

January 8, 2008

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

ROLL CALL

After the Invocation was given by Reverend Jim Moore of the Westview Baptist Church of Shorewood and the Pledge of Allegiance to the Flag the following answered to Roll Call: Trustees: Dan Anderson, Gary Fitzgerald, Dan Gron, James McDonald, Celine "Cene" Schwartz, Lea Stahr and President Chapman. Also present: Attorney Dave Silverman and Administrator Kurt Carroll. The number present constitutes a quorum.

CITIZENS

Mark Lamberson of 208 Ravinia Drive addressed the Board presenting his concerns about some code violations that he had brought to the attention of the Board previously. His concerns were weeds on Earl Road and noise from the industrial park. He mentioned the noise had not been a problem since the weather has been cold. Mr. Carroll and the Village Inspector (Building and Zoning) had discussed these violations previously. There have been differences of opinion as to what issues can be addressed, however, President Chapman will see that these concerns are looked into to determine what can be corrected.

CONSENT AGENDA

- Minutes of the work study session and regular meeting of December 11, 2007.
- Approval of accounts payable invoices in the amount of \$574,733.18.
- Approval of payment in the amount of \$341,059.75 to "D" Construction, Inc. For work completed on Shorewood Drive Storm Sewer Improvements.
- Approval of pay request #8 in the amount of \$198,264.07 to Water Well Solutions for work completed on Well # 8 and Well # 9.
- Approval of pay request #1 in the amount of \$210,492.90 to Vissering Construction Company for work completed on the Water Treatment Plant.
- Approval of an additional Sergeant for the Police Department.
- Approval of payment in the amount of \$43519.00 to Martin Whalen Office Solutions, Inc. for three copiers.

(There was a payment no. 13 to M.A. Mortenson Company for work completed on the Village Hall listed in the Consent Agenda but was removed at the request of Trustee McDonald and will be considered separately as Agenda Item 10A).

Trustee Fitzgerald made a motion to approve the Consent Agenda. Trustee Anderson seconded the motion. Roll Call: Yeas: Anderson, Fitzgerald, Gron, McDonald, Schwartz, Stahr. Nays: None. Motion Carried.

Lou Haussmann of Baxter & Woodman Consulting Engineers informed the Board that the American Public Works Association, Chicago Metro Chapter, the southwest branch which represents Will County, South Cook County and parts of Grundy County has selected the US 52 Improvements Project that was recently completed between Raven Road and River Road as the Public Works Project of the Year in the Less than \$2,000,000 construction cost category. He presented the Award to President Chapman. *(Mr. Haussmann was the design engineer for the project).*

President Chapman commented on the Veteran's Memorial on the Towne Square; on how much it means as a memorial and remembrance to all our veterans, former and present day military. This memorial will be done in a manner to honor all veterans and enhance the Towne Square. *(These comments were made in response to very disrespectful remarks made –anonymously - on an order form to purchase a brick with the name of a veteran from your family or a friend.)*

ORDER OF BUSINESS

POLICE PENSION BOARD

President Chapman re-appointed Barbara "Cookie" Kirkland to the Police Pension Board for a 2 year term. Trustee Schwartz made a motion to ratify the appointment. Trustee McDonald seconded the motion. Roll Call: Yeas: Fitzgerald, Gron, McDonald, Schwartz, Stahr, Anderson. Nays: None. Motion Carried.

SEIL ROAD FORCE MAIN RELOCATION ENGINEERING SERVICES AGREEMENT

Trustee Anderson presented Baxter & Woodman's proposal for engineering services for design of the Seil Road force main relocation to reflect IDOT's new design for IL 59 and Seil Road. IDOT's preliminary plans would have required the Village to relocate about 200 lineal feet of force main (at a cost of approximately \$75,000). The revision by IDOT to accommodate a bridge over I-55 at Seil Road will require the Village to install approximately 1,300 lineal feet of new force main (this could cost \$950,000 or more). Trustee Anderson noted the funding will have to be worked out with Joliet and the State of Illinois. The request is to have Baxter & Woodman Consulting Engineers do the Seil Road Force Main Relocation Design at a cost not to exceed \$36,000.00. This cost has been budgeted in this year's Capital Improvements plan. After discussion Trustee Anderson made a motion to approve the engineering agreement with Baxter & Woodman for the Seil Road Force Main Relocation Design for \$36,000. Seconded by Trustee Schwartz. Roll Call: Yeas: Gron, McDonald, Schwartz, Stahr, Anderson, Fitzgerald. Nays: None. Motion Carried.

ROUTE 59 SEWER & WATER IMPROVEMENTS ENGINEERING SERVICES AGREEMENT

Trustee Anderson presented this proposal for engineering services for the design work for the sewer and water improvements that are necessitated because of the Route 59 widening south of the DuPage River Bridge to the I-55 ramp. The project includes relocating approximately 1,840

lineal feet of sanitary sewer; relocating approximately 1,000 feet of water main, abandoning 400 feet of water main on the east side of Route 59, installing 300 feet of water main from Amendodge to Shorewood Park, resolving water and sewer conflicts and relocating some fire hydrants. The estimated cost of the work is \$800,000. The cost of the design work is \$39,000. and has been budgeted in this year's Capital Improvements plan. Trustee Anderson made a motion to approve the engineering services agreement with Baxter & Woodman for a cost of \$39,000. Seconded by Trustee Schwartz. Roll Call: Yeas: McDonald, Schwartz, Stahr, Anderson, Fitzgerald, Gron. Nays: None. Motion carried.

CABLE/VIDEO CUSTOMER PROTECTION LAW
ORDINANCE # 08-1456

Mr. Carroll presented this proposed ordinance that establishes and adopts the state's standards for customer protections for the cable/video customers. These protections are designed to be enforced by the State's Attorney and/or the local governmental entity. This ordinance would allow the Village to serve in this capacity for cable subscribers in the Village. After discussion of the protection laws Trustee Fitzgerald made a motion to pass an ordinance (#08-1456) for Cable & Video Customer Protection Law and waive the second read. Seconded by Trustee Gron. Roll Call: Yeas: Schwartz, Stahr, Anderson, Fitzgerald, Gron, McDonald. Nays: None. Motion carried.

CABLE/VIDEO SERVICE PROVIDER FEE
AND PEG ACCESS SUPPORT FEE

Mr. Carroll presented the proposed ordinance that creates the fee structure that a provider under the new State law must follow. The structure is very similar to the formula followed by the Village's current cable provider, for the collection of cable fees primarily related to the Village granting the provider access to public right-of-ways. Staff had provided a choice. One proposal would be to collect a 5% franchise fee and another choice would be to instead of providing capital costs for PEG (public, educational and governmental) access, the Village would be allowed to collect an additional one percent fee to be utilized only for PEG related costs. After more discussion and questions re: the one percent fee, and since this is a "first read" it was decided to bring the proposed ordinance up for action at the next regular meeting.

PROPOSED ORDINANCE RE: DANGEROUS DOGS "first read"

PROPOSED ORDINANCE RE: VICIOUS DOGS "first read"

Trustee Fitzgerald presented a draft ordinance amending the Village Code of Ordinance with respect to Dangerous Dogs and also a draft ordinance amending the Village Code of Ordinances with respect to Vicious Dogs. The Animal Control Act of the State of Illinois (510 ILCS 5/24) and Chapter 65 ILCS 5/11-60-2 of the Municipal Code provide that the Village may control and regulate dogs. Trustee Fitzgerald stated he had been a proponent of increased dog control for sometime and gave a background that led to these drafts. He feels the current ordinances do not adequately provide the Village the ability to be effective. Police Chief Puleo gave the departments perspective on the need for the amendments. There is not a mass problem, but there

have been attacks and Trustee Fitzgerald feels this a quality of life issue and he would like to prevent Shorewood from having the problems that some of our surrounding communities have had. These ordinances provide comprehensive definitions, control, procedures and penalties for clarity in the draft. Attorney Silverman stated these ordinances are based on the State Laws. He explained the penalties and how different violations would be handled. There are two ordinances for easier understanding. The Board will consider these drafts for the next two weeks and they will be brought back for action then or at a future meeting.

CLASS "E" LIQUOR LICENSE
ORDINANCE # 08-1457

After consideration Trustee Fitzgerald made a motion to pass an ordinance (08-1457) creating an additional Class "E" Liquor License (Cardinal Wine & Spirits) and waive the second read. Seconded by Trustee Gron. Roll Call: Yeas: Stahr, Anderson, Fitzgerald, Gron, McDonald, Schwartz. Nays: None. Motion Carried.

KIPLING ESTATES UNIT 6 PHASE 1 & 2
RESOLUTION # 08R-678

KIPLING ESTATES UNIT 7 PHASE 2
RESOLUTION # 08R-679

Trustee Anderson and Mr. Carroll presented for the Board's consideration and acceptance of the public improvements. The Board was assured that the infrastructures and roads are ready for the Village's acceptance and start the 2 year time period on the maintenance bonds. During the 2 years should anything fail or problems arise the developer would take care of it or the Village would have the bonds to provide funding for any repairs or necessary work to be done. After discussion Trustee Anderson made a motion to pass a resolution (08R-678) accepting public improvements and contractors maintenance bond for Kipling Estates Unit 6 Phase 1 & 2 and to pass a resolution (08R-679) accepting public improvements and contractors maintenance bond for Kipling Estates Unit 7 Phase 2. Seconded by Trustee Schwartz, Roll Call: Yeas: Anderson, Fitzgerald, Gron, McDonald, Schwartz, Stahr. Nays: None. Motion Carried.

PAYMENT TO M. A. MORTENSON COMPANY
(Item # 4 was removed from the Consent Agenda)

The Board considered approval of payment no. 13 in the amount of \$586,853.00 to M.A. Mortenson Company for work completed on the Village Hall. Trustee McDonald had questions about the number of different contractors used for drywall. He was also concerned about backup waivers for materials from stock and they were paid for. The contractors and staff are comfortable that the affidavits are true and correct. This is common practice and the work has been completed (*October 2007*). After further discussion, Trustee Fitzgerald made a motion to approve payment no. 13 in the amount of \$586,853.00 to M.A. Mortenson Company for work completed on the Village Hall. Seconded by Trustee Anderson. Roll Call: Yeas: Gron, Schwartz, Stahr, Anderson, Fitzgerald. Nays: McDonald. Motion Carried.

COMMITTEE REPORTS

Trustee Anderson reported flow tests will be started on Well #9 tomorrow (*Jan. 9*). The water test needs to be resubmitted. Work with leaf vac is done for the season. Hot patching has been going on in the community. President Chapman noted that Vertin Boulevard will not be redone this season, could some repairs be made now (*hot patching will be done*). Mr. Carroll stated that "D" Construction will hold the price they gave to do Vertin Blvd. until Spring .

Trustee Fitzgerald reminded all residents that if they have any work to be done to please check with the Village Hall to see if they need a permit.

Trustee Stahr reported the next Citizen's Advisory Committee meeting will be January 24, 2008.

Trustee Schwartz reported the next Parks & Recreation Committee meeting will be January 21, 2008.

ADJOURNMENT

Trustee Schwartz made a motion to adjourn. Seconded by Trustee Gron. Roll Call: Yeas: All in favor (Anderson, Fitzgerald, Gron, McDonald, Schwartz, Stahr). Motion carried. Meeting was adjourned.

Julia Russell
Village Clerk