

**MINUTES OF THE BOARD WORKSHOP OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WOODRIDGE, ILLINOIS, HELD ON FEBRUARY 16, 2006 AT THE VILLAGE HALL**

**I. CALL TO ORDER**

Mayor Pro-Tem Frank called the Board Workshop of the Mayor and Board of Trustees to order at 7:44 PM.

**II. ROLL CALL**

Upon Roll Call by Clerk Nystrom the following individuals were:

**Present:** Trustees Brandt, Wood, Curran, Beavers, Kagann and Frank and Clerk Nystrom

**Absent:** Mayor Murphy

**Staff Present:** Administrator Perry, Assistant Administrator Halik, Attorney Good, Mr. Mays, Acting Chief Boehm, Ms. Cedillo, Mr. Modaff, Mr. Black and Ms. Bohse

**III. ACTIVE AGENDA**

**A. Noise Wall:**

Mayor Pro-Tem Frank called on Phil Modaff to lead a Board discussion regarding the Interstate 355 southern extension sound wall issue.

Mr. Modaff noted a packet summarizing the Village's efforts over the past few years to secure sound wall for the area between Woodward Avenue and Lemont Road along I-55. A copy of this packet is on file in the Village Clerk's Office of the Village of Woodridge.

Mr. Modaff explained that the I-355 Tollway extension project, expanding the Interstate south to I-80, was resurrected fairly quickly back in October of 2004. He stated that when the Village received an initial set of plans from the Toll Authority, the Village quickly noticed that there was no sound wall along the north side of I-55 between Woodward Avenue and Lemont Road. He explained that the Village also noticed that there is noise wall planned on the south side of I-55 in that same area between Woodward and Lemont.

Mr. Modaff explained that the Toll Authority acknowledged that a sound wall in that area, on the north side of I-55 in Woodridge, would provide some noise abatement benefit. He noted that the Toll Authority defines noise abatement benefit as a reduction of a minimum of 5 decibels.

Mr. Modaff further explained that the Toll Authority policy states that developments platted after April of 1999 will not be considered for noise abatement efforts at the expense of the Toll Authority. He noted that based on the Toll Authority's policy and the April 1999 cut off date, only seven homes would benefit from the installation of sound

wall. These seven homes are located in the Vicente subdivision. He explained that none of the homes that are being constructed in the Gallagher and Henry or Smoter units would qualify for sound wall under the Toll Authority's policy of development platted after April 1999.

Mr. Modaff noted that he and his staff have done a great deal of work reading Toll Authority policies and they are in agreement that homes located beyond five-hundred feet of a sound wall experience little, if any, noise abatement benefit. He explained that, based on the review of planned homes on the north side of I-55 between Woodward Avenue and Lemont Road, 33 additional homes could benefit from noise abatement. These 33 homes are in addition to the seven that qualify for noise abatement paid for by the Toll Authority. He referenced the map in the packet that shows these homes.

Mr. Modaff noted that Toll Authority policy states that the cost of noise abatement must not exceed \$24,000 per benefited residence. He noted that, if the math is done, the sound wall will cost approximately \$1.7 million based on projections from the Toll Authority. This cost divided between the seven homes puts the cost per home far above the \$24,000 allowed by the policy. If the \$1.7 million is divided by all of the homes affected by this stretch of Interstate, the cost per benefited home is still over \$42,000.

Mr. Modaff noted that, at this point, he and his staff have spent countless hours in meetings and letter writing. This work has not been successful in getting the Toll Authority to move off of the cut off date of April 1999. This is the date of publication of their Environmental Impact Statement (EIS). He noted that he is available for questions and is interested in any possible guidance the Board would like to provide on further steps to take.

Mayor Pro-Tem Frank inquired if the lots in the affected areas have been sold.

Mr. Mays noted that the lots in the central affected area have been sold. He stated that he does not know the status of the portion near South Witham Avenue and Bedford Drive. He noted that they have been listed for sale, but he is not aware if they have been sold.

Mayor Pro-Tem Frank inquired if Gallagher and Henry have billed these lots as lots that fall within an area without noise abatement.

Mr. Mays noted that he has not received any feedback with existing or potential residents who have stated that Gallagher and Henry have listed these lots one way or another.

Trustee Brandt inquired if the 500 foot area is where the biggest bang for the noise reduction buck lies, meaning that at 10 feet from the wall there will be a great deal of noise reduction and at the 500 feet there will be some noise reduction. He inquired if the sound comes back into the picture so that at 1000 feet there is no benefit.

Mr. Modaff noted that the Toll Authority has described that beyond 500 feet there is a reduction that is not measurable. He noted that anything less than five decibels in difference is not detectable.

Trustee Brandt questioned if you get around a 20 decibel reduction close to the wall, and if that reduction decreases as you near the 500 foot cut off established by the Toll Authority.

Mr. Modaff stated that is not the case, along the stretch that we are discussing there are considerable parkway and retention ponds. He noted that the Toll Authority set up various monitoring stations to measure the decibels of I-55 noise. He explained that the reduction in decibel went from four decibels to less than ten decibels. He stated that we qualify based on the Toll Authority's standards, but not significantly.

Trustee Brandt inquired if sound will bounce back from the south noise wall on the south side of I-55.

Mr. Modaff noted that this was asked of the Toll Authority and they assured us that any bounce back would be undetectable.

Mr. Modaff noted that the Toll Authority took in this portion of I-55 grudgingly as the improvements are to the west. This portion of I-55 is being minimally affected. He noted that if it were up to the Toll Authority that he doubts that they would even be building the noise abatement wall to the south.

Trustee Brandt noted that Darien participated in a noise study. He asked if they qualified for noise walls or if they are putting them up with municipal money.

Mr. Modaff noted that Darien's study is related entirely to I-55 and does not relate to the I-355 expansion. He explained that Darien is looking to reduce I-55 noise from Lemont Road to a point east of there. He noted that he has not seen that study, but did learn that about two years ago Darien secured a grant from Representative Judy Biggert for around \$500,000. He noted that that grant called for matching funds to be found locally. He noted that Darien has not made progress in matching the \$500,000.

Trustee Brandt clarified that the 500 foot rule does not apply because the project has nothing to do with I-355 or IDOT.

Mr. Modaff pointed out that it does have to do with IDOT, but the 500 foot rule is what the Toll Authority is using to determine whether Tollway funds will be spent on noise wall. He explained that if there were 100 homes inside the 500 foot area that would benefit, the Toll Authority would likely be required, under their own policy, to fund construction of the noise wall.

Trustee Brandt clarified that Darien did not get Tollway money, but are trying to fund the project with Federal grants and local revenue.

Mr. Modaff pointed out that Darien has talked about a taxing district. He noted that, in the report that he received from Darien yesterday, support for the noise wall has waned as talk of a taxing district to support the local contribution has arisen.

Trustee Brandt inquired how a taxing district would work in our situation.

Mr. Modaff noted that he is not prepared to present on a taxing district this evening.

Attorney Good explained that you would first have to look at the annexation agreement that covers the area. He inquired if the is the annexation agreement annexing the property commonly known as McAdams.

Mr. Mays confirmed this fact.

Attorney Good noted that this particular annexation agreement does address special taxing areas. He explained that, because the Village is five years past the annexation of the property, the Village is not prohibited from creating a special service area to provide any special services for McAdams. He noted that, having said this, the authority may exist, but a number of factors should be considered. He explained that it can apply to the area that receives the special services. He stated that, if it is true that there is little or no benefit beyond 500 feet, then you would have a limited area that would constitute the special service area. He inquired how many homes would fall into the area in question.

Mr. Modaff noted that there are approximately 40 homes.

Attorney Good noted that he will round up to 50 for the sake of this discussion. He explained that there is a Statutory procedure including a notice of proposal, public hearing notices to involved parties and an objection period allowing for half of the property owners to reject the project. For the sake of discussion Attorney Good asked that those present assume that the special service area is created. He inquired what the cost of the sound wall is estimated to be.

Mr. Modaff noted that the projected cost is \$1.7 million. He noted that this is \$34,000 per household using Attorney Good's example of 50 affected households.

Attorney Good noted that the money for the project is generally needed upfront to construct a project like this sound wall. He explained that there would be a need to issue bonds, gain bond council and to cover issuance costs. He noted that you also have to take into consideration the interest charges. He noted that the issuance costs would be hard to justify with a \$2 million bond issue. He stated that, if you were to set up the special service area, the maximum number of years for a special service area is 20 years. He noted that this would be around a \$3,000 to \$4,000 cost per home per year. He noted that this high cost would be likely to prohibit the project.

Trustee Brandt inquired if the project could be extended beyond the 500 foot area to help cover the cost. He noted his dislike for special service areas stating that the cost should be shared among many.

Attorney Good cautioned that, for the purposes of a special service area, that the 500 foot area would have to be honored to truly have those who benefit pay for the service. He noted that if someone outside of the 500 foot area challenged the special service area, it would be hard to show that they are receiving any benefit because there is no proof that they have any reduction in noise.

Trustee Curran asked Mr. Modaff what direction he needs from the Board.

Mr. Modaff noted that there is little direction needed at this point. He explained that he wanted to report the efforts made by the Village and to report that the calculations performed by the Tollway, the science applied, and the experts consulted have put the Village in a place where it cannot be said that the Tollway made errors in applying their policy or collecting data. He noted that the Village is at a point where they cannot demand more work from the Tollway.

Mr. Modaff noted that, in the past, the Village, along with other communities, has demanded more noise abatement with little luck. He asked that if there is a suggestion outside of the work done already, then he would appreciate the direction at this point.

Trustee Curran stated that it seems that the work done by Mr. Modaff and his staff is all the work that can be done at this point. He noted that, unless the cut off date of the platted land is moved to a more generous date, there is little more that the Village can do. He noted that he would be interested on data on the plots that fall within the affected area to see if they were sold as discounted plots.

Administrator Perry noted that the Village has not gotten any feedback on the prices listed for these plots. However, all of these subdivisions have had long lines of interested parties to put down deposits. He noted that it is his recollection that, after the first weekend, there were no lots without deposits.

Trustee Curran noted that these facts are a good indication that these lots may have sold for the full asking price.

Mayor Pro-Tem Frank noted the preference that some people have for not having a neighbor to the back of the house and that this might outweigh the detriment of the noise from I-55.

Trustee Brandt noted that the Board is done, “barking up the IDOT tree” for I-355 extension funds. He stated that Mr. Modaff has done a good job squeezing as much out of that project as he could. He stated that this project should be put on a middle or back burner to go the route that Darien is trying. He asked Mr. Modaff to keep his eyes open for available funds for this project.

Mr. Modaff noted that he will stay in touch with Darien to follow the status of their project.

Mayor Pro-Tem Frank stated that barring any new information or suggestions that no additional time is need on this project. She thanked Mr. Modaff for his hard work.

#### **IV. ADJOURNMENT**

Mayor Pro-Tem Frank entertained a motion to adjourn the Board Workshop. The motion was made by Trustee Curran and seconded by Trustee Kagann.

**Ayes:** Trustees Beavers, Brandt, Curran, Frank, Kagann and Wood

**Nays:** None

**All in favor:** Motion is approved

The Board Workshop of the Mayor and Board of Trustees adjourned at 8:10 PM.