

January 9, 2007

PRESIDENT RICHARD CHAPMAN CALLED TO ORDER THE REGULAR MEETING OF THE SHOREWOOD VILLAGE BOARD.

### ROLL CALL

After the Invocation was given by Pastor George Klima of Hope Lutheran Church 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, Dan Gron and President Richard Chapman. Also present: Economic Development Coordinator Nancy Roman, Attorney David Silverman and Administrator Kurt Carroll. The number present constitutes a quorum.

### CONSENT AGENDA

- Minutes of the work study session December 7, 2006
- Minutes of the regular meeting December 12, 2006
- Minutes of the special meeting December 19, 2006
- Approval of accounts payable invoices in the amount of \$419,603.23
- Approval of payment in the amount of \$1,048,401.00 to Mortenson for work completed on the new village hall
- Approval of payment in the amount of \$98,796.00 to International Truck and Engine Corporation for the purchase of a truck for Public Works Department
- Approval of payment in the amount of \$476,933.30 to Steve Spiess Construction, Inc. for work performed on the Mound Road Force Main and Trunk Sewer
- Approval of payment in the amount of \$558,782.68 to Kimball Hill for work on River Road
- Approval of Settlement and Release Agreement
- Approval of a Resolution (#07R-659) Accepting a Grant of Permanent Public Utility Easement to the Village of Shorewood Will County, Illinois (Shorewood Glen Unit 4)
- Approval of payment no. 9 in the amount of \$29,154.32 to DMJM Design for work performed for the new village hall

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

### REPORTS

Mayor Chapman wished the Board and the Village a happy and prosperous new year.

CONDITIONAL USE PERMIT HOLY FAMILY PARISH RECTORY  
ORDINANCE #07-1397

Trustee Fitzgerald stated Holy Family Parish is experiencing growth and needs a rectory. They are requesting a conditional use permit to allow a residential dwelling unit in an OCI Zoning District. On January 3<sup>rd</sup> the Planning & Zoning Commission held a public hearing and unanimously voted to approve this request for a 3,400 square foot residential dwelling unit with a basement in the southeast corner by the Will County Forest Preserve.

Trustee Fitzgerald made a motion to pass an Ordinance (#07-1397) Granting a Conditional Use to Permit a Residential Dwelling Unit in an OCI District in the Village of Shorewood, Will County, Illinois (Holy Family Parish Rectory) and waive the second read. Seconded by Trustee Schwartz. Roll Call: Yeas: Ndoca, Schwartz, Anderson, Fitzgerald, Gron, McDonald. Nays: None. Motion carried.

CHANGE ORDER NUMBER ONE MOUND ROAD PUMPING STATION

Trustee Anderson stated this is the pump station on Mound Road and the request is to amend the substantial completion date for the project. It was suppose to be operational in mid-March and it will not be and they are requesting an extension. Mr. Mike Mass, the General Contractor for D.E. Thompson, spoke about the length of the project and the complicated parts involved. The Motor Control Center is not available to be installed. Mr. Ray Koenig from Baxter & Woodman stated there were no delays on the part of Baxter & Woodman or the Village. Trustee Anderson stated it is our recommendation is to deny this request. Mr. Mass said D.E. Thompson is in the process of moving forward on this project. Mr. Doug Thompson, the owner, stated this project and the subcontractors have been very frustrating. This will cost him \$700.00 a day. Mr. Silverman wanted to clarify this is a liquidation clause not a penalty clause. If they complete the project prior to the final completion Mr. Thompson is requesting the penalty amount be partially reimbursed to them. This is a request that will be discussed at a later date.

After discussion, Trustee Anderson made a motion to deny the request Change Order Number One for the Mound Road Pump Station. Seconded by Trustee Gron. Roll Call: Yeas: Schwartz, Anderson, Fitzgerald, Gron, McDonald, Ndoca. Nays: None. Motion carried.

ANNEXING CERTAIN LAND (SADDLEBROOK ESTATES)  
ORDINANCE # 07-1398

Mr. Carroll stated this is the last parcel in the subdivision to be annexed.

Trustee Anderson made a motion to pass an ordinance (#07-1398) Annexing certain territory to the Corporate Limits of the Village of Shorewood Will County, Illinois (Saddlebrook Estates Property) and waive the second read. Second by Trustee Schwartz. Roll Call: Yeas: Anderson, Fitzgerald, Gron, McDonald, Ndoca, Schwartz. Nays: None. Motion carried.

## AGREEMENT WITH BABANIOTIS BROTHERS

Mr. Silverman stated this agreement is provided by IEMA regarding previous underground storage tanks. IEPA asked the municipality to adopt this agreement and may possibly ask for an ordinance at a later date. Mr. Carroll stated the plume of contaminated soil from the Babaniotis' property, which has been encapsulated, runs underneath the Village's right-of-way for East Shore Drive. The State needs the Village to sign off as one of the affected property owners. This is the last step for the Babaniotis' to get a clearance letter from the State

After further discussion, Trustee Anderson made a motion to approve an Agreement between the Village of Shorewood and the Babanoitis Brothers. Seconded by Trustee McDonald. Roll Call: Yeas: Fitzgerald, Gron, McDonald, Ndoca, Schwartz, Anderson. Nays: None. Motion carried.

## ENGINEERING SERVICES AGREEMENT WITH BAXTER & WOODMAN WATER SUPPLY WELL NO. 8 WATER TREATMENT PLANT

Mr. Carroll said this runs in conjunction with the next item on the agenda. This will be the Village's first deep well. The agreement is for engineering services for the design of Well No. 8 Water Treatment Plant design. The treatment facility needs to be designed to treat the water. The water that will come from the deep well must be treated for radium.

Trustee Anderson made a motion to approve the Engineering Service Agreement with Baxter & Woodman Inc. for Water Supply Well No. 8 Water Treatment Plant conditioned upon attorney approval and not to exceed amount of \$165,000. Seconded by Trustee Fitzgerald. Roll Call: Yeas: Gron, McDonald, Ndoca, Schwartz, Anderson, Fitzgerald. Nays: None. Motion carried.

## BID AWARD WATER SUPPLY WELL NO. 8 WATER TREATMENT PLANT

Trustee Anderson stated we had two bidders for this project, Layne Christensen Company at \$664,999 and Water Well Solutions at \$574,801. \$650,000 was our engineer's pre-bid opinion of probable cost for this project based on recent contractor bids for similar projects. Water Well Solutions was the apparent low bidder.

Trustee Anderson made a motion to Award the Contract to Water Well Solutions for the Water Supply Well No. 8 Water Treatment Plant contingent upon closing on the property. Seconded by Trustee Schwartz. Roll Call: Yeas: McDonald, Ndoca, Schwartz, Anderson, Fitzgerald, Gron.

## LEGAL FEES FOR FCC FILING REGARDING CABLE FRANCHISE AUTHORITY & PROJECT LIGHTSPEED

Mr. Carroll stated both requests are for participation and examples of the benefits of working together with Will County Governmental League (WCGL) and Metropolitan Mayors Caucus (MMC). The idea of working in concert with other municipalities that are facing similar issues is the basis for the creation of a council of government. The Village has experienced the recent challenge by AT&T into the Project Lightspeed, which entails the larger issue regarding the Village's authority in regards to Cable Franchise Authority. WCGL is seeking a \$250.00

voluntary contribution per municipality to help pay for the costs associated with the legal work performed on our behalf on this issue through the combined efforts of over 120 municipalities that make up the MMC for legal fees and a FCC filing regarding cable franchise fee authority and project Lightspeed. The work by the MMC and the attorneys has provided a protective blanket for the Village until the issue can be sorted out. Trustee Fitzgerald asked that additional information on the FCC filing be distributed to the board.

After discussion, Trustee Fitzgerald made a motion to approve the contribution for Legal Fees for the Filing regarding Cable Franchise Authority and Project Lightspeed. Seconded by Trustee Anderson. Roll Call: Ndoca, Schwartz, Anderson, Fitzgerald, Gron, McDonald. Motion carried.

#### PARTICIPATION IN PENSION RAPID RESPONSE TEAM

The Village's pension plans are being subjected to possible legislation that would negatively impact their stability and the long-term financial impact upon the Village and our residents and businesses. The participation in the program is designed to take our pension data, analyze it and compile it with other municipalities to provide data to our lobbyists in Springfield. The cost to pay the actuary to review the data is \$250.00.

After discussion, Trustee Fitzgerald made a motion to approve the contribution of \$250.00 for Participation in Pension Rapid Response Team. Seconded by Trustee Gron. Roll Call: Schwartz, Anderson, Fitzgerald, Gron, McDonald, Ndoca. Motion carried.

#### COMMITTEE REPORTS

Trustee Anderson announced Police Pension will meet Monday January 15<sup>th</sup> at 7:00 p.m. He asked Ms. Roman about the berm and the fence at Home Depot. She stated the berm was originally designed to undulate and this is not going to adequately work so Home Depot was notified and they agreed to close the gap between the fence and the berm. Due to rain there has been a delay.

Trustee Fitzgerald stated Thursday, January 11<sup>th</sup> at 7:00 p.m. there would be a joint meeting between the Village Board and Planning & Zoning Commission for review of the comprehensive plan draft. There will be a public hearing at the February 7<sup>th</sup> Planning & Zoning meeting for the comprehensive plan.

Trustee Gron stated the budget process has started and there will be a meeting soon regarding the budget.

President Chapman stated his item for Cable Franchise was on tonight's agenda.

Trustee Ndoca reported the next Citizens Advisory Committee meeting is January 25, 2007.

Trustee Schwartz reported the next meeting of the Parks & Recreation Committee will be Monday, January 15<sup>th</sup> at 7:00 p.m. They plan to go over the Parks Comprehensive Plan with

Hitchcock Design and invited the board to attend. Four Seasons Park sled hill will be open when there is snow. The hours are as follows; Sunday – Thursday until 9:00 p.m. and Fridays & Saturdays until 10:00 p.m.

Trustee McDonald stated the main road in River Crossing has standing water. Mr. Roger Barrowman stated the final surface has not been installed so the water does not reach the drains.

Mayor Chapman distributed a sample resolution regarding “responsible bidder” to the board for their review and he will discuss it with them one on one for their opinion. The trades assembled this resolution.

#### ADJOURNMENT

Trustee Schwartz made a motion to adjourn. Seconded by Trustee Gron. Roll Call: Yeas: Anderson, Fitzgerald, Gron, McDonald, Ndoca, Schwartz. Nays: None. Motion carried. Meeting was adjourned at 8:30 p.m.

Toni Dulny  
Deputy Clerk