of a Flexible Spending Account at First Midwest Bank.** Finance Director McCulloch stated that a new account needed to be opened because of the Flexible Spending account approved at the last meeting. Trustee Orth moved, seconded by Trustee Boyle, to approve Resolution 2014-R-06, a Resolution Authorizing the Opening of a Flexible Spending Account at First Midwest Bank. On a roll call vote, the motion was unanimously approved. Ayes: Five (Ansani, Boyle, Fisher, Korner, Orth); Nays: None; Absent: Nothing.

9. **07-02/24: Discuss an Ordinance Instituting a Tax on the Privilege of Using Rental Storage Units.** Village Manager Lasday noted there was an email from Mr. Nagel addressing the issue. President Barkemeyer stated that the purpose is to replace the \$1,500 a month in sales tax from the previous property owner, and that the Board is trying to compensate for that. Trustee Orth noted a typo in the Ordinance as drafted. President Barkemeyer noted it had to be applied to the square footage, and could not be a sales tax. Blair Nagel from Metro stated that there is 76,000 feet of rentable space, and that gross revenue when it stabilizes will be approximately \$1.1 million per year. But he added that it will take approximately 3 to 4 years to stabilize.

Trustee Fisher noted that the tax cannot be on non-rented space. He stated that 68,000 square feet at 85% occupancy at 2.6 cents per foot gives us the number needed to replace the sales tax. Trustee Orth noted it would only be on rented units. Nagel noted that 68,000 square feet at 2.5 cents per square foot per month would generate approximately \$1,700 a month in tax.

10. **08-02/24: Discuss Fiscal Year 2014-2015 Capital Projects and Budget and the Ranking of Capital Projects.**

Finance Director McCulloch thanked the Board for submitting their rankings. She noted that items being considered under capital projects are \$620,000 in total. She noted the operation amount has a wide divergence of items considered, and that total is just under \$1,070,000. As the numbers are calculated, she will start cut back items from the bottom of the ranked items, scale back items in scope, or put it into another year.

Village Manager Lasday asked if there was majority support for the deer program and if that should be pursued. President Barkemeyer stated that the Village should wait to see what happens and that if the deer are chewing everything up then the Village will need to deal with it. Trustee Fisher noted that these capital project rankings are recommendations, not policy. Village Manager Lasday stated she wanted to confirm that the issue can appear on the agenda as it went to the AP wire in the past after appearing on the agenda. The Board discussed that it can appear on the agenda and must as it has to be voted upon. Trustee Ansani stated that he has noticed more deer in the last few months. Village Clerk Raimondi also stated she now sees groups of 5 and 6 at a time.

11. 09-02/24: **Village Engineer Report.**

Village Engineer Gewalt stated there was a question regarding calibration of meters. There are about 25 meters that can be field calibrated. Eight of them have been calibrated in the last 3 years, so those do not need to be re-calibrated. However there are 17 meters that can be calibrated and repaired if necessary. The estimate from the vendor is \$8,000, which is about \$470 per meter. He is requesting authorization from the Board to have that done before the next billing cycle. Trustee Fisher noted that if we have water loss, then re-calibrating these meters will pay for itself. Engineer Gewalt stated that they can start within a week or so. Village Manager Lasday stated that she will put the proposal on March 10th agenda.

Trustee Korner asked about the status of landscape plans for Stirling Circle. Village Engineer Gewalt stated that he is waiting for the revised plan and that a tentative meeting has been scheduled for March 10th at 6:00PM. Trustee Korner stated that he wants to see the plan and that it is different. Village Manager Lasday asked when letter will be sent to residents regarding the next meeting. Trustee Korner asked Village Engineer Gewalt to confirm with the landscape designer that the new plan incorporates suggestions. Trustee Korner said he would like to see the plan and then set the date depending on the status of the plan. He also wants to confirm that there is a cap of \$25,000 for plan.

Village President Barkemeyer asked if south Telegraph Road could be reviewed for cracks. Village Engineer Gewalt stated that the cracks are worse than normal and that they will check on it.

12. 10-02/24: **Village Attorney Report.** No report

13. 11-02/24: **Village Manager Report.**

Village Manager Lasday stated that economic development efforts continue. She stated there was interest in subdivisions in the Village. 2000 Half Day Road is under contract and she has a meeting to find out their plans for the property. Staff has also received

calls about the Theo subdivision and building on those lots. Village Attorney Filippini advised there was already a variance for square footage for Lot 3 of the Theo subdivision that was approved at the time the subdivision was approved.

Village Manager Lasday attended the Southeast Lake County Services meeting, and it was noted there are issues with infiltration because of Trinity. However this is not our issue but is Lake County's problem. She noted that there is a lot of legislation being proposed that could negatively impact Bannockburn and going to Springfield is critical. One issue they are proposing is to no longer allowing franchises for waste hauling. As the law is being proposed right now there is a provision if you already have a waste hauling contract, so the Village might be grandfathered. Revenues are also at risk because they are doing budget now and it is unknown if the tax increase will be extended. She will meet with the IEPA attorney on Wednesday

14. 12-02/24: **Village Clerk Report.** No report.

15. 13-02/24: **Village Commissioner Reports.**

Finance Commissioner. No Report.

Water/Sewer Commissioner. Trustee Fisher advised he had attended a conference at Washington University about water and fluoride.

Roads/Right of Ways Commissioner. Trustee Korner noted that he had observed the police trying to free the ice to get the water flowing and that he had called Police Chief Price to thank him and the officers for their efforts. Before their efforts the sewer lines were getting clogged up because the drains were covered in ice. Trustee Orth suggested marking where the drains are as they are difficult to locate under the ice. Village Manager Lasday noted that the snow was pushed back to drain better and that the police officers did a great job.

Police Commissioner. Trustee Boyle noted that the Polar Plunge was approaching and information about it was included on the police Facebook page.

16. 14-02/24: **Village President Report.**

Village President Barkemeyer stated that Storm Water Management is possibly getting some money from FEMA. He met with Deerfield, Highland Park, and Lake Forest and was told FEMA is looking for a project to fund successfully. In Lake County FEMA is looking at our group of municipalities plus several other area communities and may be able to fund efforts to fix and prevent flooding on the Des Plaines River. Trustee Orth asked if they were looking for larger projects only or if they might fund rain gardens. Village President Barkemeyer stated that the proposed work would deal with flooding on south end of Telegraph road, and also on North Avenue and Crabapple.

17. **EXECUTIVE SESSION.**

Trustee Fisher moved, seconded by Trustee Orth, to enter executive session for discussion of personnel. On a roll call vote, the motion was unanimously approved.

Ayes: Five (Ansani, Boyle, Fisher, Korner, Orth); Nays: None; Absent: Nothing. Executive Session was entered into at 8:13 PM.

There being no further discussion in Executive Session, Trustee Orth moved, seconded by Trustee Boyle, to exit out of Executive Session. On a roll call vote, the motion was unanimously approved. Ayes: Five (Ansani, Boyle, Fisher, Korner, Orth); Nays: None; Absent: Nothing. Executive Session was adjourned at 8:45 PM

18. 15-02/10: **Consideration of Approval of the February 10, 2014 Board Meeting Minutes.**

Trustee Orth moved, seconded by Trustee Boyle, to approve the February 10, 2014 Board Meeting Minutes. On a voice vote the motion was unanimously approved. Ayes: Five (Ansani, Boyle, Fisher, Korner, Orth); Nays: None; Absent: Nothing.

19. **Adjournment.** Trustee Ansani moved, seconded by Trustee Korner, to adjourn the meeting at 8:46 PM. On a voice vote the motion was unanimously approved. Ayes: Five (Ansani, Boyle, Fisher, Korner, Orth); Nays: None; Absent: Nothing.