

**MINUTES
COMMITTEE OF THE WHOLE MEETING
VILLAGE OF VERNON HILLS
MARCH 20, 2007**

IN ATTENDANCE: President Byrne called the meeting to order at 8:05 p.m. The following Trustees were present: Hebda, Koch, Marquardt Schultz, Schwartz and Williams.

Also present were Village Manager Allison, Assistant Village Manager Kalmar, Finance Director Nakrin, Chief of Police Fleischhauer, Public Works Director Laudenslager, Village Engineer Brown, Attorney Shapiro and Village Clerk Pelletier.

1. APPROVAL OF 3/06/2007 COMMITTEE OF THE WHOLE MINUTES.

Motion by Trustee Schultz, second by Trustee Koch approval of the 3/06/2007 Committee of the Whole Minutes. Roll call vote:

AYES: 4-Marquardt, Schultz, Williams, Koch

NAYS: 0-None

ABSENT: 2-Schwartz, Hebda

Motion declared carried.

2. CONSIDERATION OF A REPORT AND RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION REGARDING VARIOUS REQUESTED APPROVALS FOR VERNON HILLS TOWN CENTER PUD - (CASE 06-12, VHTC – VERNON HILLS TOWN CENTER REDEVELOPMENT PLAN)

Assistant Village Manager Kalmar stated representatives of VHTC LLC appeared before the Planning and Zoning Commission on 3/07/2007 to present their 5 lot development as followed: Lot 1-a 38,340 sq. ft. multi-tenant building; Lot 2-a 5,220 sq. ft. multi-tenant building with a proposed drive-thru; Lot 3-a 80 residential units in a six story building with 5 stories built over a combined story of parking and 10,365 sq. ft. of retail, with a basement parking lot; Lot 4-a 5,040 sq. ft. bank with a proposed drive-thru; and Lot 5-a detention pond and development entrance features. The development would have approximately 58,965 sq. ft. of commercial space.

Access to the site would be from Port Clinton Road, and from the proposed Town Center Road via Route 45 or Milwaukee Avenue. Town Center Road was designed as a right in/out entrance from Milwaukee Avenue. Port Clinton Road would be realigned to extend through the Opus North site and out to Milwaukee Avenue. Town Center Road would connect to Port Clinton via North/South Road, yet to be named. IDOT approvals would be needed for access from Route 45 to Lot 2.

The Philly G's restaurant property was shown on the plans as being included in the overall development of this site and was not a formal part of the petition. VHTC was asked to include the restaurant site in the plan. Mr. Gilardi had seen the plans and was aware of how it will affect his property. The Village, VHTC and Mr. Gilardi had worked together to integrate his property into the project, which would allow him to improve his building, parking and gain better access to the site. No surrounding property owners appeared at the Planning and Zoning Commission. The Commission voted unanimously to recommend approval of the following:

- A. To amend the zoning classification from R-1 Single Family Residential to B-1 General Business for the legally described property, subject to the conditions noted below.

- B. A Special Use Permit for a Planned Unit Development to allow development of a mixed use residential and retail commercial center along with the following variations, subject to the following conditions:
1. To allow 80 condominium units on the project site.
 2. To allow a height variance for 5 levels of residential units over two levels of parking, one of which will be combined with retail space of the ground floor and the other being below grade. The heights of proposed buildings (6 stories) from grade to the cornice line will not exceed 74 feet.
 3. To reduce the required setback for the buildings along Route 45, Milwaukee Avenue and Town Center Road to those measurements as shown on the Preliminary Geometric Plan – 1 prepared by Spaceco Inc. and dated 12/8/06.
 4. To reduce the buffer area along the major streets (Route 45 and Milwaukee Avenue) and collector road (Town Center Road) to those measurements as shown on the Preliminary Geometric Plan - 1 prepared by Spaceco Inc. and dated 12/8/06.
 5. To reduce the internal side and rear yard setback requirements in the B-1 District to those measurements as shown on the Preliminary Geometric Plan – 1 prepared by Spaceco Inc. and dated 12/8/06.
 6. To provide relief from the masonry separation between multifamily units (Section 5-26) of the Village Code.
 7. To allow a parking variance for the condo building that will provide 1.6 spaces for each of the condo units, including 1.2 indoor car stalls per unit within the parking garage.
 8. To reduce the minimum square footage requirements for a one bedroom from 1,200 sq ft and two bedroom from 1,400 sq ft condo units subject to the exhibit dated 3/7/07.
- C. A Special Use Permit for a Planned Unit Development to allow development of mixed residential and retail commercial center with the variation to allow the maximum square footage permitted for building-mounted signs of 1 square foot per lineal foot of building elevation with no maximum for both front and rear of the building, subject to being located within the locations on the signage plan and to the conditions noted below.
- D. A Special Use Permit to allow restaurants on Lots 1,2 and 3 (excluding the residential portion of the building), which may serve alcohol, and restaurants with carry-out and fast food, and for (Lot 2) coffee with drive-thru, and (Lot 4) a bank with a drive-thru facility, subject to the conditions noted below.
- E. Preliminary and final site and landscaping plan approvals, subject to the conditions listed below.
- F. Preliminary and final approval of the architectural elevations, subject to the conditions listed below.
- G. Preliminary and final approval of the Plat of Resubdivision, subject to the conditions listed below.

The Commission voted 3-2 (Ballowe, Hezner) to recommend approval of a Special Use Permit for Planned Unit Development to allow development of a mixed use residential and retail commercial center with a variation to allow signage on awning fascia (vertical surfaces) of a maximum of 8 inches with the business name only, and if signage is used on the awning, it shall be included in the total square footage calculation for building-mounted sign.

The recommendations included Conditions of Approval and general compliance with the following:

1. Preliminary Engineering Plans including Site, Geometric, Grading and Utility Plans prepared by Spaceco Inc. consisting 8 pages with a revision date of 1/30/07.
2. Vernon Hills Town Center Booklet – Response to Technical Review No.1 consisting 30 pages with a date of February 8, 2007.
3. Preliminary Plat of Vernon Hills Town Center prepared by Spaceco Inc consisting 1 page with a date of 11/01/06.
4. Landscape Plan prepared D.T. Donohue & Associates, LTD consisting 8 pages with a revision date of February 19, 2007.
5. Final approval of plans by the Village Engineer and Landscape Architect
6. Review and approval of the REA and homeowner's association documents by the Village Attorney prior to issuance of a building permit. Particular attention is to be paid to insure that a parking license agreement is provided to allow residential parking within the adjacent commercial area.
7. Compliance with the Technical Review Comments #1 from John Thomas to John Kalmar dated February 8, 2007.
8. School and park donations will be required pursuant to Sections 4 and 6 of the Development Ordinance and consistent with the TIF Redevelopment Agreement for the property.
9. Submission of lighting details for review and approval by the staff prior to final approval by the Village Board.
10. Compliance with all ordinance and standards of the Village except as otherwise noted.

Trustee Koch stated concerns regarding the under parking on the residential site. Mr. Kalmar stated the overflow parking in the retail area. Mr. John Thomas stated the larger units would have 2 assigned inside parking spaces. Trustee Schultz suggested changing the Village's sign ordinance to allow the signage on canopies. The signage on the canopy would be limited to the primary entrance to the retail business. Mr. Joseph Antunovich, the architect stated the Town Center was to have a diversified look. Trustee Koch requested the colors on the canopies be muted. Ms. Stacy Taxman, the lease director stated there were no tenants for the retail space to date. Motion by Trustee Williams, second by Trustee Marquardt to direct staff to prepare the necessary ordinance and development permit granting approvals to the, rezoning, special use permit for the PUD and drive-thrus; the necessary variations; final site and landscaping plans and building elevations for all buildings; and final approval of the plat of subdivision for this project, subject to the conditions listed above. Roll call vote:

AYES: 5-Schultz, Williams, Hebda, Koch, Marquardt

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

Motion by Trustee Marquardt, second by Trustee Schultz to recess the Committee of the Whole and go to Closed Session for discussion of personnel-[Sec. 2(c)(1)] as allowed in the Open Meetings Act and reconvene the Committee of the Whole to Wednesday, March 21, 2007 at 7:00 p.m. Roll call vote:

AYES: 5-Williams, Hebda, Koch, Marquardt, Schultz

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried. Meeting recessed at 9:20 p.m.

Motion by Trustee Williams, second by Trustee Schultz to reconvene the Committee of the Whole meeting, Wednesday, March 21, 2007. Roll call vote:

AYES: 5-Hebda, Marquardt, Schultz, Williams, Byrne

NAYS: 0-None

ABSENT: 2- Koch, Schwartz

Motion declared carried. Meeting reconvened at 7:00 p.m.

Also present were Village Manager Allison, Assistant Village Manager Kalmar, Finance Director Nakrin, Village Engineer Brown, and Village Clerk Pelletier.

3. Continuation of FY200708 Budget Discussions.

9. Community Development Budget

Assistant Village Manager Kalmar stated the Community Development budget was \$1,892,046 a 1.38% decrease from last year's level. The Building Division budget was \$1,121,860 a 0.43% decrease; the Community Development Administration budget was \$43,526 a 6.1% increase; the Engineering Division was \$535,858 a 7.2% increase; and the (External) Engineering Review and Inspection budget was \$89,000, a 19.3% decrease from last year. The Engineering Review and Inspection budget for consulting services was funded by developers. The Building Division was reduced due to the removal of a code enforcement officer position. Attorney fees would be reimbursed in future budgets. Trustee Schultz referenced the position of Clerk should be under Administration. Staff was to review and budget the percentages accordingly between Community Development and Administration. Motion by Trustee Williams, second by Trustee Marquardt to approved the Community Development budget at \$1,892,046, subject to amending the Clerk salary percentage split between the Community Development and Administrative Budgets. Roll call vote:

AYES: 4-Marquardt, Schultz, Williams, Hebda

NAYS: 0-None

ABSENT: 2-Koch, Schwartz

Motion declared carried.

10. Administrative Budget

Manager Allison stated the Administration budget was \$1,776,236, a 1.14% increase of last year's original budget. Salaries were \$701,897, a 4.70% increase; the fringes were \$190,593, a 1.61% increase; the contractual services were \$760,356, a 2.93% increase; the commodities were \$57,350 a 1.15% increase; and equipment was \$66,040, a 34.51% decrease; and within the Administration, the General Administration Division was \$190,040, a 0.53% decrease; the Manager's Office was \$524,030, a 4.26% increase; Finance was \$921,606, a 3.10% increase; and the Cable Studio was \$140,560, a 15.68% decrease due to equipment purchases. Mr. Allison stated SWALCO would be considering a one dollar per household charge for services due to revenue loss. President Byrne inquired why there were multiple vendors for cell phones and printing and was informed it was due to cost of cell phone packages at the time of purchase and type of print work to be done. The Committee discussed monies to be budgeted for Lake County Partners. The 50th Anniversary of the Village would be budgeted next year, and discussions could begin in November 2007 with the Summer Celebration Committee members. Motion by Trustee Williams, second by Trustee Schultz to approve the Administration budget at \$1,782,236, subject to amending the Clerk salary percentage split between the Community Development and Administrative Budgets. Roll call vote:

AYES: 4-Marquardt, Schultz, Williams, Hebda

NAYS: 0-None

ABSENT: 2-Koch, Schwartz

Motion declared carried.

12. Capital SubFund Budget

Village Engineer Brown stated the Capital SubFund budget was \$875,314, an 83.32% decrease from last year's original budget. The items in the budget were approved as part of the capital review process by the Committee of the Whole on 12/19/2006. The budget was down from last year's

budget due to the \$2 million that had been budgeted last year for the purchase of the Lederman property and the road program was moved to the Motor Fuel Tax Fund budget this year. Motion by Trustee Williams, second by Trustee Schultz to approve the Capital SubFund budget at \$875,314. Roll call vote:

AYES: 4-Schultz, Williams, Hebda, Marquardt

NAYS: 0-None

ABSENT: 2-Koch, Schwartz

Motion declared carried.

13. Motor Fuel Tax Fund Budget

Mr. Brown stated the MFT Fund budget was \$975,000, a 92.03% increase from last year's level. The road program project was approved by the Committee of the Whole on 12/19/2006 was moved to this budget. Motion by Trustee Schultz, second by Trustee Williams to approve the MFT Fund budget at \$975,000. Roll call vote:

AYES: 4-Williams, Hebda, Marquardt, Schultz

NAYS: 0-None

ABSENT: 2-Koch, Schwartz

Motion declared carried.

14. Remainder of Committees Budgets

The overall Committee budget was \$42,413, a 7.8% decrease from last year. An increase was for the Fire and Police Commission, which would be establishing a hiring list. There was \$4,900 decrease in the Senior Citizens budget, which had included a \$5,000 purchase of new chairs. Motion by Trustee Hebda, second by Trustee Williams to approve the Remainder of Committees budgets at \$42,413. Roll call vote:

AYES: 4-Williams, Hebda, Marquardt, Schultz

NAYS: 0-None

ABSENT: 2-Koch, Schwartz

Motion declared carried.

15. Tax Increment Fund Budget

The Tax Increment Fund budget was \$209,000, a 92.85% decrease from last year. \$139,000 was for interest payments on the Half Day Note and the bond which would be issued within the next month. Permanent Improvements in this year's budget were \$60,000, because most of the infrastructure expenditures would be from contracts encumbered during FY2006-07. Motion by Trustee Schultz, second by Trustee Williams to approve the TIF Fund budget at \$209,000. Roll call vote:

AYES: 4-Hebda, Marquardt, Schultz, Williams

NAYS: 0-None

ABSENT: 2-Koch, Schwartz

Motion declared carried.

(Trustee Koch arrived at 8:45 p.m.)

16. Events Budget

The Events Fund was \$162,625, a 2.62% increase from last year's original budget. The Oktoberfest was put in the budget twice, once at \$17,000 and once at \$20,000. The budget included \$15,650 for Arborthheater Events; \$67,400 for the Light Show (funded by \$90,000 in projected ticket sales); \$4,800 for the fish derby; \$38,650 for the Fourth of July (Fireworks-\$21,000); \$5,125 for the Pageant; \$14,000 for Summer Celebration Fireworks and \$17,000 for Oktoberfest. Mr. Allison noted a track and field event would be held at the Vernon Hills High School during Summer Celebration.

\$17,000 would be budgeted for a spring festival. Motion by Trustee Marquardt, second by Trustee Schultz to approve the Events Fund budget at \$179,625. Roll call vote:

AYES: 6-Koch, Marquardt, Schultz, Williams, Hebda, Byrne

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

17. Summer Celebration Budget

The Summer Celebration budget was \$141,050, a 4.33% increase from last year. The Cultural Partner donations were designed to the fund. Motion by Trustee Williams, second by Trustee Marquardt to approve the Summer Celebration budget at \$141,050. Roll call vote:

AYES: 5-Marquardt, Schultz, Williams, Hebda, Koch

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

18. President and Trustees Budget

The President and Trustee budget was \$76,907 a 1.61% increase from last year's original budget. Trustee Schultz could not support the \$600 candy expenditure. Motion by Trustee Williams, second by Trustee Marquardt to approve the President and Trustee budget at \$76,907. Roll call vote:

AYES: 5-Schultz, Williams, Hebda, Koch, Marquardt

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

19. Judiciary Budget

The Judiciary budget was \$270,000, the same as last year. The fund included attorney fees for seeking grant monies. Motion by Trustee Hebda, second by Trustee Williams to approve the Judiciary budget at \$270,000. Roll call vote:

AYES: 5-Williams, Hebda, Koch, Marquardt, Schultz

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

20. Hotel Motel Budget

The Hotel Motel budget was \$441,000, a 35.69% increase from last year's original budget, which reflected a more favorable forecast for Hotel Motel Tax receipts. The budget consisted of a \$10,000 payment to the Lake County Convention and Visitors Bureau; \$11,000 for tourism promotion activities; and \$420,000 of debt service toward the repayment of the 2001 and 2002 VHAC bonds. The 38.16% increase was due to the amount of debt service retired from the Hotel Motel budget. Motion by Trustee Williams, second by Trustee Marquardt to approve the Hotel Motel budget at \$441,000. Roll call vote:

AYES: 5-Williams, Hebda, Koch, Marquardt, Schultz

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

21. General Purpose Budget

The General Purpose budget was \$1,611,000, a 47.89% increase from last year. The budget consisted of \$974,300 for debt service, a 22.86% increase of from last year; \$285,000 for contingency, a

256.25% increase; and a \$129,000 transfer to the Tax Increment Fund, a 268.57% increase of from last year. Capital improvements were the Aspen/Route 60 intersection; Tennyson Lane; Deerpath culvert; Westwood; Lakeview and Fairway Drives; and the Route 83 deceleration lane. Motion by Trustee Marquardt, second by Trustee Williams to approve the General Purpose budget at \$1,611,000. Roll call vote:

AYES: 5-Hebda, Koch, Marquardt, Schultz, Williams

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

Motion by Trustee Williams, second by Trustee Marquardt to recess the Committee of the Whole Meeting until Tuesday, April 3, 2007 at 7:00 p.m. Roll call vote:

AYES: 5-Koch, Marquardt, Schultz, Williams, Hebda

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried. Meeting recessed at 9:20 p.m.

Motion by Trustee Marquardt, second by Trustee Schultz to reconvene the Committee of the Whole meeting, Tuesday, April 3, 2007. Roll call vote:

AYES: 5-Hebda, Marquardt, Schultz, Schwartz, Williams

NAYS: 0-None

ABSENT: 1-Koch

Motion declared carried. Meeting reconvened at 7:00 p.m.

Also present were Village Manager Allison, Finance Director Nakrin; Chief of Police Fleischhauer and Human Resource Director Brooks.

Motion by Trustee Williams, second by Trustee Marquardt to adjourn the Committee of the Whole meeting and go to Closed Session to discuss personnel-[Sec. 2(c) (1)] as allowed under the Open Meetings Act. Roll call vote:

AYES: 5-Marquardt, Schultz, Schwartz, Williams, Hebda

NAYS: 0-None

ABSENT: 1-Koch

Motion declared carried.

Meeting adjourned at 7:01 p.m.

Linda Pelletier, Village Clerk

Roger L. Byrne, Village President