

November 28, 2006

PRESIDENT PRO TEM TRUSTEE DAN ANDERSON OPENED A PUBLIC HEARING  
(*President Richard Chapman participated in the meeting by teleconference*).

**REGARDING A PROPOSED ANNEXATION BETWEEN THE VILLAGE OF  
SHOREWOOD, WILL COUNTY, ILLINOIS AND KIPLING DEVELOPMENT FOR  
WATERSTONE SUBDIVISION**

Trustee Fitzgerald reviewed the project with a brief overview. The entire annexation would be 247 acres involving all or parts of four different farms between Seil Road on the north, Mound Road on the south and west of the EJ&E railroad tracks. It would be a multiple use development (*seven different uses*) consisting of single family residential; multi family residential, (*medium density*); a school site; land for a public works facility for the Village; a waste water treatment facility location; and land for a gas line pump station and a water well site. All single family residential would exceed our minimum lot sizes, multi family would fall well within our requirement and all will have design standards. All the public works facilities, treatment plant and pump facilities will be grouped together which will greatly reduce any negative impact on neighboring property. Parts of this agreement will have long term benefits for the Village. All of Seil Road that fronts this property will be improved as well as an extension for Bell Road from County Line Road up to Black Road. Trustee Fitzgerald acknowledged the hard work of the Staff and their skill to bring this complex project together. He also stated appreciation for the cooperation and help of Enbridge Energy.

Attorney Dave Silverman provided a background for the Waterstone project, and walked the Board through the main points of the agreement. Attorney Silverman highlighted the different entities that make up this agreement: The Village of Shorewood along with Beith Farms LLC, an Illinois Limited Liability Company; Kipling Development Corporation, an Illinois corporation; Kipling Homes LLC; Donald A. Roberts, as Trustee under Trust Agreement dated August 17, 1999 and known as the Donald A. Roberts Revocable Trust; Lynette Roberts, as Trustee under Trust Agreement dated August 17, 1999 and known as the Lynette Roberts Revocable Trust; Daniel M. Roberts and Deanna E. Roberts, L-M-K Farm Limited Partnership, LP; James W. Davidson, Donald E. Davidson, as Trustee under Trust Agreement dated July 25, 2003, and known as the Donald E. Davidson Trust and Stephanie S. Davidson, as Trustee under Trust Agreement dated July 25, 2003 and known as the Stephanie S. Davidson Trust, Delores R. McShane Trust of 917 Manor Court, of Joliet and Enbridge Energy Company.

Most of the preambles in the agreement are standard and what is usual in annexation agreements. Each of the owners of record must submit a petition of annexation to the Village, and once these are executed an ordinance will be passed annexing the property. The property will be rezoned as follows: A. The Premises (Stephens Farm owned by Kipling) will be R-1. B. The Roberts Premises shall be zoned R-1. C. The Davidson Premises shall be zoned as R-3-A. D. The McShane Premises shall be zoned R-1.

The four parcels shall be controlled by a Planned Unit Development and shall be developed consistent with the land uses described in the annexation agreement. Attorney Silverman went into detail covering terms and any restrictions for the individual parcels, including road

improvements, a designated park site and construction of bike paths, sidewalks, landscaping requirements, tap-on fees, sign requirements, etc.

Questions about right-of-ways were answered. Trustee Schwartz made a motion to close the public hearing. Seconded by Trustee Fitzgerald. Roll Call: Yeas: Anderson, Fitzgerald, McDonald, Ndoca, Schwartz. Nays: None. Public Hearing was closed.

\* \* \* \* \*

PRESIDENT PRO-TEM TRUSTEE DAN ANDERSON CALLED TO ORDER THE REGULAR MEETING OF THE SHOREWOOD VILLAGE BOARD. (*President Richard Chapman joined the meeting by teleconference*).

After the Invocation was given by the Village Clerk and the Pledge of Allegiance to the Flag the following answered to Roll Call: Trustees: Dan Anderson, Gary Fitzgerald, James McDonald, Nick Ndoca, Celine "Cene" Schwartz and President Richard Chapman (*teleconference*). Trustee Dan Gron was absent. Also present: Economic Development Coordinator Nancy Roman, Attorney Dave Silverman and Administrator Kurt Carroll. The number present constitutes a quorum.

CONSENT AGENDA

- Minutes of the regular meeting of November 14, 2006.
- Approval of accounts payable invoices in the amount of \$208,373.59.
- Approval of installation of Siding, Roof, Soffit, Fascia, Gutters and Downspouts on Wells 4,5,6 and 7 in the amount of \$16,595.00.
- Approval of payment in the amount of \$15,007.36 to ComEd for electrical service for the Mound Road Pump Station.
- Approval of payment in the amount of \$163,353.27 to Frank Burla & Sons Builders, Inc. for work completed at Four Seasons Park Concession Building.

Trustee Fitzgerald made a motion to approve the Consent Agenda. Seconded by Trustee Schwartz. Roll Call: Yeas: Anderson, Fitzgerald, McDonald, Ndoca, Schwartz. Nays: None. Motion carried.

ANNEXATION AGREEMENT  
WATERSTONE SUBDIVISION  
ORDINANCE # 06-1391

The Board considered for approval of an Ordinance authorizing the execution of an Annexation Agreement between the Village of Shorewood, Will County, Illinois, and Kipling Development for Waterstone Subdivision.

Trustee Fitzgerald noted that a public hearing had been held earlier on this proposed ordinance and the terms of the agreement reviewed by Attorney Silverman. There were no questions or comments and Trustee Fitzgerald made a motion to pass an Ordinance (06-1391) authorizing the execution of an Annexation Agreement between the Village of Shorewood, Will County, Illinois,

and Kipling Development for Waterstone Subdivision, waive the second read, and subject to final attorney review. Seconded by Trustee Schwartz. Roll Call: Yeas: Fitzgerald, McDonald, Ndoca, Schwartz, Anderson, Chapman. Nays: None. Motion carried.

Administrator Carroll stated this is a major strategic goal of the Village. He expressed his appreciation for the staff, developers, owners and all involved in this long and complex project.

#### CITIZENS ADVISORY COMMITTEE

Mr. Jim Lynch was appointed to serve on the Citizens Advisory Committee for a one year term to represent the Shorewood Glen Subdivision. Trustee Ndoca introduced Mr. Lynch and made a motion to approve the appointment of Mr. Lynch to the Citizens Advisory Committee for a one year term. The motion was seconded by Trustee Schwartz. Roll Call: Yeas: McDonald, Ndoca, Schwartz, Anderson, Fitzgerald. Nays: None. Motion carried.

#### KIPLING HOMES, L.L.C.

The Board considered an ordinance annexing certain lands into the Village of Shorewood (this was discussed as part of the Public Hearing earlier) as a “first read.” It will be considered for action at a future Board meeting.

The Board considered an ordinance rezoning certain property and granting a Conditional Use Permit for a Planned Unit Development and Public and Private Utilities and Civic Buildings as a “first read.” This will be considered for action at a future meeting.

#### WATERSTONE SUBDIVISION

The Board considered for approval a Preliminary Plat for Waterstone Subdivision. The decision was not to act on this but defer it to a future Board meeting for action.

#### ENBRIDGE PUMP STATION

The Board considered a Site Plan presented by Enbridge Energy for a Pump Station. Trustee Fitzgerald explained how they had worked with Enbridge for the location of a new pumping facility. Their station would be located west of the EJ & E tracks and with their cooperation their facility will actually be incorporated into the complex of the Village treatment plant/public works all into one location that can be screened off successfully. Planning and Zoning unanimously recommends approval. Trustee Fitzgerald made a motion to approve the Site Plan for the Enbridge Pump Station contingent upon the annexation agreement, subject to the final plat for the Waterstone Subdivision and also subject to coordination of landscaping and screening plans. Seconded by Trustee Schwartz. Roll Call: Yeas: Ndoca, Schwartz, Anderson, Fitzgerald, McDonald. Nays: None. Motion carried.

#### SADDLEBROOK ESTATES ORDINANCE # 06-1392

Mr. Carroll noted there were two properties in Saddlebrook Estates that had not been annexed. This is one of the two. They have now submitted their paperwork. Mr. Carroll suggested the

Board waive the second read on this ordinance. After discussion, Trustee Schwartz made a motion to pass an ordinance (#06-1392) annexing certain territory to the Corporate Limits of the Village of Shorewood, Will County, Illinois (Saddlebrook Estates Property) and waive the second read. Seconded by Trustee Ndoca. Roll Call: Yeas: Schwartz, Anderson, Fitzgerald, McDonald, Ndoca. Nays: None. Motion carried.

PURCHASE OF 37.2 ACRES  
ENBRIDGE ENERGY

After discussion and consideration by the Board, Trustee Schwartz made a motion to approve an agreement to purchase 37.2 acres from Enbridge Energy for a Sanitary Plant, Public Works Site and Deep Well Site for \$1.1 million. Seconded by Trustee Fitzgerald. Roll Call: Yeas: Anderson, Fitzgerald, McDonald, Ndoca, Schwartz. Nays: None. Motion carried.

COMMITTEE REPORTS

Trustee Anderson reported: Rt. 52 and River Road light is operational. Restoration will take place in 2007. Leaf vac program wrapping up the first week of December. Lawn waste will be picked up through the end of the month. (Nov.) Black Road will be open in a week or two.

A work/study session scheduled for 7:00 pm **December 7, 2006** to interview consulting engineering firms. Also A work/study session scheduled for 7:00 pm **December 19, 2006** for discussion of Village sanitary and long term water needs.

Trustee Fitzgerald reported: Next regular meeting of Planning and Zoning will be **December 6, 2006** at 7:00 pm. Items to be considered are continuation of a public hearing for Hammel Creek Commons (Walgreens); a concept plan for Citi Bank (outlot at Home Depot); a concept plan for the property west of the Village Hall (Kovacavic property south side of Rt. 52 on both sides of Earl Road); and discussion of National Signs; and a final plat for Waterstone subdivision.

Shorewood Troy Public Library holding an open house on November 30<sup>th</sup> from 3 to 7 to celebrate their 30 year anniversary and also Mary Thomas' retirement.

Trustee Ndoca had a question regarding the traffic camera's at 52 & 59. Next meeting (12<sup>th</sup>) Trustee Schwartz reported Santa will come to the Village Hall December 3<sup>rd</sup> 1 to 3 pm.

Trustee McDonald had some comments re: detention ponds. The Board discussed briefly.

ADJOURNMENT Trustee Schwartz made a motion to adjourn. Seconded by Trustee Ndoca. Roll Call: Yeas: Anderson, Fitzgerald, McDonald, Ndoca, Schwartz. Nays: None. Motion carried.

Julia Russell, Village Clerk