

November 10, 2009

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

### ROLL CALL

After the Invocation was given by Pastor Richard Bellas of the Hope Lutheran Church and the Pledge of Allegiance to the Flag the following answered to Roll Call: Trustees: Dan Anderson, Gary Fitzgerald, James McDonald, Celine “Cene” Schwartz, Lea Stahr and Mayor Richard Chapman. Trustee Dan Gron arrived shortly after roll call. Also present: Administrator Kurt Carroll, Attorney Dave Silverman and Economic Development Coordinator Nancy Roman. The number present constitutes a quorum.

### CONSENT AGENDA

1. Approval of minutes of the regular meeting of October 13, 2009.
2. Approval of minutes of the regular meeting of October 27, 2009.
3. Approval of the accounts payable invoices in the amount of \$372,472.54.
4. Approval of payment in the amount of \$214,723.25 to Denler Incorporated for work completed on Towne Center Park Phase 1.
5. Approval of payment in the amount of \$17,898.98 to George’s Landscaping Inc. for work completed on the Veteran’s Memorial.

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

### ORDER OF BUSINESS

#### McDONALD’S RESTAURANT SITE PLAN

Trustee Fitzgerald presented a Site Plan for McDonald’s Restaurant to be constructed on an outlot (facing Rt. 59) of the property anchored by Home Depot. The Planning and Zoning Commission unanimously recommends approval. Everyone agreed the renderings of the proposed building and landscaping were an enhancement as the architecture complemented Home Depot and the brick work is the same as recommended (some already in place) for the Towne Center. Mr. Ed Schneider from McDonald’s was available for questions. After discussion, Trustee Fitzgerald made a motion to approve the Site Plan for McDonald’s Restaurant subject to final engineering approval, final photometrics, landscaping plans and signage plans. Seconded by Trustee Gron. Roll call: Yeas; Fitzgerald, Gron, McDonald, Schwartz, Stahr, Anderson. Nays: None. Motion Carried.

DENYING A VARIANCE  
ORDINANCE # 09-1554

Trustee Fitzgerald presented for the Board's consideration an ordinance denying a variance from the Zoning Regulations of the Village of Shorewood. At the Planning and Zoning Commission's Public Hearing on the request from Impact Outdoor LLC who filed a petition for a variance to install a billboard sign on the Joliet Inn property on the Northeast Frontage Road. Billboard signs are a "prohibited" sign under section 10-10-31 of the Shorewood Village Code. The petitioner was aware of this and chose to petition for a variance. After lengthy discussion and concerns raised by the residents including lighting, distractions to traffic, the effect on property values, etc. The PZC unanimously voted to recommend denial of the variance request citing that the tests necessary to grant the variance had not been met and the request was not in harmony with the ordinance. Mr. Rod Hursh, the petitioner was given time to explain why a billboard should be allowed. After lengthy discussion, Trustee Fitzgerald made a motion to pass an ordinance (#09-1554) denying a variance from the Zoning Regulations of the Village of Shorewood because the requested variance is not in harmony with the general purpose and intent of the Zoning Ordinance and the variance if granted would alter the essential character of the neighborhood or will be a substantial detriment to adjacent property and waive the second read. (Attorney Silverman noted for the Board's information that the recitals and findings of the PZC are adopted as the findings of the President and Board of Trustees that the standards for granting a variance had not been met.) Trustee Gron seconded the motion. Roll call: Yeas: Gron, McDonald, Schwartz, Stahr, Anderson, Fitzgerald. Nays: None. Motion carried.

MICHAEL SCHUSTER  
LOCAL BUSINESSMAN

Mr. Michael Schuster is the President and founder of MJSI, Inc. in Shorewood. Mr. Schuster has two award winning inventions on the market that work in standard toilets making them super efficient at saving water. The products HydroClean and HydroRight have won awards such as the Retailers Choice Award at the National Hardware Show in Las Vegas and HydroRight won Popular Mechanic's Editor's Choice Award. These products save money and water for homeowners and business owners. Mayor Chapman invited him to make the presentation so our residents would know about a way to save money and water at a very reasonable initial investment, (\$12.00 and \$25.00) to look at ways the Village could promote the saving of water and to congratulate a Shorewood businessman on such worthwhile, practical and award winning inventions.

FLOOD CONTROL REGULATIONS  
ORDINANCE # 09-1555

The Board considered an ordinance amending Title 12 Flood Control Regulations, Detention Pond Planting. Christopher B. Burke Engineering reviewed the Village's current ordinance pertaining to the planting of wet-bottom detention ponds at the Village's request. The proposed amendment is to better establish the Village's requirements with respect to pond plantings in residential and non-residential applications. The amendment also addresses both aesthetics and

facilitation of human access to the detention ponds at appropriate locations. During the discussion the Board determined that larger policy issues need to be discussed at a later time. Mr. Bryan Welch of Burke Engineering answered questions and noted that the ordinance will give developers better guidance as to what the Village is looking to achieve. It was also agreed that in the statement “Aquatic plants shall be established around the shoreline (generally defined as Normal Water Level elevation) to twelve inches (12”) above the normal water level elevation.” the reference “to twelve inches (12”) will read “to a minimum of twelve inches (12”). After further discussion, Trustee Schwartz made a motion to pass an ordinance (#09-1555) amending Village of Shorewood Code of Ordinances, Title 12 Flood Control Regulations for Detention Pond Plantings and waive the second read. Seconded by Trustee Anderson. Roll call: Yeas: McDonald, Schwartz, Stahr, Anderson, Gron. Nays: Fitzgerald. Motion carried.

STANDARD CONSTRUCTION DETAILS  
ORDINANCE # 09-1556

Trustee Fitzgerald presented for the Board’s consideration an ordinance amending the Standard Construction Details of the Village of Shorewood Code of Ordinances Title 11 regarding Land Subdivisions, adding Village Standard Detail PVT-19 – “Open Cutting Pavement within the Public Right-of-way.” The additional standard detail was added to assure that the materials used to fill the trench and the compaction after open cutting of pavement will minimize the impact to the road. The Planning & Zoning Commission unanimously recommends approval of the amendment. After discussion, Trustee Fitzgerald made a motion to pass an ordinance (09-1556) amending the Standard Construction Details of the Village of Shorewood Code or Ordinances Title 11 regarding Land Subdivisions (Open Cutting Pavement within Public Right-of-Way) and waive the second read. Seconded by Trustee Anderson. Roll call: Yeas: Schwartz, Stahr, Anderson, Fitzgerald, Gron, McDonald. Nays: None. Motion carried.

GO LIMITED TAX REFUNDING BONDS  
ORDINANCE # 09-1557

Trustee Gron presented the proposed ordinance to provide for the issue of \$293,000 General Obligation Limited Tax Refunding Bonds, Series 2009A and the levy of a direct annual tax to pay the principal of and interest on these bonds. (This is an annual event to pay the principal and interest on GO Bonds, Series 2004.) Trustee Gron also explained the intent of two other proposed ordinances related to abating taxes levied to pay principal and interest on GO Bonds Series 2004 and GO Bonds, Series 2009. After further discussion, Trustee Gron made a motion to pass ordinance (#09-1557) providing for the issue of \$293,000 General Obligation Limited Tax Refunding Bonds, Series 2009A, of the Village of Shorewood, IL and for the levy of a direct annual tax to pay the principal of and interest on said bonds. Seconded by Trustee Schwartz. Roll call: Yeas: Stahr, Anderson, Fitzgerald, Gron, McDonald, Schwartz. Nays: None. Motion Carried.

ABATING TAX LEVIED FOR YEAR 2009  
(\$6,365,000 Series 2004))  
ORDINANCE # 09-1558

Trustee Gron made a motion to pass an ordinance (#09-1558) abating the tax hereto levied for the Year 2009 to pay the principal of and interest on \$6,365,000 General Obligation Bonds, Series 2004 and waive the second read. Seconded by Trustee Fitzgerald. Roll Call: Yeas: Anderson, Fitzgerald, Gron, McDonald, Schwartz, Stahr. Nays: None. Motion Carried.

ABATING TAX LEVIED FOR YEAR 2009  
(\$4,140,000 Series 2009)  
ORDINANCE # 09-1559

Trustee Gron made a motion to pass an ordinance (#09-1558) abating the tax hereto levied for the Year 2009 to pay the principal of and interest on \$4,140,000 General Obligation Bonds, Series 2009 and waive the second read. Seconded by Trustee Anderson. Roll call: Yeas: Fitzgerald, Gron, McDonald, Schwartz, Stahr, Anderson. Nays: None. Motion carried.

LEVY & COLLECTION OF TAXES  
APRIL 1, 2009 – MARCH 31, 2010

The Board considered (as a first read) an ordinance for the Levy and Collection of Taxes for the Village of Shorewood, Will County, Illinois for the Fiscal Year beginning April 1, 2009 and Ending March 31, 2010. This is the annual tax levy to fund the operations of the Village. Trustee Gron reported our tax rate for 2008 as .2480 and for 2009 down slightly to .2477. Good news is no increase in taxes. This ordinance will be considered for action at the next regular Board meeting.

LIQUOR CONTROL CODE  
(AMENDING & RESTATING)

Mayor Chapman explained that the Village Liquor Ordinance is very outdated and he requested the Village Attorney to update the Liquor Control Code and bring it more in line with the State's Liquor Code. This proposed ordinance is up for a "first read" and will be considered for action at the next regular Board meeting.

COMMITTEE REPORTS

Trustee Anderson reported the leaf vac program is continuing and the snow plows are being readied. He gave an update on the meeting of the WesCom Committee. The building committee is meeting with the architect. They have two new members: the Wilmington Police Department and the Elwood Fire Department. Next meeting will be a budget meeting in January.

Trustee Fitzgerald announced the next meeting of the Planning & Zoning Committee will be December 2<sup>nd</sup>.

Trustee Gron commented on the statistics from Waste Management. Shorewood has increased its recycling by 30% since the new larger totes and one day pick-ups were introduced. Waste Management is now using Shorewood's program as a model for other communities.

Trustee Stahr reported on a seminar given by Dresden highlighting what citizens need to know in case of a nuclear incident. Next meeting for Citizens Advisory Committee will be December 3<sup>rd</sup>. ESDA is in the process of reviewing their manuals and certifications. He also wanted to say Happy Birthday to all the Marines.

Trustee Fitzgerald commented that Brock Stein, the reporter from the Sentinel would not be covering the Board meetings any longer, and wanted to acknowledge that fact and that he always did a great job covering the meetings. Shannon McCarthy was introduced as the new Staff Writer for the Enterprise who will be covering the meetings.

Trustee Schwartz announced that our Sunday with Santa will be December 6<sup>th</sup> from 1 pm to 3 pm and is sponsored by the Parks & Recreation Committee and Ruettinger & Tonelli & Associates. She also announced Shorewood's Christmas Home Decorating Contest. Registration forms are available and the deadline for signing up is December 11<sup>th</sup>. Judging will be December 13<sup>th</sup> after 6 pm. (*A minimum of 6 homes is required*) She gave the details for entries, judging, criteria and prizes. Trustee Schwartz also announced a joint meeting of the Board and Parks & Recreation Committee for November 16<sup>th</sup> at which time the Hitchcock Design Group will make a presentation of concept plans for the DuPage River Park property. She reported the work on the Town Center Park is progressing nicely.

Mayor Chapman announced the Village's annual Christmas Party will be cancelled because of the economy. He will write a letter of explanation and appreciation to all those who would normally be invited.

#### ADJOURNMENT

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

Julia A. Russell  
Village Clerk