

The meeting was called to order at 6:45 p.m. by Chair L. Bergan.

- 1.0 **Roll Call** – Present: Chair L. Bergan. Trustees M. Bennett, D. Besson, R. Brinkmeier, K. Meleski, D. Schwartz, M. Stahl, Deputy Clerk-Treas. M. Stute, and Public Works Director M. Martin. Other Audience (1).
- 2.0 **Public Comment** – None
- 3.0 **Agenda Items**
  - 3.1 **Minutes July 1, 2019** – Chair stated minutes will stand as are, no action taken.
  - 3.2 **Appointments**
    - 3.2.1 **Building Board & Board of Appeals** – applicant Jeff Chesney arrived later for introduction. Moved further down on agenda after Item 3.10. Motion (Besson, Meleski) to forward to Village Board to recommend approval; unanimously approved.
    - 3.2.2 **July 4<sup>th</sup> Committee** – Dave Kopf was introduced. Motion (Besson, Schwartz) to forward to Village Board to recommend approval; unanimously approved.
  - 3.3 **Ad Hoc BID District** – D. Besson reported he has removed himself from the Committee. It is all in the hands of the businesses and they are looking to work with the person involved with the 27<sup>th</sup> Street BID. Next meeting will be in September.
  - 3.4 **President Pro Tem** – D. Besson reported Jesse had drafted an Ordinance for President Pro Tem. Motion (Brinkmeier/Meleski) to forward to Village Board for approval and we vote a Pro Tem, and the first one should be Marjorie Stahl. Discussion: M. Bennett questioned the need to appoint for a full year vs. as needed when out on leave or vacation and how the draft ordinance came about. D. Besson stated it was recommended by Jesse as an ordinance. M. Bennett is asking for clarification if Jesse said it was necessary or if he said it should be an ordinance vs. a resolution. Motion (Schwartz, Brinkmeier) to call the question. 2 in favor, majority opposed. Discussion continued. M. Bennett did not see the need to push it through as nothing will stop in the Village. D. Besson stated he initiated it saying he wanted to be proactive. Clarification needed as to whether it takes effect when passed or annually in April as stated in the Ordinance. Discussed clarifying with Jesse at the BOT meeting. Call the Vote: 4 ayes, 1 nay; 1 present to move on to the Board of Trustees.
  - 3.5 **Noise Ordinance Authorizations-** D. Besson reported 4pm July 29 he received a call from Paul Watry DOT about planned Hwy 100 closures of intersections and schedule. D. Besson asked if protective services had been informed. He contacted PD, FD, and Health Dept on Tuesday and they had no knowledge. DOT released project brief on Thursday. Start time per the project brief is 5 am. With Grange/Hwy 100 being so close to a residential area he requested a 6 am start time. He did not realize the Village had given a waiver for the DOT to start any time they want through the whole project. The only thing out there exceeding our noise ordinance of 7 am is DOT. I am asking to revoke any waivers and ask the applicant to come talk to us, and let the Board decide if they are going to give an early start or not. I wasn't aware that on 113<sup>th</sup> Street there is a 6 am start in a residential area. Trustees need to let residents know we did not approve of this 5 am start in a residential area via Facebook, websites, etc. I am asking that we repeal all prior authorizations of starts before 7 am, the regular time of our noise ordinance, and the Village Board then decides. This is the only way to force dialogue with the Village Board. D. Schwartz asked Mike Martin to weigh in. Mike read Chapter 15 Public Nuisances Noise Ordinance verbatim emphasizing conducting a business between 8:00 p.m. and 6:00 a.m. in a manner as to cause or to permit any loud or sharp noises or concussion. DOT was given permissions over the life of the project as a project this size

there are issues where you have to work at night. He stated some jobs are better done and safer for the workers when performed when roads are not as busy. There are noise issues and there are closure issues and are mutually exclusive. We have a noise issue when we do our street sweeping but it is done when there is no overnight parking on the streets. The issues regarding closures have been worked out. Closure requests come into Village Hall for block parties, fun runs, etc. and we have a policy where they are routed through the Departments and signed off on. He has not seen a draft noise ordinance so how are expirations handled, how do other communities deal with this, weather, etc. Better internal communication can help. D. Besson stated the closure issue was dealt with. The main issue he wants to address is the noise issue. The noise issue is any work DOT or a contractor wants to do they would come to the Village Board with good reason. DOT still has this blanket out there on our noise ordinance that they can use to the end of their project if we don't vote to repeal it and we can according to the attorney. I think it is important that the Village Board decides when the noise ordinance is exempt or not.

M. Stahl asked about the procedure with the DOT. They applied according to Mike Martin and were granted the exemption from the Health Officer. Dan is asking that we repeal any exemptions that are out there. The noise ordinance would have to be re-worked and come to the Village Board. M. Bennett said short and sweet is good as it says 8pm to 6am. 113<sup>th</sup> was not out of line at 6am. Garbage trucks also start about 6am. DOT knows to get a hold of protective services for closures. In regards to noise, her feedback is let's get the road project done. Starting an hour early to get the project done should not be a big deal on Monday-Friday in the middle of summer based on a wet spring. Don Schwartz agrees. She is not in favor to repeal the exemption. They are out doing preliminary work prior to 6am. The work is starting but no loud noises. D. Besson thinks residents will care when work starts at 5am. Mike Martin reminds that emails and complaints should be funneled through staff. Motion (Bennett, Schwartz) not to rescind the DOT's approval to start the project earlier to allow to get the project done. D. Besson called for a roll call vote: Besson-nay, Meleski-aye, Bergan-nay, Bennett-aye, Schwartz-aye, Brinkmeier-nay. Motion fails 3 ayes, 4 nays. Mike Martin added every road construction project gets a copy of our noise ordinance with the specs. M. Stahl suggested see what other communities do. Motion (Schwartz, Besson) to call the question, unanimously approved. Motion (Besson, Brinkmeier) to explore and have Jesse re-write the noise ordinance and research what other municipalities do. D. Besson withdraws motion and makes new motion (Besson, Brinkmeier) have Jesse explore the repeal of the exemption we have of the noise ordinance and any exemptions be approved by the Village Board. Motion passes 6 ayes, 1 nay.

- 3.6 **Temporary Class "B" / "Class B" Retailers License: St. Mary's Royal Run, September 6, 2019 and Temporary Operators License: K. Austing** – Motion (Besson, Schwartz) to forward to Village Board for approval; unanimously approved.
- 3.7 **Massage License: Healthwise Chiropractic, 10731 W. Forest Home Ave** – Motion (Schwartz, Besson) to forward to Village Board for approval; unanimously approved.
- 3.8 **Operator Licenses New: B. Peterson & K. Senna** – Motion (Besson, Brinkmeier) to forward to Village Board for approval; unanimously approved.
- 3.9 **Operator License New: M. Rodriquez** – D. Besson stated she will be eligible August 18. Motion (Schwartz, Besson) to forward to the Village Board for approval; unanimously approved.
- 3.10 **DPW Facility Update** – M. Martin reported the bad soils remedy for the footings is coming in around \$60,000 which is less than the \$100,000 cost estimate. Bad soils on the interior floor portion of the building will require a geo-grid fabric base and extra cost of around \$100,000. Good base is needed to hold the crane, and want to avoid winter construction with delays. Motion (Schwartz, Bennett) to recommend to the Village Board not to exceed \$100,000; unanimously approved.
- 3.11 **Deed Restriction : 5640 S. Monaco Place, "mother-in-law" suite**- D. Besson reported

staff recommends a deed restriction to prohibit rental as a future multi-family home.

- 3.12 **Transfer funds for residual balance of 2018 Flexible Spending Accounts-** Motion (Besson,Schwartz) to forward to the Village Board for approval; unanimously approved.
- 3.13 **Code Enforcement Report – June 2019**
- 3.14 **2019 General Fund Budget Amendment & Expenditure Restraint Program** Motion (Besson,Schwartz) to forward to the Village Board for approval; unanimously approved.

- 4.0 **Adjournment-** Motion to adjourn (Stahl, Besson) at 8:17 p.m.; unanimously approved.

Submitted,



Michele Stute, Deputy Clerk-Treasurer, WCMC