

MINUTES OF THE SPECIAL MEETING
OF THE VILLAGE OF WESTERN SPRINGS
PRESIDENT AND BOARD OF TRUSTEES
Monday, June 14, 2021

President Alice F. Gallagher, Presiding
Call to Order, 7:00 p.m.
Edward Tymick, Village Clerk

Board Members Present

Nicole Chen
Alan Fink
James John
Scott Lewis
James Tyrrell

Note: Heidi Rudolph listening remotely, as member of the public as we are following the pre-COVID access guidelines.

Others Present

Ingrid Velkme, Village Manager
Grace Turi, Director of Finance
John Mastandona, Asst. Dir. of Finance
Mike Kelly, Director of Fire & EMS
Ellen Baer, Director of Admin Svcs
Brian Budds, Director of Law Enforcement Services
Casey Biernacki, Deputy Village Manager
Matt Supert, Director of Mun Svcs
Aleks Briedis, Director of Rec
Jefferey Koza, Director of Engineering/Village Engineer
Pat Schramm, Director of Technology
Elaine Haeske, Deputy Village Clerk
Michael Jurusik, Village Attorney

Electronic Attendance – There was none.

CALL TO ORDER

The meeting opened at 7:00 p.m.

ROLL CALL

Roll call as noted above.

PLEDGE OF ALLEGIANCE

President Gallagher led the audience in the Pledge of Allegiance.

READING OF AGENDA – ADDITIONS – DELETIONS

There were none.

PUBLIC HEALTH UPDATE

President Gallagher provided a public health update and noted that this will be her last public health update on the pandemic. The State of Illinois is in the final phase, phase 5 of the Restoration Illinois phase plan, also called Illinois Restored. The Village will continue to maintain and update our COVID-19 web page when additional resources and information becomes available.

CITIZEN COMMENTS

Residents Emily Zimmerman and Laura Delheimer spoke in support of installation of a four-way stop sign at 43rd & Franklin and the efforts of local residents to see this move forward.

CONSIDERATION OF AGENDA ITEMS DURING THE WORKSHOP PORTION OF THE VILLAGE BOARD SPECIAL MEETING

1) PROPERTIES AND RECREATION – TRUSTEE CHEN

A) Independent Contractor Agreements

Trustee Chen reported that the Properties and Recreation Committee met on June 8, 2021 and discussed all the items listed on the Properties and Recreation Committee agenda for this meeting. In all cases, the committee agreed with staff's recommendation, and we recommend that the action items that the committee recommend be a part of the omnibus at the June 28 Board meeting.

The first item is approving and authorizing the execution of the independent contractors' agreements which will expire on June 30 between the Village and these five entities that are independent contractors: Grand Avenue Preschool and Day Care, Inc., Kensington School of Western Springs, Inc., Jo's Footwork Studio, the Montessori School of Western Springs, and Western Springs Historical Society. This is a four-year contract that will automatically renew each year. We discussed that the square footage rate will increase this year by 2%. Last year, we did not have a rate increase due to the pandemic and the committee reviewed these contracts at some length last year and added the force majeure language. Further, this language is almost identical to the language that we reviewed and approved for the Mattix Music studio contract, which is a new independent contractor. Now all of these independent contractors will be in-line with the same expiration date on June 30. The committee discussed these and recommended them.

B) Office Furniture

The committee agrees with staff's recommendation to purchase, through a cooperative, new office furniture. There will be furniture for four new workstations in the police department record which was quoted at \$9,805.58. The police budgeted \$10,000.00 for office improvements this year. Furniture for Municipal Services and the Engineering Department was quoted at \$20,150.85. Municipal Services had budgeted \$20,000.00 for improvements as part of the on-boarding for the new engineering staff. The committee discussed this and are in support of these new furniture purchases which were budgeted.

C) Historic Tower Soffits

The Historic Water Tower does need maintenance and updating, and that work is rather expensive because the Tower is a historical building. These soffits have needed to be addressed for several years and this year, the committee agrees. The Village did budget for this work for 2021 in the amount of \$20,000.00 and did perform the initial review and recommendation of approval of Futurity 19, Inc.'s proposal in the amount of \$80,000.00. Director Supert said Village staff did perform reviews and received two proposals which were submitted for the project. Futurity was the lowest and most qualified proposal that the Village did receive. Staff has followed up with references and they are a qualified firm to complete the work. for the Historic Tower Soffits project on June 7, 2021. Staff is reviewing proposals but anticipates providing a recommendation to award a contract to Futurity 19, Inc. The committee recommended approval of issuance of a contract with Futurity 19 on the June 28, 2021, omnibus vote list.

D) 4241 Linden – Proposed Right-of-Way (ROW) Sale

The committee reviewed a homeowner's request to purchase 10' of a 16' right-of-way that is immediately south of their property. This is sort of a strange slice of right-of-way between two residences. Notifications have been mailed to adjacent homeowners. The committee did discuss that if the Village sells 10' there would still be a slice of 6' of right-of-way that the Village would be responsible for maintaining and that might prove difficult. Staff was also waiting for an update from the homeowner that had requested this right-of-way sale.

Director Supert said the Village did send notice to the neighbor to the south per the right-of-way ordinance to notify them that they do have a first right of refusal in the event they were interested in purchasing the remaining right-of-way themselves. The neighbor to the south has not followed up with the Village as of yet. Director Supert said he did have a conversation with the petitioner, and they understood that the Village was looking at requiring them to purchase all 16' and they did not have an objection to that. That will be staff's recommendation, as well, because of the potential maintenance issues with the remaining 6' of right-of-way. Director Supert said staff is looking for the Board to confirm how they

would like to proceed with the right-of-way sale. There is then a public hearing process which staff will coordinate on with Village Attorney Jurusik which will take place over the month of July and potentially August. There is quite a bit more process to this. The actual sale would not be approved this month, but staff is looking to obtain concurrence from the Board on the amount to be sold.

Trustee Chen said the committee recommended the sale of the entire right-of-way. Trustee Tyrrell noted that that committee was concerned about what the use of the property would be by the projected owner. Director Supert said that as far as he knows, there have not been any building applications submitted to the Village for additional work to the petitioner's house. They may wish to just purchase the property which is essentially acting as a side area now. They are mowing it and essentially maintaining the right-of-way area at this point. Director Supert added that when he talked to the resident in that area, they did not have any clear direction that they were planning on building a new patio or house. The house that is over there is fairly new, so it appears there is nothing in the pipeline at this point.

President Gallagher said that even if they did acquire the right-of-way, they would still have to comply with our setbacks. Trustee Tyrrell said the committee was concerned with why the person wanted to purchase it when they have the use of the right-of-way now. President Gallagher asked Director Supert to again reach out to the property owner to the south to make sure that they have received that offer of first refusal. Director Supert said staff will do that.

E) Draft Wolf Road Bike Path Intergovernmental Agreement

Trustee Chen presented the draft Wolf Road Bike Path intergovernmental agreement which the committee reviewed and discussed on June 8. This agreement is between the Village and the Forest Preserve of Cook County for the Wolf Road bike path. Village Attorney Jurusik is finalizing a few last items on this agreement with the forest preserve legal counsel. The committee learned that the major items still under review are the easement versus license language, ownership language and the tree mitigation cost which were discussed in committee. The committee noted that the forest preserve has an ordinance which requires a monetary cost for removal of trees. The project was supposed to be let on Illinois Department of Transportation (IDOT)'s June 11 letting schedule.

Director Supert confirmed the project was let on Friday and said he did not have the apparent low bidder, but the Village should receive that information from IDOT this week. That information will be forwarded to the Board once staff receives that information on who the low bidder is on this project.

Attorney Jurusik said the comments Trustee Chen pointed out which are in the memo in the agenda packet are correct. There are those few points outstanding,

and we hope to have those items wrapped up in the next couple of weeks and then move forward on this project in short order. Director Supert added that there was a conference call this morning with the forest preserve to get some update on that and we are anticipating receiving final comments from their legal counsel this week.

President Gallagher asked if tree mitigation is something they are still willing to discuss because she understands they have this policy regarding monetary cost for removal of trees, but they also have a policy to promote access to their public lands and that is where we come in. We are building this bike path for them for their accessibility, and it is really galling that they want us to pay for the tree removal.

Director Supert said the information that staff has received is that the forest preserve has a revised tree mitigation policy that went into effect last year. The trees that have to be removed, per their description, are non-negotiable and the cost has to be reflected in the agreement. Part of the call that we had today was to define exactly which trees are impacted and removed. There are trees that are located on forest preserve property as well as Cook County Highway Department property. Staff is making sure that highway department trees are not included in this because the highway department does not have a tree mitigation plan. There is going to be a monetary cost, the forest preserve is not negotiating on that, but we are trying to obtain a final determination on that as to what exactly the number of trees is and where they are in relation to the existing path layout.

President Gallagher said that a lot of those trees are weed trees or nuisance brush. She asked if we were going to be charged for taking that out. Director Supert said the forest preserve has a size definition and depending on the size of the tree, there is a monetary cost. This is similar to the Village's policy in our municipal code with regard to parkway trees. What staff is working through with the forest preserve right now is impact area. There is an existing path and then there is a larger footprint, just for construction access and easement. We are still working through the details of those trees and negotiating with them on the impact to trees in the area. Director Supert added that we had completed a complete forestry review as part of the phase one engineering. The cost number is fixed based on their ordinance and it is what is called diameter breast height (DBH) which is how you measure the diameter of the tree, and it is a fixed number per inch foot of the tree. This is not a negotiable item, but we are updating that based on whether it is a 6" or 12" tree and those costs are fixed based on the county ordinance. Trustee Tyrrell said he agrees with President Gallagher that it is troubling that we are being charged for removal of these trees when we are improving accessibility to the forest preserve.

Village Manager Velkme said staff will once again reach out to Commissioner Morrison to talk to him about that, but she is not sure that we will have any progress on that. President Gallagher asked Village Manager Velkme to let her

know if she could help. Trustee Chen said it is her understanding that the Village would need to approve the intergovernmental agreement before the end of June so that the forest preserve could approve it in July so we will stay tuned and perhaps take action on this at the next Village Board meeting on June 28, 2021.

F) Wolf Road Bike Path – Local Public Agency Agreement

Trustee Chen said this agreement has to be executed for the authorization of federal funds for this project. The Village has received \$345,269 in Illinois Transportation Enhancement Program (ITEP) funds towards this project. The grant will cover up to 80% of the total project cost which is anticipated to be \$431,586. The committee recommended approval of this local public agency agreement on the June 28, 2021, omnibus vote list.

G) Cloudpoint Agreement

Trustee Chen said the committee discussed the Cloudpoint Geographic Information System (GIS) services on June 8. GIS data is important to all of the Village's department. The committee reviewed the services and the Village's use of GIS data and recommended renewing the contract for three years at a rate of up to \$2,500.00 per month. This item will be on the June 28, 2021, omnibus vote list for consideration of approval.

H) Capital Summary Report

The committee reviewed the capital summaries of the three projects that the committee is monitoring with no updates to report.

2) PUBLIC WORKS AND WATER – TRUSTEE FINK

A) Central Avenue – Stamped Concrete Estimate

Trustee Fink reported that the committee met on June 3, 2021, and at that meeting they discussed a proposal for stamped concrete on Central Avenue, next to Spring Rock Park, for parallel parking which will be on the west side of Central, after the construction project scheduled in 2022. At a meeting held in early May with residents on Central Avenue, a request for upgrades to the parallel parking spaces was requested to make the parallel parking more aesthetically pleasing. This Board decided last month not to proceed with an upgrade to decorative brick paver installation for those spaces which would cost approximately \$170,154. An alternate estimate for stamped Portland Cement pavement was obtained by staff. The preliminary cost estimate to upgrade to a more decorative pavement of stamped concrete is approximately \$105,216. The committee discussed this upgrade and are not in favor of this upgrade because of the cost and wished to keep the pavement the same as other types of pavements throughout town.

B) Rose & Grove – Alternate Bid

Last month, the Board approved the award of contract for the Rose/Grove Improvements project to lowest cost, qualified bidder based on the base bid of this project to A Lamp Concrete Contractors, Inc. of Schaumburg, Illinois in the amount of \$1,657,345.16. A Lamp Concrete did not have the cheapest alternate bid, so staff is requesting that the alternate bid for the Rose/Grove project be rejected with the hope that staff can renegotiate that additional work with A Lamp Concrete since they will be in the Village working on the base bid project. The alternate bid covers Oak to Ogden. Discussion followed.

C) 2021 Motor Fuel Tax – Adjusted Quantities

The Board approved a contract with lowest cost and qualified bidder Brothers Asphalt Paving, Inc. for the 2021 Motor Fuel Tax (MFT) project in April in the amount of \$722,645.21. Staff would like to utilize the remaining budgeted funds of approximately \$126,499.56 for additional work to complete additional patching and curb replacement in various locations in the Village. After last year’s winter, many of the Village streets still need repair. The total budget for 2021 is \$850,000.00. This requires approval of a change order to complete this additional work which the committee recommended the Board approve on June 28, 2021.

D) Well 5: Landscaping Proposal

Well No. 5 is coming to completion, so staff intends to install landscape and hardscape items around the well area this fall to screen the areas from the park and Field Park School. The committee recommended approval of a landscape proposal from SmithGroup JJR, the firm that assisted the Village in the development of the Village’s Downtown Redevelopment Plan and the landscaping design of the east train platforms. The proposal is for a not-to-exceed cost of \$7,855.00. This is not a budgeted item but will be on the June 28, 2021, omnibus vote list for consideration of approval.

E) Well 4: August 2020 Electrical Invoices

This is a housekeeping item. In March 2021, the Board approved invoices from Water Well Solutions for repairs to Well #4 that occurred during the August 2020 “derecho” storm event. Since that time, Water Well Solutions has changed ownership. Payment of the invoice for repairs to the Byron-Jackson motor was processed, however, an invoice in the amount of \$48,530 needs to be re-approved due to the change in company information for Water Well Solutions. No additional work has been completed on the project and no additional costs have been incurred, this is merely a housekeeping item. Approval of payment to Water Well Solutions in the amount of \$48,530 was added to the June 28, 2021, omnibus vote list with the committee’s recommendation to approve this expense.

F) Elevated Tank Schedule Update and Notice to Award

Staff has been waiting on the “Notice to Proceed” on this project from the Illinois Environmental Protection Agency (IEPA) as the Board has discussed at the past few Board meetings. Due to delay in receiving the loan agreement from the IEPA, staff is recommending that the elevated tank maintenance and repainting occur in two phases. The first phase, maintenance, and painting of the interior of the tank, would begin the week of August 30, 2021, and be completed in approximately 60 days. The second phase, maintenance, and painting of the exterior of the tank, would begin in mid-April 2022 (depending on the weather) with completion on or around May 31, 2022. By completing the project in this fashion, the Village avoids any risks associated with fall weather and does not incur any similar delays by the IEPA by delaying the project start date until spring 2022. The project awardee, Era-Vivaldi, has also agreed to maintain the cost of the materials and labor for this project in November 2021 through May 31, 2022. To keep on schedule, the committee recommended the Board approve this “Notice of Award” later this evening.

Attorney Jurusik said the Board can vote on the “Notice to Proceed” this evening and at the next Board meeting, he will bring a change order for the Board to consider. Anytime that a construction contract extends beyond 30 days of the anticipated completion date, the change order statute requires that that approval be made so this is a housekeeping matter. Since we are going to break the project up into two phases and clearly the construction completion date will be beyond the 30-day timeframe, the Board will have to make that approval at the next Board meeting.

Trustee Chen asked about the cause of the IEPA delay. Trustee Fink said the delay was in obtaining the permit from the IEPA. Attorney Jurusik said that the IEPA process is slow for approval of permits, but the IEPA loan program is very favorable in terms of low-cost money, with an extremely cheap interest rate. Their process is slow but if you want their money, you must abide, and this program is very financially favorable to the Village.

Village Manager Velkme said that she had been speaking to President Gallagher today about this project and one concern expressed is regard to the weather. Right now, we have a drought, and if it continues into that time, it may not be prudent to do the work at that time. Village Manager Velkme asked Attorney Jurusik if the Village could pull out of the agreement if the weather/drought situation precludes the Village from proceeding. Attorney Jurusik said that once the Village signs off on the loan, the money is escrowed and the funds are drawn down, the Village is obligated to re-pay up to the amount of the project. If the project comes in under budget, you do not have to pay back. The IEPA will do loan modification documents so if we are going to modify the project in any way, shape, or form, we will have to talk with them about that. President Gallagher said we do not want to terminate the project, but she remembers a situation where last year was so hot in September. If we postpone the project a month or two, President Gallagher asked if that would be an issue. Director Supert said that

would not be a problem with the IEPA as their budget year is actually July-July so if we are approved for this fall in terms of their loan program that money would still be available into the spring which is why we are recommending adjusting the loan program as such. That could be an issue with construction staging and work from a weather perspective. The issue of why we want to get the IEPA project notice tonight is that the IEPA actually closes down in July to work on their budget process so if we were to submit after the second Board meeting this month on June 28, the IEPA would not process the request in July, and we would miss this entire next year.

President Gallagher said that as long as we have the flexibility to postpone the work a month or two, that is acceptable. Director Supert said that as Attorney Jurusik said the IEPA has their own IEPA change order process for cost changes over a certain percentage of cost or time delays over 30 days or more, so once we are in the process, we could follow their approval process. Attorney Jurusik said getting in their process, before they recess to do budget, would be critical and then we would go change orders with them as needed based on cost changes or time delays. Attorney Jurusik said that is a very perfunctory process. They will approve changes if we petition for it; he has never seen them denied. Director Supert said they are very easy to work with, it just takes time to work with them.

G) Well 1: Feasibility Engineering

Trustee Fink said that staff budgeted \$20,000.00 for Well No. 1 feasibility engineering and analysis for 2021. Trustee Fink said everyone has a universal distaste for Well No. 1, which is the shallow well that causes all the orange water. Well No. 1 is an underground well and the original plan was to cap it off and abandon it, but that is an expensive option. Staff is looking for an engineering company that can study and analyze the cost benefits of possibly preserving the well and using the water in some manner instead of abandoning it. Staff budgeted \$20,000.00 for this study to see if this is a good idea. Well No. 5 is on-line now but looking into keeping Well No. 1 available as a back-up for other uses is what the feasibility study will determine.

Director Supert said that one of the things that he and Water Supt. Duffy have been investigating is what the process would be to abandon Well No. 1. Some of the initial information they found was that because of the well's proximity to the railroad tracks and the way that it was constructed, it might cost several hundred thousand dollars to complete an abandonment so what we are raising the possibility of spending the funds to somehow improve the quality of Well No. 1. Director Supert said that while Well No. 1 would never be to the quality or capacity of the deep wells, it would still be an emergency supplemental well with a lower output but such it has such a high amount of iron, is there something we could do to reduce that iron should we need the well in another emergency situation to make it more palatable. Staff does not know the answer to that but

would like to do this investigation with this analysis. The intent would also to be to determine the cost of abandonment and compare all our options.

H) Fire Hydrant Purchase

Trustee Fink said each year the Village does fire hydrant flushing and testing. When this was done this past year, staff found there were five fire hydrants that need to be replaced. The committee recommended the purchase of five new Mueller hydrants and Valves from Ziebel Water Service Products, Inc. at a cost of Twenty Thousand Seven Hundred Sixty-Five and 50/100ths (\$20,765.50) Dollars. This is a budgeted item. The Village's fire hydrant system uses Mueller products.

3) PLANNING AND ZONING – TRUSTEE JOHN

A) 514 Hillgrove Conditional Use Permit (CUP) and Development Control Ordinance (DCO) Amendments: Plan Commission Recommendation, draft CUP Ordinance and draft DCO Ordinance

Trustee John presented a request for a conditional use permit and development control ordinance amendments for 514 Hillgrove. KLM Development has proposed a mixed-use building at 514 Hillgrove Avenue, just east of Village Hall. This request requires a conditional use permit and an amendment to the development control ordinance. The subject property is currently zoned "C-1". C-1 zoning requires a conditional use permit since the project exceeds 2 ½ stories in height. The development proposal also includes a request for financial incentives through the Village's Northside Tax Increment Finance (TIF) district. KLM is seeking those TIF funds to be reimbursed for relocation of overhead wires and other expenses. The proposed 19,270 square foot building would include two (2) ground floor commercial spaces of approximately 1,600 square feet (total) and eight (8) condo units on the two upper floors as well as twelve (12) interior parking spaces. The proposed DCO amendments include it is recommended that the definition for commercial/residential mixed-use (CRM) development be modified slightly and that the term be added as a conditional use under C-1. This allows for a more descriptive and detailed review of the proposed site design, architecture, building materials and streetscape.

Additionally, the maximum height language with the C-1 must also be modified to allow language that allows for conditional uses including commercial/resident mixed use (CRM) at the height of 35' or three stories whichever is less. From a conditional use permit perspective, in keeping with both DCO amendments, we are looking for a conditional use permit to allow a CRM as described above as well as a variation from the perimeter parking lot requirements that would be required because there is a driveway along the side and that impractical location for new landscaping and buffering. It is a lot of technical permits and amendments about this site to allow it to move forward which in the past we have

all agreed that this is a great addition to the Village. It brings in more property taxes, which is always good, and brings more life to the downtown area as well. There have been several meetings on this matter including a Planning and Zoning Committee meeting as well as the public hearing on May 11, 2021, and the committee recommended approval at the June 28, 2021, Board meeting. The Plan Commission also recommended approval at their May 11, 2021, meeting.

Discussion about public comment and public participation at the public hearing or committee meeting followed. Attorney Jurusik said he attended the public hearing and other than the developer and staff, there was no public comment or public participation from any resident, business or interested party. Part of the project in these code amendments was to bring our code in synch with the way we treat other mixed-use buildings. In our C-1 district, as a permitted use, you can build a mixed-use building, commercial, with condos or apartment over commercial and you can build a building that is 35' feet, two and one-half (2 ½) stories. Unfortunately, we do not have that same building identified in our code, so it is just a gap in our code, but if you look up and down the train line, many communities liked ours, LaGrange, LaGrange Park, Clarendon Hills, do allow these mixed-use developments along the train tracks. LaGrange goes from 3-5 stories, especially around the Stone Avenue stop so the tweak that we are making, adding a mixed use residential over commercial as a conditional use with a 35' height cap is compatible and consistent with that. We are just further identifying it. If you look at the building to the west, the Marjorie Miller professional building, this building is going to be very similar in terms of height, scope, and mass to that building so it is not going to be out of synch or out of line or incompatible with that block.

This is a transit-oriented development which is a planning term one does hear. This part of our business corridor is still very close to our local downtown, very close to the train tracks and that train stop. It is consistent with the planning goals and objectives for the community. President Gallagher said it is consistent with our downtown plan. Attorney Jurusik said that, unlike Foxford, where we did have some community input from the residents about changing the zoning district over there to accommodate the extra height and mass of that building, there was no resident or public comments or comments any of the businesses. Attorney Jurusik added that nobody submitted any objections, written, in advance of the hearing. This is truly the first economic development incentive that we are seeing in our Downtown North TIF District since it was created last year to help incentivize and re-development our northside commercial corridor. This is one of the few vacant parcels to be developed and it sits within the TIF.

When one takes a vacant piece of property inside a TIF district that has a relatively low EAV and you improve it, when that building comes out of the ground and the assessor captures the increase in the EAV, that is going to create a lot of TIF increment, which is that portion of the money that the Village keeps in an economic incentive fund to help further incentivize other projects in town.

This project will be very similar to the Foxford project in terms of being a nice little economic engine that will develop increment and help develop a pool of money to help further incentivize economic development throughout the downtown corridor.

Trustee Chen asked about the changing of the electrical wires. She read in the packet that they cannot be buried so they might be placed on the south side of Hillgrove. She asked if that would just be for that section of that block. Village Manager Velkme confirmed it would just be for that section of the block. Attorney Jurusik noted that the developer, Felix Lampariello, was in attendance and asked him to address this question. Mr. Lampariello said that the wires are running on an angle. The pole is going to be moved across the street. The old wire was running parallel to the tracks. There will be another pole set and it will come across so there will be a real clean line across and then back across at Franklin. The wires will be overground, and the developer will utilize one of the existing parking spaces to add a pole, they have already worked with ComEd on that plan. KLM will work with engineering and the Village to add another space from the green space to replace it. Mr. Lampariello said it will be a clean line.

B) Comprehensive Plan – 17 West Ogden: Plan Commission Recommendation and Draft Ordinance

Trustee John said there is a property at 17 West Ogden that was used for Mike and Henry's Auto Repair Garage for several decades up until approximately two years ago. The history and details of the existing R-2 single family zoning classification are not clear. It is basically an auto repair shop in the middle of a neighborhood on Ogden. The underlying residential zone does not allow for commercial uses such as auto repair, so the property is sitting there with strange zoning and a strange building. The Village would like to consider reclassifying the property in the Comprehensive Land Use Plan and designate the property as single-family attached with the anticipation that it could someday be converted from commercial to residential, however, the designation of multi-family is more appropriate since the site was a former auto garage, it borders Ogden Avenue, and is a large piece of land and would be best used for multi-family residential such as a townhome or building. The Village hired a consultant to provide conceptual site plans to illustrate a couple of different scenarios and the most likely result will be to request rezoning the property from R-2 to R-4, which is multiple family residence and the construction of 3-4 townhome units. The Planning and Zoning Committee discussed this during their January 21, 201 meeting and agreed that the evaluation of the property makes sense. A public hearing before the Plan Commission has held on May 13, 2021, and while public notice is not required, staff did notify neighboring property owners within 250 feet of the property, so they are aware of possible changes. Staff did receive two phone calls about the changes which were general inquiries. The commission discussed the proposed land use change and the two concept plans before recommending approval. Trustee Chen and President Gallagher both indicated they agreed with moving

forward with the rezoning. This matter will be included on the June 28, 2021, omnibus vote list for consideration of approval.

C) DCO Amendments – Lot Coverage: Plan Commission Recommendation and Draft Ordinance

Trustee John said that the Village currently has a lot coverage rule with 50% coverage for hardscape: your home, your driveway, your patio, and that is the maximum amount that a lot can have within the Village. These are really only associated with residential properties, not commercial ones because those are downtown and there are a lot of different rules associated with that. The reasoning is that no one wants to live next to a lot that is entirely paved because it does not look good and, more importantly, for stormwater. Neighborhoods around here have stormwater problems and the more greenspace or non-hardscape one has, the more water than can go down into the ground. Our draft ordinance proposes to allow coverage beyond 50% because there are some bigger homes in the area and when they want to add on a porch or a patio, we have to go through a variance and that type of process. The proposal is to allow coverage beyond 50% based on lot size. Lot sizes 9,000 square feet and below would be allowed 52% and lot sizes above 9,000 feet would be allowed 54%. In both instances, we require the use of permeable pavers as a permeable base structure to this change. If permeable, there are new materials out there that allow rainwater to flow them that were not available just a few years ago. The Plan Commission and the Planning and Zoning committee reviewed this proposal and think it is allowing for greater flexibility and recommended approval on June 28, 2021. Attorney Jurusik said the additional coverage is just allowed for permeable surfaces. It allows for more coverage on the lot with permeable pavers or other green surfaces. This will also reduce the number of variations that are required for smaller lots which utilize these newer technologies.

D) Off the Streets 5K – Temporary Use Permit (TUP) and Indemnification Agreement

Trustee John presented a proposed temporary use permit for a student-led group from LT that is requested permission to hold a 5K event on Saturday, August 28. The start and finish line would be at the Grand Avenue Community Center and the proceeds would benefit Off the Streets Club, a Chicago-based group. The Planning and Zoning Committee reviewed this item in April and recommended it move forward. The LT students came and gave a presentation on this item. This is a really good cause for intercity initiative to help the Off the Street Club which helps kids get off the streets. It is another way for individuals out here in the suburb to set up and helping others that may be a little less fortunate. This matter will be added to the June 28, 2021, omnibus vote for consideration of approval.

4) PUBLIC HEALTH AND SAFETY – TRUSTEE LEWIS

A) Review and Consideration of Proposed Traffic Control Improvements at Intersection of 43rd Street & Franklin Avenue

Trustee Lewis reported that the Public Health and Safety Committee met on June 9, 2021, and there only significant agenda item at that meeting was a review and recommendation from the Transportation and Safety Commission to install additional stop signs for north and southbound Franklin Avenue at the intersection with 43rd Street. The additional stop signs would create a four-way stop. Trustee Lewis said the committee agreed with the commission's recommendation and recommended that the full Board approve the stop sign installations at an upcoming meeting. In the Board agenda packet is the request letter from Ms. Zimmerman and petitions that have been signed by many of the area residents. In addition, Dr. Barnhart has participated in some of the meetings and also in support of the request. Trustee Lewis noted that the issue has been around for some time and findings from a traffic study in 2018 concluded that additional signage was not warranted. Since that time, however, enrollment in nearby Field Park School has increased and there is additional traffic related to the new Musikkmakers facilities a block away and across from the school. The committee recommended that the full Board consider approving the stop sign installation. President Gallagher said that if our residents are in support oof this and are concerned about it and find that it is an issue, then we are happy to support them in adding stop signs. We want kids to be safe getting to school. With no objection from the Board, the matter will proceed to the Board on omnibus on June 28, 2021.

5) FINANCE – TRUSTEE RUDOLPH

No report.

6) GENERAL GOVERNMENT – TRUSTEE TYRRELL

No report.

CONSIDERATION OF AND ACTION ON AGENDA ITEMS DURING THE SPECIAL MEETING

7) MOTION TO REJECT ALL ALTERNATE BIDS FOR THE 2021 ROSE/GROVE ROADWAY PROJECT (Trustee Fink)

MOTION:

Trustee Fink moved, seconded by Lewis, to reject all alternate bids for the 2021 Rose/Grove Roadway Project.

The motion passed on a roll call vote.

Voting aye: Trustees Chen, Lewis, Tyrrell, John, and Fink.

Voting nay: None.
Absent: Trustee Rudolph.

- 8) MOTION TO APPROVE THE ISSUANCE AND DELIVERY OF A NOTICE TO PROCEED TO THE CONTRACTOR FOR THE ELEVATED STORAGE TANK MAINTENANCE AND REPAINTING PROJECT IN SPRING ROCK PARK (CONTRACTOR: ERA-VALDIVIA CONTRACTORS, INC.) (Trustee Fink)

MOTION:

Trustee Fink moved, seconded by Lewis, to approve the issuance and delivery of a Notice to Proceed to the contractor for the Elevated Storage Tank Maintenance and Repainting Project in Spring Rock Park (Contractor: Era-Valdivia Contractors, Inc.).

The motion passed on a roll call vote.

Voting aye: Trustees Chen, Lewis, Tyrrell, John, and Fink.

Voting nay: None.

Absent: Trustee Rudolph.

9) **OTHER**

There were no additional items to discuss.

10) **VILLAGE PRESIDENT GALLAGHER**

- A) Committee Appointments Effective June 14, 2021

<u>Committee</u>	<u>Chair</u>	<u>Member</u>
Finance	Rudolph	Lewis
General Government	Tyrrell	Rudolph
Planning & Zoning	John	Chen
Properties & Recreation	Chen	Fink
Public Health & Safety	Lewis	Tyrrell
Public Works & Water	Fink	John

President Gallagher announced the new committee assignments which are effective today which are noted above.

- B) Reappointment of Pete Kosanovich as Chair of the Transportation and Safety Commission for a three-year term to expire June 2024

President Gallagher announced her intention to reappoint Pete Kosanovich as Chair of the Transportation and Safety Commission.

MOTION:

Trustee Tyrrell moved, seconded by Chen, to ratify the above-noted committee appointments and reappointment of Mr. Kosanovich.

The motion passed on a roll call vote.

Voting aye: Trustees Chen, Fink, John Lewis, and Tyrrell.

Voting nay: None.

Absent: Trustee Rudolph.

- C) President Gallagher reported that Chief Budds, Chief Kelly, Deputy Chief Albrecht Deputy Village Manager Biernacki and she attended the Operation Support our Troops America Field of Honor closing ceremony in Denning Park. For the past week, there have been multiple flags posted in Denning Park to honor our veterans. More than 400 of those flags were purchased and labeled in tribute to the men and women currently serving in the military, veterans, first responders and frontline and essential workers.

11) VILLAGE MANAGER VELKME

Village Manager Velkme updated the Board on the Small Cell Deployment Act which relates to the small cell technology that was put forth by Verizon here several months ago and 5G. On June 1, 2021, the Illinois legislators passed House Bill 3743 which extends the Act and continues in effect until December 31, 2024. The Governor has also signed this bill. There were a few minor improvements to the Act. The municipalities may now propose that a small wireless facility be co-located on an existing utility pole within 200' of the wireless provider's proposed location within its public rights-of-way. Village Manager Velkme said that the key word here is that the municipality can "propose", and it is not required of the utilities. Second of all, the Act requires that the provider acquire a certification of compliance that it operates the small cell wireless facility within all applicable FCC standards, however, there is no penalty for supplying a false certification. There is another session in November where new legislation can be proposed, however, the bill is extended until the 31st of December of 2024. Ms. Velkme said she would also like to thank the efforts of our residents, especially Heidi Hanson, Moira Zellner, Pam Conlin, Kristen and Ed Rosenberg, and many others for their persistence in following up on this bill as well as all of our legislators. Ms. Velkme said she wanted to thank Dan Shomon, our legislative lobbyist for his work on the bill, who kept us up to date on that non-stop and Senator Mazzochi and Glowiak who were also involved.

Village Manager Velkme asked Director Supert to report on some new information we just received on the west underpass as well as the railroad crossing at Wolf Road. Director Supert said he received information late last week and today from the Burlington Northern Santa Fe (BNSF). They have several projects which are going to be affecting the Village pretty quickly here. The BNSF is planning to reconstruct the tracks here at Wolf Road. The target date is starting June 28 and will complete July 16. The Wolf Road crossing will be inaccessible during that period. The access through Wolf Road

here will be closed and there will be some detour signs going up here. Village staff just received preliminary detour information today from BNSF. Lawn Avenue and Gilbert Avenue will remain open as that project commences. We will have some more information about what that may impact on the train platform itself here probably over the next week or so once we receive more information from the BNSF.

Director Supert said staff also received some additional information late last week about the BNSF construction activities for the west underpass. The good news is that they are planning on starting that work, but they are potentially starting as soon as next week for the west underpass work. We were hoping that they were going to give us more notice, before they started that work, but they do not even have a construction schedule themselves yet. Staff had a preliminary staff meeting with them today. We are coordinating with our contractor, D.Construction, which has to do some work out there as well. This will result in quite a bit of disruption though. The first work that BNSF will be doing is driving sheet pile for the bridge that the underpass will be. That means you will have that loud “pinging” sound similar to what we had with the Tollway occurring again during that construction period. The good news is that because of the amount of rail traffic, most of the construction work will happen between 9:00 a.m. and 2:30 p.m. during the day. The BNSF construction window is a very short window. They did say that they will likely be doing work on Saturdays which will go from 7:00 a.m. until 7:00 p.m. All of the BNSF’s work will be happening from their right-of-way and they will have no presence on the Village right-of-way, however, we will be coordinating with our contractor. We are required, as part of the force account agreement that we have with BNSF to build an access ramp on Hillgrove Avenue. There will be some disruption over there near Prospect and near the pool while that construction happens so we might have to do some temporary parking closures or some traffic control over there. It is a developing issue at the moment so we will know some more information. The goal to have that ramp is to have the access ramp completed before July 4 with our contractor so that work will actually be pretty quick in terms of the overall scope. The BNSF is moving pretty quickly here on what they have notified us with.

President Gallagher said she guesses it is good that they are moving. Director Supert said that was his reaction as well. President Gallagher said a little more notice would have been nice, but we will take it.

12) VILLAGE ATTORNEY JURUSIK

Attorney Jurusik said his firm is making some minor adjustments to the Village’s regulations in that regard. He had talked to the 5G working group and they had provided some suggested comments and proposed edits and we said we would look at those and incorporate some of those depending on where the new legislation went. Attorney Jurusik said his firm is working on those right now and will bring those forward next month to close that out.

ADJOURN

MOTION:

Trustee Tyrrell moved, seconded by Chen, to adjourn this meeting.

The motion passed on a unanimous voice vote.

This meeting adjourned at 8:09 p.m.

Respectfully submitted,

Acting Village Clerk James Horvath