

**MINUTES  
COMMITTEE OF THE WHOLE MEETING  
VILLAGE OF VERNON HILLS  
JULY 19, 2005**

IN ATTENDANCE: President Byrne called the meeting to order at 7:30 p.m. The following Trustees were present: Koch, Marquardt, Schultz, Schwartz, Williams and Hebda.

Also present were Village Manager Allison, Assistant Village Manager Kalmar, Finance Director Nakrin, Building Commission Gerth, Police Chief Fleischhauer, Public Works Director Laudenslauger, Village Engineer Brown, Attorney Citron and Village Clerk Udesky.

- 1. APPROVAL OF COMMITTEE OF THE WHOLE MINUTES (DELAYED)**
  
- 2. CONSIDERATION OF A CONCEPT PLAN FOR A TOWNHOME DEVELOPMENT PROPOSED BY LANDMARK DEVELOPMENT GROUP FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ROUTE 45 AND PORT CLINTON ROAD**

Assistant Manager Kalmar provided a summation of the proposed town home project and indicated representatives from Landmark Development were available to present their concept plans for River Glen townhome project. Landmark Development is proposing to construct 14 townhome units on the four acres west of the Sarah's Glen development. The units will be 2,000 to 2,400 sq ft in size and will be priced from \$485,000 to \$550,000. To access the site, Landmark is proposing to connect into Sarah's Glen by extending Christine Court thru the proposed development to Port Clinton Road. The streets within the development are publicly dedicated to the Village. Mr. Kalmar stated with the realignment of Port Clinton Road as a part of the TIF improvements and the proximity of the connection to the intersection with Route 45, the connection will be a right in/out only.

The property, commonly referred to as the Greene Property, is located in the Village's TIF District. It is zoned R-1, 2-acre single family residential. This classification is a holding district for properties which are newly annexed or that has not been designated for development. To allow the plan as proposed, it must be developed as a PUD and will likely require some unspecified variations. The zoning will be the same R-6, as Sarah's Glen and would be developed in the same manner.

Mr. Kalmar indicated this was a concept presentation and the developer has shared the plans with representatives of the HOA although their Board has not formally discussed the project. He has also spoken with the HOA president and provided specific details about the project. The discussions focused on Landmark's proposal to share the existing

detention basin within Sarah's Glen, constructing a park for both communities and possibly becoming part of the HOA.

Mr. Kalmar indicated there were a number of issues to resolve with SMC and the Army Corp regarding encroachment of the project into the floodplain and floodway areas. He indicated there are also issues of stormwater detention and access to the site. Mr. Kalmar indicated the streets in Sarah's Glen are public streets and have been extended to the property lines for connection to any development to the West.

Trustee Koch asked if the fact that the property was not in the Village if that would have any effect on the development. He did indicate the property crosses Indian Creek but was not sure if it was Lincolnshire or unincorporated, but it would have not impact.

Mr. Jim Meier, representing the develop, introduced himself and addressed questions from the Board. President Byrne inquired if the road already existed and was advised it was not. Mr. Meier indicated he has contacted SMC and was advised the wetlands will most likely be contained to the creek bed and should not be an issue.

President Byrne asked Attorney Citron to advise Mr. Meier with a disclaimer. He then indicated this property was part of a Half Day Annexation done in 1993 and expressed concerns with regard the potential of flooding to existing homes. Trustee Williams asked if the reconfiguration of Port Clinton was taken into consideration and was advised that it had been with the potential of being a right-in, right-out only.

Paul Stepankovskiy, 1263 South Sarah's Blvd expressed concerns about construction traffic using the road through Sarah's Glen. Bruce Zimmerman, 1345 South Ashley Court, Board of Directors of Sarah's Glen invited the developer to meet and discuss to project with the board. Trustee Schultz asked Mr. Zimmerman if anyone from the HOA had contacted him with regard to parking and was advised they had. Alex Kogan, 1268 South Christina Court, asked if the tree line will remain and was advised that the issue will be addressed and if approved, a landscape plan would be required. Mr. Kogan asked if anything could be done to prevent Port Clinton traffic from cutting through Sarah's Glen to Route 45. Dave Brown responded that the roadway was designed to allow residents a safer to exit to Port Clinton to Route 45. He also indicated that all regulations regarding stormwater management and floodplain issues would be complied with explicitly. Mr. Kogan inquired as to the installation of a stop sign and was advised it would be looked into during the review process. Zhanna Yermakov, 1309 South Ashley, added that the tree line also prevents a lot of the noise pollution from Stephenson High School and asked the board to seriously consider keeping the tree line. Michael Ginzburg, 1264 South Sarah, expressed concerns about the traffic on Sarah Blvd as a question of safety. He also expressed concerns with regard to the evening's presentation and whether it was presented properly. President Byrne indicated this was just one step in a lengthy process and this evening was only a concept presentation. Mr. Ginzburg also asked if this development was an extension of Sarah's Glen or if it was a separate development. Mr. Kalmar advised him the development was still in discussions.

Attorney Citron interjected that this development could not be under the Sarah's Glen HOA. They could do agreements under contractual terms, but could not be included in the HOA.

Trustee Hebda stated that due to the closeness to Sarah's Glen she would like to see more of the architectural element of stone and brick used in this development as opposed to the stucco. She also indicated she did not like the garage doors. Trustee Shultz asked if there would be property designated as a park. Mr. Kalmar indicated that this would be discussed with the HOA and was part of the consideration.

Mr. Kalmar indicated that all residents would be notified of the public hearing and if anyone would like copies of the plans they would be available.

**3. CONSIDERATION OF A REPORT AND RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION REGARDING A REQUEST FOR PRELIMINARY AND FINAL PLAT APPROVAL OF A TWO-LOT RESUBDIVISION OF LOT 1 IN BRADFORD SUBDIVISION – SOUTH MARKETPLACE ON MILWAUKEE AVENUE.**

Mr. Kalmar, Assistant Manager indicated the proposed lot was located in the South Marketplace of Vernon Hills shopping center and would be in front of the former Super Kmart building in associated parking field. He indicated that the lot would be .993 acres in size and that its placement takes into account the existing frontage road that connects the parcels in the Marketplace Development together with Milwaukee Avenue. He commented that the plat of subdivision was appropriate for the property and meets the requirements of the annexation agreement and B-1 District. He stated that the parking would be adequate for the future uses and cross access and maintenance agreements would be in place for the entire development. Bradford Real Estate has provided a copy of the approval letter as required by the REOA for the resubdivision.

Mr. Kalmar indicated the Planning and Zoning Commission reviewed this matter and voted unanimously to recommend preliminary and final plat approval of the resubdivision of Lot 1 in Bradford Subdivision, subject to the following:

- a. Compliance with the preliminary plat of Bradford 3<sup>rd</sup> Resubdivision prepared by Manhard Consulting Inc. with a date 6/8/05 except as otherwise amended by the Village Engineer or Board of Trustees.
- b. Review and approval of the Easement Agreement to addresses access and maintenance.
- c. The owner shall provide copies of the approval letters from the REOA for the project prior to final approval by the Village Board.
- d. Compliance with all ordinances of the Village except as otherwise noted.
- e. Other conditions as appropriate.

Trustee Schwartz made a motion that the staff be directed to prepare the necessary ordinance granting approval to the preliminary and final plat approval of the resubdivision, subject to the conditions listed above. Trustee Hebda seconded the

motion. Trustee Koch inquired if the resubdivision had any effect on the surrounding development and Mr. Kalmar advised it would have no effect. The resubdivision was unanimously approved on a voice vote.

AYES: 6 – Hebda, Koch, Marquardt, Schultz, Schwartz, Williams

NAYS: 0 – None

ABSENT: 0 - None

Motion declared carried.

**4. CONSIDERATION OF FINAL PUD APPROVALS FOR ASPEN POINTE RESIDENTIAL REQUEST-JACOBS HOMES-REPORT AND RECOMMENDATION FROM PLANNING AND ZONING.**

Mr. Kalmar updated the board on the status of the 132 unit development known as Aspen Pointe Residential. He indicated that under the provisions of Ordinance 2005-21, the Amended and Restated Development Agreement dated March 1, 2005 and Article 20 of the Vernon Hills Zoning Ordinance, Jacobs Homes has requested final approval of the plans for the development of the town home project.

Mr. Kalmar indicated representatives from Jacobs Homes appeared before the Commission on June 29, 2005 to request final approval of its project. In addition to a list of group exhibits in Ordinance 2005-21, the ordinance also approved the Amended and Restated Development Agreement (ARDA), specifically detailed how the approval process would be for the residential portion of the site. The terms of the ARDA stipulate that if the final plans and plat for the residential site substantially conform to the Conceptual Residential Plans, the Village agreed to approve the plans consistent with the provisions set forth in Section 20.2.3 of the PUD section of the Zoning Ordinance. He stated that based on the Technical Review Committees review, the plans do substantially conform to the Conceptual Residential Plans as previously submitted. The Planning and Zoning Commission reviewed this matter and voted to recommend final approval of the 132-unit development and, final site, architectural elevations and materials plan and landscaping plans approvals for the residential portion of this property subject to the following conditions:

- a. Final approval by the Village Engineer and Landscape Architect.
- b. Amendment of the final landscaping plans to include the required alternate paving materials throughout the project.
- c. Submission and Approval by the Commission and Village Board of the Preliminary and Final Plat of Resubdivision within 60 days of the date of the June 29, 2005 Planning and Zoning Commission meeting.
- d. Review and approval of the homeowner's association documents by the Village Attorney prior to final approval by the Village Board.
- e. Compliance with the conditions as set forth in the ARDA.
- f. Compliance with all ordinance and standards of the Village except as otherwise noted.
- g. Work with staff regarding the end units, both interior and exterior to the property, to include additional bay window.

- h. Work with staff regarding fencing along the south property line.
- i. Pursuant to the ordinance, working with potentially enhanced landscaping to the extent possible on the south property line.

Mr. Kalmar indicated Jacobs Homes will appear before the Planning and Zoning Commission on August 10, 2005 for final approval of the final plat of resubdivision. He also stated that the HOA documents will be reviewed by the Village Attorney prior to final approval. He anticipates presenting everything to the Village Board in September for final approvals.

Trustee Williams made a motion that the staff be directed to prepare the necessary ordinance granting approval to the preliminary and final plat approval of the subdivision, subject to the conditions listed above. Trustee Koch seconded the motion. The subdivision was unanimously approved on a voice vote.

AYES: 6 – Hebda, Koch, Marquardt, Schultz, Schwartz, Williams

NAYS: 0 – None

ABSENT: 0 - None

Motion declared carried.

Mr. Goodman, Jacobs Homes addressed the Committee and stated that he was appreciative of the input he received from Trustee Hebda and Trustee Koch and would recommend future developers to do the same.

#### **5. WHITE DEER RUN - RETENTION PONDS - ALGAE CONTROL**

Mr. Allison, Village Manager, indicated that Staff has met with representatives of Gregg's Landing HOA and White Deer Run to discuss the funding of various landscape issues with the larger discussion involving algae within the ponds.

Mr. Dave Brown, Village Engineer stated that he has investigated the algae issues in the White Deer Run Golf Course and the cost to address the problem. The Village has received a proposal from Integrated Lakes Management (ILM) and requested two other proposals. The annual cost to address the algae is estimated at \$20,000 for the 17 ponds. This would include eight visits from July to October at \$1,750 each with additional work necessary to manually remove the algae at \$1,135 per day.

Mr. Brown indicated that Article III. Sec.16-78 (b) requires water within stormwater detention areas shall be free of algae and debris and he indicated that enforcement of the above provision has been requested. The owner of White Deer Run is concerned about the degree to which the lawn chemicals from the residential component contribute to this condition and that the phosphates from lawn fertilizers are the major contributor to the algae within the ponds. It was noted that 40% of the property belonged to White Deer Run; 56% would be the residential component, and the small components of the park District. These calculations were based on the lawn area and do not include roads.

President Byrne inquired as to other locations throughout the Village where this was a problem. Mr. Brown indicated the Management Company for the Gregg's Landing townhome areas hire a contractor to take care of ponds. He indicated the problems also exist during the August time frame in the Deerpath area. Mr. Allison indicated the Park District uses the aerators to address the issue, but the results are limited and the chemical approach is the most effective. It was noted that the change in season and a lot of rain would also contribute to the prevention of algae. Mr. Brown stated that mowing a dry bottom detention on a weekly basis would essentially cost the same as the algae clean up. Mr. Brown stated educating residents and HOA's that what they put on their lawns contributes to the algae. Mr. Kathan, HOA President indicated they were not prepared to obligate the funds, but they would commit to the educational component. Mr. Brown also stated that one of the discussion points was the level of acceptability of the algae; at what point is it acceptable. He also indicated there could be an odor factor during late August.

President Byrne opened up the discussion for comment. Mr. Kathan indicated that although he knew the golf course had financial issues, they had a responsibility to be a good neighbor and should be responsible for the grounds including, access roads, bolder walls as well as the ponds. Trustee Koch recalled that during the development stages that he recalled conversations with the golf course that part of the deal of not putting in the aerators in a number of the ponds was because they would take care of them. Trustee Marquardt inquired as to how White Deer Run feels that it is not their problem but it is still part of their property. President Byrne stated that it is all up to who will foot the bill and are these ponds are ours and how do we address it when it is leased property. Mr. Brown indicated that of all the ponds in Gregg's Landing only 17 ponds are being addressed and all others are the responsibility of the HOA's. President Byrne stated this would ultimately have to be something that the Village, homeowners and the olf course would have to decide collectively. Trustee Hebda inquired if there was any kind of grants that could be obtained. Mr. Allison indicated that the Village was already looking to meet with PAR Development on several issues, and the algae was one of them.

#### **6. AMERICAN YOUTH SOCCER ORGANIZATION (AYSO) FACILITY USE AGREEMENT.**

Mr. Allison, Village Manager, stated that he had previous meetings with the AYSO representatives for a 5 day tournament planned for 12-16 July, 2006. Attendance would be in excess of 5,000 people from across the United States. He indicated that he is working with Mr. Citron, Chief Fleischhauer and Mr. Laudenslauger with regard to the costs involved for the event. Trustee Koch inquired about security for this event and Mr. Citron replied that this was one of the items that would be included in the agreement and the fees for this event. Mr. Citron indicated the AYSO would be using the GLSA Soccer complex as well as the VHAC. Mr. Allison advised everyone that this event would coincide with the Summer Celebration and Trustee Schultz expressed concerns about being able to accommodate the number of people. Chief Fleischhauer advised the board that he has had prior experience with this type of tournament and feels confident that sponsoring the event would not be difficult. Mr. Allison stated that in order for an agreement to be reached regarding all the details of the tournament, additional numbers

would be needed and it would be presented to the Board for approval. It was noted that the Stinger Tournament would not be able to be held at the VHAC and Mr. Allison has been meeting with the Districts in order to make alternate arrangements.

**7. CONSIDERATION OF PROPOSED ORDINANCE TO AMEND SEC.19-4 (5) OF THE VILLAGE'S SIGN ORDINANCE RELATIVE TO POLITICAL SIGNAGE.**

Building Commissioner Gerth indicated this amendment no longer limits the number of political signs displayed on a single property. Previously the limitation was 2 or 3 signs, depending on the total area of the signs. Additional clarification is proposed for prohibiting signs on structures, poles, trees, fences, etcetera.

Trustee Williams made a motion to approve and seconded by Trustee Schwartz. The amendment was unanimously approved on a voice vote.

AYES: 6 – Hebda, Koch, Marquardt, Schultz, Schwartz, Williams

NAYS: 0 – None

ABSENT: 0 - None

Motion declared carried.

**8. CANADIAN NATIONAL/BUTTERFIELD ROAD/ROUTE 60-GRADE SEPARATION STUDY.**

Mr. Brown updated the board regarding a task force of consisting of the Villages of Vernon Hills and Mundelein, LDOT, IDOT, the Canadian National and Metra to investigate the feasibility of grade separating the Butterfield Road, Route 60 and Canadian National Railroad transportation facilities at an estimate cost between \$40,000,000 to \$50,000,000. The study involves include traffic volume data, existing levels of service for the intersection and the consideration of two alternatives. President Byrne indicated that improving Route 45 could also improve the traffic on Route 60. Trustee Koch identified other factors on improving traffic in the area. Concerns were raised with regard to the businesses along Route 60. Mr. Brown provided different alternatives for improving the traffic on Route 60 stating that the above grade separation is the recommended due to the floodplain and drainage issues of going underground. Several options were proposed by the Trustees and Mr. Brown addressed each individually with all proposals raising different issues. The overall improvement would reduce the traffic time from 74 seconds to 43 seconds during the AM peak hours. Mr. Brown indicated continued studies and alternatives are still being addressed and when available will be presented to the board.

**9. WIRELESS SECURITY MONITORING SYSTEM.**

Chief Fleischhauer stated that the Police Department has been researching the costs and feasibility associated with purchasing a digital video recorder and installing it in the Village Hall to view from the police department. He indicated the digital system can be observed on any lap top connected to the server at the Police Department . The cost of one server which can accommodate 16 cameras, would be \$5,200 with the tilt remote camera costing \$1,400. President Byrne inquired as to why it was needed in the Village Hall and Chief Fleischhauer indicated there had been a couple incidents at the Village

Hall with broken windows, thefts and minor vandalism and the current system is inadequate. Mr. Allison indicated that although the incidents were minor, he feels the Metra station; VHAC and Arbortheater are in more need of observation. Trustee Hebda asked if additional staff would be needed to monitor this service. Chief Fleischhauer responded no and the system would also serve as a deterrent. With the expansion of the Metra Station, the additional cars and increased traffic, the propensity for vandalism will increase. Chief Fleischhauer indicated that all locations would eventually be hooked up to the system. Trustee Schultz indicated he would like to see a comprehensive list of all locations and the equipment needed incorporated into the budget and phased it into place over a period of time. The Board recommended additional information be gathered and presented at a later date.

**10. ADJOURNMENT**

Motion by Trustee Hebda, second by Trustee Koch to adjourn the Committee of the Whole Meeting. Roll call vote:

AYES: 6 – Hebda, Koch, Marquardt, Schultz, Schwartz, Williams

NAYS: 0 – None

ABSENT: 0 - None

Motion declared carried.

Meeting adjourned at 9:15.p.m.

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Holly D. Udesky,  
Village Clerk

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Roger L. Byrne,  
Village President