

REGULAR MEETING OF THE BOARD OF TRUSTEES
MINUTES
March 3, 2022

The regular meeting of the Village Board of Hampshire was called to order by Village President Michael J. Reid, Jr. at 7:00 p.m. in the Village of Hampshire Village Board Room, 234 S. State Street, on Thursday, March 3, 2022.

Roll Call by Deputy Village Clerk Josh Wray:

Present: Heather Fodor, Aaron Kelly, Erik Robinson, Lionel Mott, and Laura Pollastrini.

Absent: Toby Koth

A quorum was established.

In addition, present in-person were Village Manager Jay Hedges, Finance Director Lori Lyons, Police Chief Brian Thompson, and Village Attorney Mark Schuster. Also, present electronically: Village Engineer Tim Paulsen.

President Reid led the Pledge of Allegiance.

PUBLIC COMMENTS

Scott McBride spoke about the proposed ordinance to remove sprinkler requirements in residential structures. He distributed a packet with information from NFSAD and the Home Fire Sprinkler Association. He is thoroughly excited to see Hampshire develop, but he thinks the life safety concerns need to be addressed. Newer homes have lightweight construction, and people are more and more often buying furniture that is more easily ignited. He went through his packet, noting that the homes now are often a more open floor plan where fires can develop more before smoke reaches a smoke alarm. He also explained that, because the Village requires sprinklers, ISO ratings change which can affect how insurance companies pay out on fire claims. There are several basic incentives the Village could offer, including reducing street width requirements, allowing dead-end streets, etc. National research also describes other incentives that the Village could investigate to ensure safe building as Hampshire grows rapidly.

MINUTES

Trustee Robinson moved to approve the minutes of February 17, 2022.

Seconded by Trustee Mott

Motion carried by roll call vote.

Ayes: Robinson, Mott, Pollastrini, Kelly, Fodor

Nays: None

Absent: Koth

VILLAGE MANAGER'S REPORT

Development Presentation from Vista Trans

Mr. Hedges introduced John Cassidy who is developing the 90-acre logistics park just south of

I-90 on US Hwy 20. This property would be developed to include an extension of Gast Rd. to open the rest of the property up. He presented a conceptual development plan showing 4 potential sites for 40,000-60,000 sqft buildings. Right now, the logistics company Vista Trans plans to be the first site for a 45,000 sqft corporate headquarters facility and service center for their trucks. He showed a rendering of Vista's potential building. Vista would not have a heavy in-and-out of trucks daily; the 320 trucks would generally come in quarterly, at different times, for preventative maintenance. They project to employ 64 full-time employees at this facility. Gold Coast Logistics in Elgin has a very similar facility if anyone wants to go there and see it. Mr. Cassidy noted there is a strong need in the market for logistics for all types of goods, especially with the rise of online shopping. Mr. Cassidy said they plan to break ground as early as possible this year.

President Reid noted this is just an informative presentation. The company will still go through the proper zoning and permitting processes.

A Resolution Approving an Amended Final Plat for Neighborhood M in Prairie Ridge, Contingent Upon EEI's Final Review and Approval of the Plat and Engineering Plans and the Posting of the Required Construction Guarantee

Mr. Hedges noted that Crown does have a potential buyer for this neighborhood, so they are asking for approval even though there are a few minor outstanding issues with the plans, which the Board has done before.

Trustee Kelly noted the documents say there is a transition from condominium style housing to fee-simple housing, but the resolution does not mention that. Dan Olsem from Crown noted that issue is addressed in the plat itself by showing individual units in each building rather than a single condominium building.

Trustee Robinson moved to approve Resolution 22-01:

Seconded by Trustee Pollastrini

Trustee Kelly asked who will be responsible for maintaining the park in the neighborhood. Mr. Olsem responded that it will be maintained by the homeowner's association per annexation.

Motion carried by roll call vote.

Ayes: Robinson, Mott, Pollastrini, Kelly, Fodor

Nays: None

Absent: Koth

An Ordinance Amending the Village's Building Regulations, Removing the Requirement for Automated Fire Sprinkler Systems in Residential Buildings

Mr. Hedges noted that the 2006 building regulations were adopted in 2008, including an appendix that requires automatic sprinklers. The ordinance also adopted an exception for detached, single-family home via affidavit, but not for townhomes or duplexes. However, this requirement was not enforced in Tuscan Woods or Lakewood. Furthermore, every single-family homebuyer has signed the affidavit. There are a number of reasons homeowners do not want these systems, including annual inspection requirements. Mr. Hedges also noted the Village is in a competitive environment for residential development, and the Village is the only

community actively building in the area that would require sprinklers. He also noted that Village staff met with the building officials and the Hampshire Fire Protection District, and Chief Hermann's position is that the Department does not support the ordinance but also does not oppose it.

President Reid asked why the building codes are not grandfathered to the time of annexation agreement like other codes such as stormwater requirements. Mr. Schuster and Mr. Wray noted that the development agreements provide that newly passed building codes are required six months after passage regardless of the annexation agreement date.

President Reid also asked if we have any record of why the sprinkler requirement was not enforced in Tuscany Woods or Lakewood. Mr. Hedges responded that staff believes it could be a provision in the respective development agreements, or it is possible that B&F just did not enforce the sprinkler requirement when that was added to the code in 2008.

Trustee Fodor commented that she researched what the cost for installing a system in her home

Trustee Kelly asked what the other fire precautions are required in these units. Mr. Olsem noted one important requirement is a fire wall between each unit to keep fires from spreading through the building. Another requirement is that fire alarm systems are connected among all the units. Mr. Olsem also noted that these systems can fail and cause significant damage, citing an incident in another Crown development where a sprinkler system froze then burst causing \$20,000 of water damage. He also explained that townhomes are meant to be a more affordable housing option compared to detached, single-family homes, and that cost difference is lessened when sprinklers are required which prices younger or lower-income buyers out of the area.

Trustee Kelly asked what the timing is for how long a fire wall is meant to prevent fire from spreading to another unit. Mr. Olsem said typically two hours.

Trustee Pollastrini asked if the fire walls extend vertically throughout the entire unit from first level to attic. Mr. Olsem responded he believes it does. President Reid noted his former residence built in 1993 did have a fire wall through to the attic.

Trustee Robinson asked why other communities do not require sprinklers. Mr. Hedges believes it is because homebuyers do not want it and because it is a higher cost. He also noted that keeping this requirement for townhouses and duplexes will mean this development will not happen, and the Village probably will not see another townhouse or duplex built for many years.

President Reid also noted this ordinance does not prohibit sprinkler systems, so homebuyers can still ask for one to be installed.

Trustee Fodor asked if the Village could just add the waiver system for townhomes. Mr. Hedges responded that the builders construct these buildings before selling all the units, so asking for affidavits from the buyers is not practical in the case of townhomes.

Trustee Pollastrini reminded everyone that not one detached, single-family home buyer wanted a sprinkler system in 14 years, which tells her that this requirement is not very

significant to buyers since it just gets waived all the time.

Trustee Kelly noted that on the state-level, only two states have enacted mandates for sprinkler systems and Illinois is one of 20 states allowing local jurisdictions to make the decision. The rest of the states do not allow any mandate.

Trustee Fodor asked how many homes we estimate were built between 2008 and 2018. Staff did not have those numbers in the moment but estimated very few until about 2014, then approximately 50 per year on average with the largest year being over 100.

Trustee Fodor believes it is interesting that the Fire Protection District does not support or oppose it. Trustee Robinson said he would have predicted them to outright oppose it. Mr. Hedges explained his meeting with Chief Hermann further, explaining that the Chief of course was concerned about life safety but also understood the practicality of development.

President Reid noted that this is one of the decisions where everyone is conflicted, and it is an example of why we have seven elected officials and staff to discuss this issue.

Trustee Kelly asked if the builders could ask for a variance for their units on a case-by-case basis should this ordinance fail. Attorney Schuster explained that the variance process is not applicable to the building regulations, so the mechanism would be for the Village Board to pass an individual ordinance for each builder in each case.

Trustee Fodor noted that this development is on the north side of the railroad tracks where there are already issues getting EMS response, and there is a mounting concern that there will be more and longer trains with the railroad merger.

Trustee Fodor asked if we believe there are enough passive fire mitigation measures such that taking sprinklers out would be tolerable. President Reid believes the connected smoke alarms in the units helps a lot. Trustee Fodor explained that she is just looking for a way to support this change without endangering people.

President Reid believes it is not a Village Board's job to require an expense like this. Rather, the decision should be left to the individual homebuyer. Trustee Fodor provided examples of other safety measures that are significant expenses that are widely required, such as air bags in cars. President Reid still has an issue with requiring this expense for comparatively low-income homebuyers where the Village allows a waiver for people who can afford a single-family home.

Trustee Pollastrini drew a comparison between the current requirement for sprinklers to the expense that requiring solar panels would bring; it is a lot of money, which can deter people from coming to the Village. She believes the Village is doing too much in requiring sprinklers. People should be able to make that choice and live somewhere else if they feel strongly about wanting a sprinkler system in their townhouses. She does not want to lose the larger population of people who do not want these systems.

Trustee Mott noted this issue is a double-edged sword. The costs for installation and risk of having the system fail compete with the added safety measure. He personally would not have built his home in Hampshire if he would have been required to install a sprinkler system when he built in 2000.

Trustee Kelly asked if we overlooked the possibility that the development agreement for Prairie Ridge waives the requirement for sprinklers like we think the other developments may have. Mr. Hedges does not believe so. He noted that staff was not even aware of this requirement until the issue came up in engineering plan review. He also noted that this is a building code issue, and staff is aware that B&F did not enforce the codes properly in other cases, so it is possible that this was overlooked in prior buildings.

Mr. Hedges added a final comment that the Village Board employs many professional staff and consultants to help work through these issues, and it is the official recommendation of staff to approve this ordinance.

Trustee Pollastrini moved to approve Ordinance 22-03:

Seconded by Trustee Mott
Motion carried by roll call vote.
Ayes: Kelly, Pollastrini, Robinson, Mott
Nays: Fodor
Absent: Koth

President Reid thanked the Board for the discussion on this difficult topic.

Trustee Kelly noted that he would not have voted in favor of this ordinance if the fire walls and connected fire alarms were not required. Trustee Robinson agreed.

A Motion to Award the Streetscape Project to the Lowest Bidder, Alliance Contractors, in the Amount of \$1,024,449.99

Mr. Hedges reminded the Board that the Village bid this project last summer, and the bids came in severely overbudget. This time, the Village bid the project with a scaled-back scope of work, prioritizing safety and infrastructure per the Board's direction. He noted that this project includes the same infrastructure and better safety measures; the concessions have been aesthetic, including removing pavers for colored concrete and removing the catenary light system. He also noted the Village will have to supplement the CDBG funds with Village funds, and he believes staff has found a way to make that happen.

President Reid said he is disappointed in losing the catenary light system, but he believes we need to move forward given the time limitations and rising costs.

Trustee Fodor asked if the loss of the catenary system affects the safety of the area. Mr. Hedges responded no. Trustee Fodor also asked if this project will be engineered and constructed to add the catenary system later. Mr. Hedges responded not easily, but there are some possibilities that staff is still investigating.

Trustee Mott asked if the colored pavement will be stamped. Mr. Hedges responded no, just colored concrete, which Streets Supervisor Dave Starrett actually prefers because the plows tend to tear up pavers.

Trustee Pollastrini is concerned about approving a project without knowing how to pay for all of it. Mr. Hedges explained that the bids for the water system connection project came in \$400,000 lower than estimate, so there are now ARPA funds available to supplement lost

revenue in the General Fund.

Mr. Hedges added that this low bid also includes the installation of the Village clock.

Trustee Robinson reminded everyone that this project addresses a lot of infrastructure problems underneath State Street with this grant, which we will not get a chance to do otherwise.

President Reid asked if the Village could ask for a change order to the project if we wanted to add more options after the Village budget is further along. Mr. Hedges believes so because the added work would be done with Village funds rather than grant funds.

Trustee Robinson moved to award the Streetscape Project to the lowest bidder, Alliance Contractors, in the amount of \$1,024,449.99.

Seconded by Trustee Fodor

Motion carried by roll call vote.

Ayes: Kelly, Pollastrini, Robinson, Mott, Fodor

Nays: none

Absent: Koth

A Motion to Approve a Proposal for SCADA System Upgrades with Vafcon, Inc. for \$110,000

Mr. Hedges commented that this is an urgent matter given the current state of affairs in the world; he repeatedly hears that the public water supply is a target, so ensuring the safety of the Village's system is paramount given the current system runs on Windows XP without adequate data back-up.

Mr. Wray explained the differences and similarities between the two proposals. Staff recommended the proposal from Vafcon because it allows for cloud back-up, includes a back-up power unit for the main computer, costs less for installation, and allows for multiple users within the department without having to get multiple licenses.

President Reid noted that this type of virtualization is a very common solution for older software. He is also particularly excited for the cloud back-up.

Trustee Robinson asked if the proposed upgrade will give the Village the protection it needs. President Reid said he believes so and for a decent price.

Mr. Hedges also noted that the Village will be adding on-site security to the Utilities buildings.

Trustee Kelly asked if the \$45,000 in the accounts payable tonight for Vafcon is related to this upgrade. Staff responded that Vafcon expenses are ongoing for SCADA maintenance and installation of new hardware when we purchase individual pieces. The work Vafcon has done recently is in addition to the proposed upgrade, and the upgrade will not make the recent work useless.

Trustee Mott asked how long this upgrade will be effective for given the rapidly changing nature of technology. President Reid responded that the virtualization of the machine means that it can be adapted to any new hardware in the foreseeable future; it should theoretically

work forever until a major technological shift where we do not use computers as we know them.

Mr. Hedges also noted that moving to a new software package with different hardware would be a ground-up build that would cost \$300,000-\$500,000.

Trustee Fodor noted she appreciates that the option with Vafcon will cost approximately \$2,400 compared to nearly \$11,000 per year with Q-Mation, and we will also get cloud back-up with Vafcon.

Trustee Fodor moved to approve the proposal for SCADA system upgrades with Vafcon, Inc. for \$110,000.

Seconded by Trustee Robinson
Motion carried by roll call vote.
Ayes: Kelly, Pollastrini, Robinson, Mott, Fodor
Nays: none
Absent: Koth

A Motion to Approve a Partial Payment to IHC for Work Completed on the Rt. 72 Water Main Repair Project in the Sum of \$80,698.50

Trustee Mott moved to approve a partial payment to IHC for work completed on the Rt. 72 water main repair project in the sum of \$80,698.50.

Seconded by Trustee Fodor
Motion carried by roll call vote.
Ayes: Kelly, Pollastrini, Fodor, Mott, Robinson
Nays: none
Absent: Koth

MONTHLY REPORTS

February Building Report

No comments or questions.

February Streets Department Report

Trustee Pollastrini commented she is concerned that we have people out for 17 hours in one day. Mr. Hedges noted that these instances do not happen very often, but he trusts Streets Supervisor Starrett to make good decisions when so much time is needed. President Reid agrees with the concern, but he knows the Streets Department does a good job making sure they are doing things properly and taking good care of themselves.

Trustee Fodor asked if we make allowances for the plow drivers that may work 15+ hours with just a few breaks by not requiring them to come in at normal time the next day. Mr. Hedges

responded that Dave Starrett manages his team's time and does allow for later starts after long nights of plowing.

ACCOUNTS PAYABLE

A Motion to approve the March 3, 2022 Regular Accounts Payable

Trustee Robinson moved to approve the Accounts Payable in the sum of \$160,841.03 paid on or before March 9, 2022.

Seconded by Trustee Fodor

Trustee Kelly asked about the two payments to two law firms regarding easements. Ms. Lyons explained that the Village covered the property owners' legal fees on those negotiations.

Trustee Pollastrini asked to make sure two payments for easements are not typos because they are identical amounts to two entities that have very similar names. Ms. Lyons responded that one does appear to be a duplicate and the correction will be made.

Trustee Kelly moved to amend the current motion by reducing the sum to \$155,941.03.

Seconded by Trustee Mott

Motion carried by roll call vote.

Ayes: Fodor, Kelly, Pollastrini, Robinson, Mott

Nays: None

Absent: Koth

Amended Motion carried by roll call vote.

Ayes: Fodor, Kelly, Pollastrini, Robinson, Mott

Nays: None

Absent: Koth

COMMITTEE / COMMISSION REPORTS

- a) Business Development Commission - Trustee Kelly announced a meeting next Wednesday at 6:30 PM.
- b) Public Relations - No report
- c) Public Works - No report
- d) Budget Committee - Trustee Pollastrini announced a Budget Committee meeting with a working group of the Board on March 10 at 6:30 PM.

ANNOUNCEMENTS

Trustee Robinson thanked President Reid and Trustee Koth for reading to the kids. They loved it.

Trustee Mott commented on the Historical Society's event at the fire station last week. The

event went very well, and the fire fighters do a marvelous job.

ADJOURNMENT

Trustee Fodor moved to adjourn the Village Board meeting at 9:03 p.m.

Seconded by Trustee Robinson.

Motion carried by roll call vote.

Ayes: Fodor, Kelly, Pollastrini, Robinson, Mott

Nays: None

Absent: Koth

A handwritten signature in black ink that reads "Joshua Wray". The signature is written in a cursive style and is positioned above a horizontal line.

Josh Wray, Deputy Village Clerk