

**CHANNAHON VILLAGE BOARD
COMMITTEE MEETING
JULY 7, 2008**

Village President Joe Cook called the meeting to order at 6:00 p.m. with Trustees Davidson, Nash, McMillin, Slocum, Militello and Greco present.

Also present were Village Administrator Jamie Bowden, Village Attorney David Silverman, Finance Director Robert Guess, Police Chief Joe Pena, Director of Public Works Ed Dolezal, Director of Community Development Mike McMahan and Acting Village Clerk Leti Anselme.

COMMUNITY DEVELOPMENT DEPARTMENT
Pilot Site Plan Amendment

McMahon stated that Pilot was present at the last Board meeting and informed the Board that the power pole that is in the parking lot was not going to be removed as shown on the site plan. The Village asked that Pilot show a new site plan with how traffic was going to get around the pole.

The Village would prefer that the pole be removed and relocated, but Pilot informed us that it would be extremely expensive. Staff is agreeable to it being placed within a well landscaped curbed island. If the Board approves this item, staff is requesting that changes to the landscape plan, which is not what was in the packet. Planning and Zoning also had conditions in that Dunkin' Donuts be the only one that would use the drive-through. If there is a public safety issue with all the traffic the business license would be pulled.

President Cook asked if ComEd did not want to move the pole. Brad Alsup, from Pilot, was present and stated that the pole needs to stay on the ComEd easement. It is also an expensive cost to have it removed and relocated. He stated that the pole would be surrounded by landscape in the drive-through. He doesn't feel that there will be any safety issues.

Mr. Alsup stated that Pilot has met the ordinance standards and are concerned with safety. Trustee Militello stated that she is not comfortable with putting a condition of pulling their business license. Trustee Nash's concern is that there is a safety issue already. She has seen trucks pull out on Route 6 and stop traffic for both directions. She has seen close to 25 trucks parked behind the establishment with half of them having their motors running.

President Cook stated how do you delineate the truck traffic with the car traffic on the site. His fear is with the number of trucks already on the site and now the number of cars that will be part of the drive-through. Mr. Alsup stated that the drive-through will have a curb and a fence, cars and trucks will not be able to mingle.

Trustee Davidson asked if the utility pole could be relocated. Mr. Alsup stated that it could. McMahon stated that we would like for the pole to be located outside of the drive-through area altogether. Mr. Alsup stated that once the landscape is put in, there will be a curb, trees and shrubs. The landscape may protect the pole, but if it were to be relocated to the other side it would have just the same chance without any landscape.

Trustee Slocum stated that he likes that the trucks stay on the east side of the building. He doesn't like the pole in the drive-through and feels it could be a safety issue. He asked if Pilot could obtain a quote from ComEd to see what the cost would be.

McMahon stated the Village only approved a building permit for the existing establishment. Pilot has informed him that once the Frontage Road is realigned, they would prefer to have the trucks going to the Frontage Road, which would have a light. Mr. Alsup stated that if the pole is removed outside of the drive-through, it will still be seen. The pole is there now, if the drive-through is not approved, the landscape will not be installed and it doesn't look good.

Rittof/Moorman Subdivision

McMahon stated that Janet Moorman and Steve Rittof are proposing to resubdivide their properties located at 25715 Blackberry Lane to provide another lot for the construction of a single-family residence. Mrs. Moorman's current property at the subject address is approximately 9.2 acres. In order to remain consistent with the minimum lot size of 5 acres in the A-2 district, Mrs. Moorman and Mr. Rittof have to resubdivide their property to the configuration that is currently proposed.

The new configuration will be arranged from north to south as the following:

- 1.998 acre parcel (most North property) to Steve Rittof (will be rezoned to R-2 zoning in future)
- 11.982 acre parcel to Janet Moorman
- 5 acre parcel to son of Janet and Larry Moorman
- 7.891 acre parcel to Steve Rittof

No contributions or impact fees are necessary for this subdivision.

On June 9, 2008, the Planning and Zoning Commission recommended approval of the Moorman/Rittof Plat of Subdivision.

Joe Perez – Riverside Industrial Park, Units 7 and 8

McMahon stated that Mr. Joe Perez operates a business, Integrated Logistics. They have been doing container usage, but want to do container storage. Staff has been working with Mr. Perez for over a year. He would like for the Village to amend its container ordinance to allow for stacking of the containers for that purpose.

Mr. Perez stated that he has been in the Village for about 18 months and he has been talking to staff about container stacking. The reason to be in this area is basically the Burlington Northern Railroad setting up about 5 miles from here. They are not allowing for empties to be stored at the terminal.

He stated that empty containers come to his business. His business would only take 300 containers come in and then 300 go out. They would inspect the containers and release them when needed. If there was room on the railroad, we would not have the business.

Mr. Perez reiterated that the business would only store empty containers. They would store and fix the cargo containers. He is asking if the Board would allow a portion of the property have stacking. It would only be 3 high, not 6 or 8. The containers would only be there for a few weeks not years. These are not his boxes, they are owned by steamship lines, they will come for them.

He suggested that Channahon tax the business on the containers so that the funds can go back to the community. He stated that he would raise the berm, plant more trees, limit the hours of the business. He does not want to disrupt the community in any way, they just want to be a good neighbor with the ability to stay in business.

Trustee McMillin asked what the tax was going to be based on. Mr. Perez stated that it would be the total revenue of the facility.

McMahon stated that the Village Attorney was doing some research on how the tax could be enforced. Attorney Silverman stated that with the Village's home rule authority, it could be adopted and enforced, as long as the land use is appropriate.

McMahon stated that this would require amending the ordinance. Cargo container storage is considered an accessory use only allow in I-1 and I-2, a minimum of 20 acre lot size, only a certain percentage of the property can be used for that. There has to be a primary use, the idea was that there would be a distribution building that would allow cargo containers to be stacked on the premises. There is also a condition that they have rail access. It is very limited, so if the Board considers it, it will open it up to a lot of other areas in town.

President Cook asked if the Board would consider amending the ordinance and how to protect the areas of where they should be.

Trustee Slocum stated that the one thing that has not been discussed is the traffic. There will be more truck traffic at the intersection of I-55 and Route 6, even if you only go 3 high. Mr. Perez stated that the containers will be empty, so it won't be much of an impact on the road as the trucks with a load. Trustee Slocum's concern is that it is still another truck. It is an IDOT issue, but the trucks block the traffic at that intersection. He would like to limit the impact.

McMahon stated that the traffic study was for lots 10 and 11, not 7 and 8. The amount of trucks that it would bring would be insignificant to the total impact of the interchange, but he also understands where Trustee Slocum is coming from with the concern of the traffic it will bring. He asked if the Board wants staff to amend the ordinance, limiting the height and number allowed.

Trustee Davidson stated that he would be agreement with the Board, but since it is an industrial park, there are many uses that could generate a higher level of truck traffic and we would have no control over it. He stated with this situation the Village would be able to get some revenue on it. Trustee Nash said no. Trustee McMillin stated without knowing what the tax would be and would like to see a traffic study. Trustee Slocum stated that he would like to know the impact of the traffic, since there is already more come that we cannot control. He would like to see

numbers, since it is going to be a safety issues. Trustees Militello and Greco stated that they would like more information.

Trustee Nash had a concern with the forcibility of the tax. If the tax is deemed to be unconstitutional, we would not receive anything. Mr. Perez stated that in another community it is called a fee instead of a tax. She also asked what type of security Mr. Perez was going to provide. She feels that the cargo containers are a security issue. Mr. Perez stated that the cargo containers are empty and they are inspected when dropped off and at pick-up. The facility is on site at all times by two people.

FINANCE DEPARTMENT

An Ordinance Authorizing the Sale by Public Auction of Personal Property

Finance Director Bob Guess stated that this ordinance would be to sell a public works dump truck and a couple of development cars. The dump truck will be sold at a later date, after the Board authorizes the approval for its replacement. In the past we have attended two different auctions, one in September and one in June, through the DuPage Mayors and Managers at the College of DuPage. The Will County Governmental League has announced an agreement with Manhein Arena Auto Auction, which take place on Tuesdays.

The differences between the auctions is with DuPage there was a 15% fee of whatever the item sold for, so we were unaware of what the vehicle would sell for until we received the check. They also charged a \$50 minimum if a vehicle was brought there and did not sell. The Manhein Arena Auto Auction charges a set fee of \$200 per unit. It has more availability than the DuPage.

POLICE DEPARTMENT

Concurrence with Promotion of Police Officer to Position of Patrol Sergeant

Police Chief Pena stated that the Channahon Board of Fire and Police Commissioners has finished their testing for Patrol Sergeant. Officer Jon Jackubowski was the candidate at the top of the list.

Purchase Digital Video Cameras and Accessories

Chief Pena stated that during the budget process the concept was brought before the Board to replace the aging and troublesome analog in car VHS video recorders. The amount for this item is \$26,887.35 with ICOP.

Purchase of Portable Handi-Talkie Police Radios

Chief Pena stated that this is also another item that is in the process of updating. The amount for this item is \$5,992.00 for 8 Motorola Portable Handi-Talkie Radios from Communications Direct, Inc.

PUBLIC WORKS DEPARTMENT

Purchase of Replacement Dump Truck

Director of Public Works Ed Dolezal stated that this is to replace truck number 7, which is a 1987 International Dump Truck. It would be replaced by a 2009 International Model 7400, 6x4, which is a larger truck. The Village budgeted \$118,000 for this purchase. The proposal as

submitted is \$125,578, which is \$7,578 over budgeted. He has spoken to the Finance department and it should not be an issue.

He informed the Board that the replacement schedule on these trucks is 15 years and this one made it to 21 years. This one kept up in good shape.

Woods Aux Sable Unit 2 – Improvement Completion Guarantee Reduction

Dolezal stated that this guarantee has received one previous reduction from the original amount to the current amount as shown. The Village's contingencies for that reduction to become valid were not acceptable to Founder's Bank, holder of the Letter of Credit. It is my understanding that McMahan has received satisfactory assurances from Mike Rittorf (Branch President-Founder's Bank) that the Village concerns which generated those contingencies have been addressed and a reduction is again justified.

Therefore in accordance with Subdivision and Development Regulations the developer has requested the improvement guarantee be reduced by \$240,196. This amount is based on the sum of work completed since the previously approved reduction. Staff has inspected the improvements and confirms the developer's stated level of completion.

Copper Leaf Subdivision Route 6 Improvements Improvement Completion Guarantee Release

Dolezal stated that there has been a request from Copper Leaf to reduce their Letter of Credit (LOC) for improvements to Route 6. The developer contention is that his contractor has posted a bond with the state that should suffice in lieu of the Village's. The purpose of a Village ICG is to provide the necessary funds to complete proposed improvements in the event the responsible party becomes unable or unwilling to do so. Therefore, if the Village releases this guarantee before work is finished, staff cannot insure completion.

Russell Head was present and stated that the LOC was requested by the Village and provided by us for additional insurances at the time, 2 years ago, so that the work would get done. This is under IDOT and at the time we were waiting for permits. Our portion of the work is in and out of Copper Leaf and the Ravines. He stated that the money was set aside to do the work three years ago, but IDOT held them up.

Mr. Head stated that once IDOT issued the permit and D Construction is the contractor doing the work. He feels that the LOC is sufficient, it states that it shall be "*automatically be released and terminate upon issuance of a bond or LOC on behalf of LLC to IDOT for the full road improvements required by IDOT*". The majority of the work is with IDOT not the Village of Channahon. The LOC expires at the end of the month, for him to renew it is going to be costly. It is work that is already in progress.

Dolezal stated that this is not a completion/performance bond that IDOT requires, it is bond for the contractor. The LOC helps the Village with the completion of the project. Mr. Head agrees, but the difference is it is not the Village's road. He stated that they have done everything that was requested of them. He has always answered any calls from the Village. It is a difficult time for the developers in the area.

Trustee Nash asked if this situation is similar to Ridge Road and Route 6, since the intersection was not completed to our standards. Dolezal stated that it was not completed to our standards, but we are guaranteed that it will be done because we have a LOC. It is also an IDOT road.

**Ravines of Channahon Subdivision Route 6 Improvements
Improvement Completion Guarantee Release**

Dolezal stated that this item is similar to the item previously discussed. Although this LOC does not include a statement regarding release upon issuance of an IDOT bond.

ADMINISTRATION

An Ordinance Amending the Code of Ordinance to Create a Class Beer and Wine

Village Administrator Jamie Bowden stated that this was put together with the Village Attorney. The new license allows service from a service bar and at tables only. He suggests changing the prohibited hours. President Cook stated that the hours be from 10 a.m. to midnight. It would not allow for packaged liquor either.

**A Resolution Supporting the City of Chicago's Bid for the
2016 Olympic and Paralympic Games**

President Cook stated that this resolution shows our support for the Olympic Games. His hope is that athletes come here for training, which would be a year before the games. This would be in hopes of Chicago winning the bid.

Expenditure for the DuPage River Canoe Access

Bowden stated that the Village has been an avid participant with the Channahon Park District and the Village of Minooka in a grant application for the Dupage River Canoe Access. The bid came in at \$62,843 and the anticipated cost is \$75,255. The portion for the Village is \$8,418 and he budgeted \$10,000 for the project. Daryl Cole was present from the Channahon Park District for any questions.

Minutes Submitted by
Leticia Anselme
Acting Village Clerk