

MINUTES OF MAYOR BRAUN AND BOARD OF TRUSTEES FOR THE REGULAR MEETING OF THE
VILLAGE OF FLOSSMOOR, ILLINOIS HELD ON FEBRUARY 1, 2021

ZOOM/VILLAGE HALL

FEBRUARY 1

7:30pm

Mayor Braun called the meeting to order at 7:33pm.

Village Clerk Ananda Billings took roll.

PRESENT: Mayor Braun, Trustees Bradley-Scott, Driscoll, Hoag, Lofton, Mitros, Williams and Village Clerk Ananda Billings

ALSO PRESENT: Village Manager Bridget Wachtel, Assistant Village Manager Allison Matson, Finance Director Scott Bordui; Police Chief Tod Kamleiter, Fire Chief Greg Berk; Public Works Director John Brunke; Building and Zoning Administrator Scott Bugner; and Village Attorney Kathi Orr

CITIZENS PRESENT: Mayor Braun requested that any citizens who wished to identify themselves do so, along with their address for the Village Clerk.

Dr. Lakshmi Emory, Michelle Nelson, Bill Jones, Matt Moffit, and Sam Giordano identified themselves on the call.

Introductory Comments

Mayor Braun stated that in order to mitigate the transmission of the virus and reduce risk of COVID-19 illness, the Village has been advised and directed by the State pursuant to Public Act 2020-0640, the requirement of the members of the public body to be physically present has been suspended so long as it is not practical or prudent due to the state of emergency in Illinois and the outbreak of COVID-19. Mayor Braun believes it is not practical or prudent to allow in person gatherings due to the coronavirus pandemic, however Village Manager Wachtel is present at the Village Hall for the meeting this evening. All citizens are allowed and encouraged to participate remotely. Citizens were informed of this decision in advance and invited to submit comments and questions ahead of the Board meeting.

This meeting along with all subsequent remotely held Board meetings will be recorded. He then noted that public comment will be only available during the portion of the meeting during which the public is invited to address the Board. As communicated to the public earlier, those questions that were submitted to staff in advance of the meeting would also be addressed during this time.

Approval of the Minutes of the Rescheduled Regular Meeting Held on January 19th, 2021

Mayor Braun asked the Board if they had any changes or comments. He called for a motion to approve the minutes of January 19, 2021. Trustee Bradley-Scott so moved, seconded by Trustee Driscoll and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Lofton, Mitros, and Williams
ABSENT: None
ABSTAIN: None

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NAYS: None

Citizens Present Wishing to Address the Board

Michelle Nelson said she wanted to give a shout out to Public Works Director John Brunke and the Public Works crew on their work on the roads after the recent snow storm. She mentioned that the roads are in excellent shape and thanked them for their service.

No other citizens wished to address the Board

Mayor Braun asked Assistant Village Manager Matson if any citizens submitted comments or questions prior to the meeting.

No other comments were submitted.

Mayor Braun commented that February is Black History Month. The village is now flying the pan-African flag at the Village Hall. He said that we acknowledge that our community is strengthened by diversity, and we fly this flag to celebrate our differences. He then made a proclamation that February 2021 is Black History Month. Mayor Braun read the proclamation into the record.

Mayor Braun referred to Agenda Item #1- Discussion of Flossmoor Road Viaduct Drainage Improvement Alternatives

Public Works Director John Brunke addressed the Board. With him was Matt Moffitt from Baxter and Woodman. Staff has been working with Baxter & Woodman Consulting Engineers, on a plan of action to mitigate the flooding issue in the Flossmoor Road Viaduct under the Metra/CN Railroads. This flooding issue has been going on for decades, and has only become worse with the increase in rainfall that our region has been experiencing. In 2005, the Army Corps of Engineers and CTE Engineers completed a study of the flooding issue and recommended the installation of a relief storm sewer and also consideration towards adding detention storage near the viaduct. The scope of this previous study did not address any of the flooding issue areas that are upstream and contribute to the viaduct flooding issue. These areas include the north end of the Heather Hill neighborhood and the south half of the Old Flossmoor neighborhood. Baxter and Woodman has completed the preliminary recommendations and staff has also met with Park District and School District 161 staff to discuss alternatives that would require work on their property, contingent upon their respective Boards agreeing to work with us on this project. Staff also plans to discuss flood relief alternatives with the private property owner of the Civic Center.

Matt Moffitt provided a summary of the current conditions, the rainfall distributions that have recently changed and the alternatives. The Village of Flossmoor has reported frequent significant flooding at the viaduct near the intersection of Flossmoor Road and Sterling Avenue. There have also been frequent reports of roadway and residential flooding along Berry Lane between Flossmoor Road and Bob O Link Road located approximately 0.5 mile southwest of the viaduct. The Berry Lane area sees 12 to 24 inches of water during flood conditions. Most of us are aware that we have seen rainfall events increase in size and frequency. Generally, there is a clear trend this way, and there are more rain events each year that

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exceed two inches of rain. A lot of us have heard references to a 10 year or 100 year storm. It means that a 100 year storm has a 1 percent probability of recurring each year. The industry standard across all municipalities across the United States is for a storm sewer system to convey a 10-year storm event. Generally, the cost to exceed that is too costly or not feasible. The storm definitions were updated two years ago. A larger storm event is a more frequent occurrence. It's not just depth that is defined; it also refers to a rainfall rate. In the past five years, we have only had one event exceed the 10-year storm: the September 2019 storm, which is designated a 50 year event.

In 2005, the Army Corps of Engineers looked specifically at the viaduct to reduce flooding. Their study addressed a 10-year storm event and a 25-year storm event according to the previous rainfall bulletin. The proposed solution included a storm sewer that ran east along Flossmoor Road and then south to Butterfield Creek. We determined that it would be in the Village's interest to see if it makes sense to expand the view of the flood mitigations to look at the area west of the railroad tracks. We have come up with two recommended options.

The first recommended project is more expensive and provides the most benefit. It provides a high level of protection by running a pipe down Berry Lane, Maryland and Sterling to an 84 inch pipe along Flossmoor Road eventually discharging to Butterfield Creek. This 'north conveyance' option provides 100-year flood protection to the viaduct and 10 year flood protection to Berry Lane. It would cost \$8.69 million.

The second recommended alternative would be a regional detention facility near Heather Hill School providing 10-year flood protection for Viaduct, 10-year flood protection for the Civic Center; 10-year flood protection for Berry Lane and have a cost of \$7.24 million.

Mayor Braun asked Mr. Moffitt what the standard flood level protection is across municipalities. Mr. Moffitt answered that all communities strive to achieve 10 year level of protection. Mayor Braun then inquired if we could increase the level in the detention area and was informed that if the detention area level is increased, it would bring the Civic Center to a 25 year level of protection, however the viaduct would still be impassible.

Mayor Braun asked if the Trustees had any comments or questions. Trustee Mitros noted that his strong preference is for the North Conveyance in order to future proof the Village. Mayor Braun said that one of the challenges we face with this option is that we will lose funding as MWRD is not interested in this option because it does not include detention. Mayor Braun is personally concerned about the optics of the North option as we are just pushing water to Butterfield Creek which also has flooding issues.

Trustee Hoag asked what would be the unintended consequences of pushing water to Butterfield Creek. Mr. Moffitt responded that they would not be allowed to construct anything that would increase the high level water by more than 1/10th of a foot. Preliminary modeling expects we would not be getting to that point with this construction plan. The stretch of the pipe would also mean that the peak flow would be downstream before the high point of the flooding of the creek. The issue is that much of the area around Butterfield Creek is already a significant flood plain and many residential homes there flood already. The next time that there is a flood along the Creek, the residents may point blame to this construction project. Trustee Hoag then inquired whether or not the line would increase risk of flooding to homes on the flood plain of Butterfield Creek. Mr. Moffitt responded that the only thing he can confirm is that the

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water would go no more than 1/10 of a foot. Trustee Hoag noted that as the North Conveyance Option would be also be \$1.15 million more than the Detention Option, what type of less expensive mitigation methods should we consider for the Civic Center? Mr. Moffitt said he could say with moderate confidence that there are a few items that could be remedied (such as a flood wall at the front door). There are a number of options we can consider and would be well less than \$1 million to protect the Civic Center.

Mayor Braun said there are significant infiltration issues that will need to be addressed at the Civic Center. Trustee Hoag noted that he is leaning strongly to supporting the Regional Detention option. Mayor Braun also noted that there will be a drain in the detention area that will control the release of the stormwater to the storm sewer on First Private.

Trustee Williams said her heart is with Trustee Mitros but her brain is with Trustee Hoag. She is supportive of the Regional Detention option from a cost perspective. If we go with the Northern Option we are still going to spend a lot of money and not have the opportunity to do much for our roads. She also commented that another reason to consider the Regional Detention option is that we will then have the opportunity to obtain more grant dollars.

Trustee Bradley-Scott commented that we have a tough decision to make. She thinks the regional detention option should ideally be at the 25 year level in order to future proof us against factors such as global warming. She thinks it would behoove us to look into this and see how much money we would have left for streets and sidewalks. She said the option to address the ten year storm event may not check all the boxes, but it will put us in a better position than where we are now.

Trustee Lofton commented that he drove around the Village with Public Works staff and was happy to have the opportunity to see the work that has been considered. He then asked how the detention would support a 100 year rain. Mr. Moffitt said it would mitigate Berry Lane flooding but not the viaduct flooding. Trustee Lofton said he believes the regional plan is the best case for success.

Trustee Driscoll noted that he would love to have the ideal situation but knows that this will be tough. He asked how MWRD's design of Butterfield Creek east would affect us. Mr. Brunke said that MWRD is currently undertaking a watershed study on Butterfield Creek. It is a watershed wide plan that they are working on. He thinks to get the most out of the bond money, the Regional Detention plan will do very well.

Mayor Braun said they will continue to pursue grants from other areas and would like to keep their options open to increase the detention area. Trustee Mitros said if we go with the detention option, he would like to see a plan for additional mitigation of the Civic Center.

Mayor Braun commented that he doesn't want to push water into another area of the Village and the North option would result in a loss of additional funding.

The Board agreed that they would like to move forward with the regional detention option.

No vote was required.

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Mayor Braun referred to Agenda Item #2– Consideration of the Repeal of the Design Engineering Agreement Approved on December 7, 2020 with Baxter & Woodman Consulting Engineers, Approve a Resolution for Improvement under the Illinois Highway Code along with the Attached Design Engineering Agreement with Baxter & Woodman Consulting Engineers and Approve a Budget Amendment for the Berry Lane Project

Public Works Director John Brunke addressed the Board. Last year, the Village was notified that we had been selected by the Army Corps of Engineers for a Section 219 Grant for a storm water improvement project related to the Flossmoor Road Viaduct Drainage Improvements Project. Staff has been working with Baxter & Woodman Consulting Engineers on this project and we have identified the upstream Berry Lane Drainage Improvements Project as the best fit for the Army Corps grant. The Section 219 Grant is for a \$2,000,000 project, with \$1,500,000 coming from the Army Corps of Engineers and \$500,000 coming from the Village as matching funds. In order to move forward with the grant project, the Village must complete the project design engineering, which is not included in the grant's matching costs of \$500,000. Additionally, the ACOE has a firm timeline and milestones for the project. The next upcoming deadline is submittal of the projects pre-50% project plans by February 8, 2021.

On December 7, the Village Board approved a design engineering agreement with Baxter & Woodman Consulting Engineers for the project in a total cost-plus fixed fee not-to-exceed amount of \$164,300. Following this approval, the Village learned that we have been selected for two green infrastructure partnerships/grants to be used towards this project for the installation of permeable street pavers and underground detention storage for smaller storm events. The intent is to use this green infrastructure in conjunction with the larger storm sewer improvements being constructed with this project through the ACOE. The first grant is from the MWRD for their Green Infrastructure Partnership Program and the second grant is from the IEPA for their Green Infrastructure Grant Opportunities program. While the final funding amounts have yet to be determined until the necessary intergovernmental agreement and grant agreement is in place, the overall additional project funding from both programs could total approximately \$700,000. In order to complete the green infrastructure as part of the project, additional engineering will be necessary to design the improvements and add them to the original project design scope. Baxter & Woodman has submitted a revised engineering agreement to include the additional engineering work needed for the green infrastructure improvements, which totals \$41,157.17. This brings the design engineering agreement total cost-plus fixed fee not-to-exceed amount to \$205,457.17. As you may recall, this project does qualify for the Rebuild Illinois Bond Funds that the Village is receiving according to our IDOT MFT allotment formula. The necessary IDOT resolution that is required to use these funds for the work is attached to this item. Public Works Staff recommends that the Mayor and Board of Trustees repeal the existing design engineering agreement approved on December 7, 2020, approve the Design Engineering Agreement with Baxter & Woodman Consulting Engineers for a not-to-exceed amount of \$205,457.17, approve the attached IDOT resolution and approve a budget amendment to budget line 03-01-7-702 in the amount of \$41,157.17.

Mayor Braun asked the Board if they had any further questions or comments. As there were none, he called for a motion to approve the Repeal of the Design Engineering Agreement approved on December 7, 2020 with Baxter & Woodman Consulting Engineers, Approve a Resolution for Improvement under the Illinois

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Highway Code along with the Attached Design Engineering Agreement with Baxter & Woodman Consulting Engineers and approve a budget amendment in the amount of \$41,157.17. Trustee Williams so moved, seconded by Trustee Driscoll and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Lofton, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

Mayor Braun referred to Agenda Item #3 - Consideration of Proceeding with 2021 Current Refunding Bond Issue to Refund 2013 General Obligation Bonds

Finance Director Scott Bordui addressed the Board about the Village's General Obligation Bonds, Series 2013 which are currently callable as of December 1, 2020 and can be refinanced at any time. The 2013 GO issue was approved by referendum for the purpose of financing improvements to the Village's water system, including water main replacements throughout the Village. Anthony Miceli of Speer Financial has advised that the Village would likely be able to obtain a savings amount in current markets sufficient to warrant executing a refunding bond issue. The bond market remains favorable to issuers at this time and a current refunding would allow the Village to acquire a new interest rate at today's low rates which would apply to the bonds beginning December 2021 and carry thru the remaining term to December 2032. The dollar savings of \$184,591 represent savings on the Village's bond and interest tax levy over the remaining 11 years. The savings would be passed on directly to the taxpayers in the form of lowering the bond and interest tax levy by about \$17,000 per year from 2022 through 2032.

Mr. Bordui recommended the Village proceed with the 2021 current refunding bond issue with level debt service structured thru 2032, a targeted net savings of \$94,400 or 4.0% net present value savings and a competitive sale approach to be sold along with the 2021 Referendum Bonds either as separate series or as one series. Should the Board concur, the Board should give direction approving the recommendations to move forward with the bond sale.

Mayor Braun asked the Board if they had any further questions or comments. As there were none, he called for a motion to approve proceeding with the 2021 Current Refunding Bond Issue to Refund 2013 General Obligation Bond as presented. Trustee Mitros so moved, seconded by Trustee Williams and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Lofton, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

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Mayor Braun referred to Agenda Item #4 – Consideration of a Resolution Amending the Budget for Fiscal Year 20-21 for the Village of Flossmoor

Finance Director Scott Bordui addressed the Board. He noted that during the third quarter of the 2021 fiscal year, the Board approved the motion to amend the Village's 2021 fiscal year budget. He asked the Board to approve the amendment.

Mayor Braun asked the Board if they had any further questions or comments. As there were none, he called for a motion to approve a Resolution Amending the Budget for Fiscal Year 20-21 for the Village of Flossmoor as presented. Trustee Bradley-Scott so moved, seconded by Trustee Lofton and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Lofton, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

Mayor Braun referred to Agenda Item #5– Consideration of an Ordinance of the Village of Flossmoor, Cook County, Illinois Amending Flossmoor Municipal Code Chapter 285, Article 23, Section 285-23-2 B. (6) of the Zoning Ordinance of the Village of Flossmoor, Illinois (Off-Street Parking Regulations)

Building and Zoning Administrator Scott Bugner addressed the Board. Following a resident complaint which resulted in a citation being issued to a neighboring resident for displaying automobile dealership advertising in the rear window of a personal use vehicle while parked in their residential driveway, staff had been requested to draft an amendment clarifying commercial lettering and logo type on personal use vehicles. The intent of the current language was to prohibit commercial vehicles from parking in residential areas and not to prohibit personal use vehicles that may have lettering or logo type displayed in the rear of a vehicle which includes the rear window as well as license plate frames.

During the public hearing the Plan Commission discussed the proposal from staff and recommended that commercial lettering not be limited to dealer identification on personal use vehicles citing that the limitation of an advertisement to a specific use i.e. dealership would be exclusionary. The Commission also recommended that the allowable area of lettering or logo type be reduced to 100 square inches. At the close of the public hearing the Plan Commission voted 5-1 in favor of recommending that the amendment be approved as follows: (6) (a) Delete and replace with: No vehicle used for commercial purposes which is displaying commercial printing, lettering or logo type may be parked on off-street parking facilities accessory to a residential use or in any residential district except as provided in Subsection B (6)(d) below. Add new subsection (6)(e) Notwithstanding the above provisions, personal use passenger vehicles and personal use passenger trucks are permitted to have commercial lettering and identification on the rear window of the vehicle with a limit of 100 square inches. Commercial lettering, logos and other identifications on license plate frames are permitted.

Mayor Braun asked the Board if they had any further questions or comments. As there were none, he called for a motion to approve the Ordinance of the Village of Flossmoor, Cook County, Illinois

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Amending Flossmoor Municipal Code Chapter 285, Article 23, Section 285-23-2 B. (6) of the Zoning Ordinance of the Village of Flossmoor, Illinois (Off-Street Parking Regulations) as presented. Trustee Bradley-Scott so moved, seconded by Trustee Lofton and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Lofton, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

Mayor Braun referred to Agenda Item #6– Consideration of an Ordinance Granting Emergency Powers to the Mayor of the Village of Flossmoor, Cook County, Illinois

This is the regular renewal of the granting of emergency powers to the Mayor of the Village of Flossmoor, Cook County, Illinois, during the COVID-19 pandemic.

Mayor Braun asked the Board if they had any further questions or comments. As there were none, he called for a motion to approve the Ordinance Granting Emergency Powers to the Mayor of the Village of Flossmoor, Cook County, Illinois. Trustee Bradley-Scott so moved, seconded by Trustee Lofton and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Lofton, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

Mayor Braun referred to the Finance Committee – Presentation of Bills for Approval and Payment (February 1st 2021)

Trustee Williams made a motion to approve hand checks in the amount of \$1,050.63 and invoices in the amount of \$344,807.07 for a total of \$345,857.70. The motion was seconded by Trustee Mitros and passed by a voice vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Lofton, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

Other Business:

Mayor Braun announced that the Flossmoor Brewery won the “Made in Illinois” Award. He then thanked the Tourism Bureau for nominating the Brewery. The Brewery is one of only two in the whole state to receive this distinction.

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Trustee Bradley Scott thanked the Community Relation Commission for getting the flags out and working to celebrate Black History Month.

Mayor Braun referred to Agenda Item #7 on the Agenda: A Motion to go into Executive Session to Discuss the Employment of Specific Individuals, Property Acquisition, and Litigation.

There was no need to go into Executive Session.

As there were no other items to discuss, Mayor Braun called for a motion to adjourn the meeting. Trustee Mitros so moved, seconded by Trustee Bradley-Scott and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Lofton, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

The Regular Meeting ended at 9:15pm.

Respectfully Submitted,

Ananda Billings

Ananda Billings
Village Clerk