



**MINUTES  
COMMITTEE OF THE WHOLE MEETING  
Monday, August 10, 2015**

Present:

Mayor Brandt	<del>Trustee Feldman</del>
Trustee Grujanac	Trustee Hancock
Trustee McDonough	Trustee Servi
Trustee McAllister	<del>Village Clerk Mastandrea</del>
Village Attorney Simon	Village Manager Burke
Chief of Police Kinsey	<del>Treasurer/Finance Director Peterson</del>
Public Works Director Woodbury	<del>Community &amp; Economic Development</del>
Village Planner Robles	<del>Director McNellis</del>
Building Official Jesse	

**ROLL CALL**

Mayor Brandt called the meeting to order at 8:29 p.m. and Village Manager Burke called the Roll.

**2.0 APPROVAL OF MINUTES**

**2.1 Acceptance of the July 27, 2015 Committee of the Whole Minutes**

The minutes of the July 27, 2015 Committee of the Whole Meeting were approved as submitted.

**3.0 ITEMS OF GENERAL BUSINESS**

**3.1 Planning, Zoning and Land Use**

**3.11 Consideration and Discussion of an Appeal of Denial of Tree Removal Permit Application for Property at 53 Wiltshire Drive (Vera Terpay – 53 Wiltshire Drive).**

Building Official Jesse provided a summary of an appeal of denial for a tree removal permit application for the property at 53 Wiltshire Drive. Staff inspected the 36" oak and though it is close to the home, the tree appears to be healthy and in good form.

Mr. and Mrs. Terpay, residents at 53 Wiltshire Drive provided additional photos of the tree in question and documentation from tree care professionals reporting the tree is declining. Mrs. Terpay stated the tree has become a problem due to the close proximity to the home; raccoons living in the tree have frightened their son; the tree has caused cracks in their garage and home foundation; and the overall health of the tree is declining. Mrs. Terpay noted they hired two different contractors to look at the tree and both confirmed the tree is unhealthy. Mrs. Terpay noted

she and her family are afraid for their safety due to the tree in question, and they believe it could fall on their home.

Trustee Hancock asked if part of the review process for trees is to investigate if a tree is damaging a foundation. Building Official Jesse stated staff would not specifically look at the foundation since this is rare; trees are searching for water and typically take the path of least resistance. Trustee Hancock stated he could see how the close proximity of this tree to the home could be a concern.

Trustee Grujanac asked if the resident could simply cut down the tree. Building Official Jesse noted the Village Code prohibits residents from cutting down healthy trees. Mayor Brandt noted the resident could remove the tree if they post a bond. Building Official Jesse stated, based upon current Tree Preservation Code provisions, the only ways a healthy tree could be removed is a construction permit and through an appeal process.

Village Manager Burke noted new information has been presented at the meeting tonight that will need to be reviewed by an arborist to verify if the tree is in fact unhealthy; the only information staff has received from the applicant to date indicates the tree is healthy.

Trustee McAllister asked if this was the first time a situation such as this has come up. Mayor Brandt noted another similar situation on Surrey. Trustee McDonough noted many residents have requested removal of a tree in the past that the Village deemed healthy and were charged a fee.

A brief discussion followed regarding the code. Village Planner Robles informed the Board; staff does not have any leeway due to the way the code is written other than directing residents to appeal. Trustee McDonough suggested staff review the tree ordinance.

Trustee Servi asked how close the tree in question was to the residence. Building Official Jesse noted the tree in questions was approximately 3' – 4' away from the residence.

Mayor Brandt asked the Board if they would like staff to review the new information presented or if the Board would like to offer relief.

Trustee Hancock stated his opinion would be to grant relief. Trustee McDonough stated in light of the other residents having to pay into the tree bank over the years, his opinion would be to have staff review the new information. Building Official Jesse noted the amount the resident would have to pay into the tree bank is \$5,400 and recommended staff review the new information.

Mrs. Terpay noted she has already put a substantial amount of money for the tree in question and planting additional trees on her lot. Mrs. Terpay noted her family is in fear of their safety due to the tree.

Trustee Hancock asked staff if the code did not exist would the tree in question be deemed unsafe. Building Official Jesse noted the consensus of the arborists staff has dealt with, is the tree is not deemed dangerous. Building Official Jesse stated the proximity of the tree to the house is not uncommon and would not justify a dangerous situation.

There was a consensus of the Board for staff to review the new information presented and if the tree is deemed dead or declining the Board approves the resident be permitted to take the tree down.

3.2 Finance and Administration

3.3 Public Works

**3.31 Consideration of Rejection of a Bid from Copenhaver Construction Company, Gilberts IL for Route 22 Median Landscaping (Village of Lincolnshire).**

Public Works Director Woodbury provided a summary of the rejection of a bid from Copenhaver Construction Company, Gilberts, IL for Route 22 median landscaping. Illinois Department of Transportation (IDOT) reviewed the bid and found the contractor was not qualified to do approximately 50% of the work. If the bid was accepted Lincolnshire would not be eligible for awarded grant funding. Public Works Director Woodbury noted staff and IDOT recommend rebidding the project in the fall.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.4 Public Safety

**3.41 Report Regarding Police Communication Radio System Transition to the STARCOM21 Radio System (Village of Lincolnshire)**

Chief of Police Kinsey provided a report regarding Police communication radio system transition to the STARCOM21 Radio System shared by Vernon Hills, Mundelein and Libertyville. Each agency will be responsible for the purchase and maintenance of portable radios for personnel. Chief of Police Kinsey provided information regarding costs associated with the purchase of the units and upgrading to the STARCOM 21 Radio System. Staff recommends entering into a contract with STARCOM21 Radio System and the purchase of the equipment.

Trustee McAllister asked if there was an alternative that was less expensive. Chief of Police Kinsey stated there is not a less expensive option.

Village Attorney Simon noted a law was passed that will require consolidation of Public Safety answering points and asked if there is any

risk that investing money to improve the Vernon Hills dispatch center will be for naught due to this consolidation. Chief of Police Kinsey stated there will be no consolidation and Lincolnshire has taken proactive measures. Village Manager Burke stated if Lincolnshire still had a dispatch center, we would be required to consolidate.

Village Manger Burke stated the report was given to get direction from the Board; the contracts and agreements related to this will be forthcoming.

There was a consensus of the Board to move forward with the STARCOM21 Radio System.

3.5 Parks and Recreation

3.6 Judiciary and Personnel

**4.0 UNFINISHED BUSINESS**

**4.1 Water Main Project Update**

Village Manager Burke provided an update regarding the water main project as it relates to Westwood Lane and Bedford Lane. Village Manger Burke stated staff is working with Village Attorney Simon on exercising the Village's contractual rights and obligations. Village Manager Burke noted staff is working with the engineer to secure pricing for alternates should the upcoming processes fail which include directional boring, directional drilling, and laying new pipe. Laying new pipe would disrupt the vegetation staff has been trying to preserve. Village Manager Burke asked the Board if they had a preference regarding these options.

Trustee McDonough noted his opinion is to get the job done even though this could cost some vegetation. Trustee Grujanac suggested boring be done in order to save the vegetation. Trustee Hancock asked how many trees would be taken out and if the Village would be able to replace them. Village Manager Burke noted 6 – 8 trees would be removed and the cost to replace them would be figured into the cost of the alternative. Mayor Brandt asked if the existing trees could be moved and replanted. Public Works Director Woodbury stated moving and replanting the existing trees could be extremely expensive and difficult due to the maturity and time of year/weather. Trustee Servi asked how much longer the directional boring would take. Village Manager Burke noted once the boring started, it would take 3 – 4 days and would still require testing prior to the service being restored. Trustee McAllister asked what option would get the owners service quicker. Public Works Director Woodbury noted both would result in a similar time frame. Mayor Brandt asked what staff recommendation would be. Public Works Director Woodbury noted it was his opinion, the owners would choose directional boring in order to save vegetation. Trustee McAllister recommended doing the directional boring.

A brief conversation followed regarding how many residents are currently being affected, the current system and upcoming testing.

Mayor Brandt asked about the current water main break on Brampton and possible costs associated with it. Village Manager Burke noted the current spending is under budget and would continue to be under budget even with the current situation due to putting the contractor on notice for the costs.

There was a consensus of the Board to pursue directional boring if the upcoming tests should fail.

#### **4.2 Police Pension Board Trustee Liaison**

Trustee McAllister stated he has concerns and a possible conflict regarding serving on the Police Pension Board as Trustee Liaison with his current position as Senior Vice President at Wells Fargo. Trustee McAllister stated he has been advised by his current employer that if he is involved in any financial aspects of the Police Pension Board meeting he is to leave immediately. Trustee McAllister recommended appointing another Trustee to the Police Pension Board. It was suggested that Trustee McAllister recuse himself at the upcoming Police Pension Board meeting.

### **5.0 NEW BUSINESS**

#### **5.1 Upcoming Meetings/Events**

Mayor Brandt noted a 4<sup>th</sup> of July Recap meeting will be taking place in the Community Room at the Village Hall on August 12, 2015 at 7:00 p.m. if anyone had comments, questions or would like to attend.

Mayor Brandt noted Boo Bash is taking place on October 30, 2015 if anyone had suggestions or would like to volunteer with the event.

### **6.0 EXECUTIVE SESSION**

#### **7.0 ADJOURNMENT**

Trustee McDonough moved and Trustee McAllister seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 9:20 p.m.

Respectfully submitted,

**VILLAGE OF LINCOLNSHIRE**

Barbara Mastandrea  
Village Clerk