

VILLAGE OF RICHMOND
REGULAR BOARD MEETING
December 6, 2007

PRESIDING: President Lauri Olson

PRESENT: Trustees Dennis Bardy, Charlotte Hollenbach, Bruce Hunter, David Kielpinski, Peter Koenig, Cindy Walleck

ALSO PRESENT: Village Administrator Tim Savage, Attorney David McArdle, Engineer Ed Coggin

President Olson called the meeting to order at 7:00 p.m. in the Richmond Village Hall, 5600 Hunter Drive.

ROLL CALL: President Olson and Trustees Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck were present.

MINUTES: Kielpinski moved to approve the minutes of the November 29th regular meeting. Seconded by Bardy and passed by unanimous voice vote.

ANNOUNCEMENTS: None

UNFINISHED BUSINESS: Savage requested direction from the Board regarding Conditional (Special) use permit 2006-15. He offered two options: to place the permit holder on notice that the permit ordinance needs to be amended, or to enforce the existing conditional use. New Business agenda item 'g', Zoning Hearing Officer, was brought forward at this time. Savage informed the Board that the Village Code names the position of ZBA chairman as Hearing Officer and ZBA Chairman Eric Mayer has agreed to serve in the position. The zoning petitioner must go through the required publications, public notice and pay the filing fee. The Hearing Officer will conduct the hearing and pass his recommendation on to the Village Board for final action. Hunter moved to require the holder of CU permit 2007-15 to apply for an amendment to the conditional use. Seconded by Kielpinski and passed by unanimous voice vote. Kielpinski moved to direct the petition to the Hearing Officer. Seconded by Hunter and passed by unanimous voice vote.

PUBLIC COMMENT: None

NEW BUSINESS:

- a. President Olson introduced Captain David Werner of the Salvation Army and read Proclamation R2007-16, declaring December 15th as Salvation Army Red Kettle Day.
- b. Dan Hoerner updated the Board on the skate park initiative. He distributed information on suggested features and space needs. Hoerner is working with Carolyn Janus of Skoopers and is also looking for a non profit organization to work under. President Olson

recommended he get in touch with the local Kiwanis club, which has expressed an interest in the project. Hoerner proposed an initial budget of \$50,000 and will be looking for local businesses to donate material and labor. He has the federal guidelines spec sheet and stated that about a quarter acre would be adequate. He asked for the Village's help in finding a location, possible Bennett Park, and is hoping that insurance will fall under the villages umbrella for parks. Lights are not in the current budget, and he is projecting a two year time frame.

c. President Olson opened the Public Hearing on the Pre-Annexation Agreement between the Village of Richmond and Vogel/Garrelts. 7:20 pm. Above officials were present for roll call. Attorney Donald Stinespring was present, representing Vogel and Garrelts. The hearing has been published pursuant to law. The property, consisting of approximately 72 acres, is located on Barnard Mill Road and is not contiguous to the Village at this time. The fees will go up every year based on the CPI for the previous year beginning with the starting date of the agreement. There were no questions or comments. Hunter moved to close the hearing. Seconded by Bardy and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

d. Ordinance 2007-21, Authorizing Execution of a Pre-Annexation Agreement Between the Village of Richmond and Phyllis K. Vogel and Stephen R. Garrelts, was presented. Kielpinski moved to pass Ordinance 2007-21. Seconded by Hunter and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

e. The following sign permit applications were reviewed and acted upon:

1. Smiles By Design, 10015 Main Street, after the fact application. The relocated monument sign meets code. It is actually the original sign which was put on a base, increasing the height. Hunter moved to issue the permit with the standard fee and a reprimand/reminder that permits are required. Seconded by Koenig and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

2. American Quality Industries, 10917 Commercial Street for ground sign. Sign meets code in all respects as long as it is set back 20 feet from the property line. Kielpinski moved to issue the permit with the condition that the sign be set back 20 feet from the property line. Seconded by Hunter and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

3. American Quality Industries, 10917 east side wall directional sign. Sign exceeds code for square footage for building frontage. According to Chip Eldredge of American Quality Industries, there will only be two businesses in the building, Marks and Main Street Towing. The maximum area allowed for a wall sign, based on the width of the building is 12 sq.ft. and the request is for 32 sq ft. The building is set back 400 feet from the road but according to Eldredge, the sign is directional and will only be seen by customers. No additional signs will be requested unless another business moves in. American Quality is also requesting an identical wall sign for the west side of the building. It was determined that the ground pole sign is adequate for identifying the businesses and the wall signs do not have to be as large as requested. The Board could see no reason to have a sign on the west side of the building. Eldredge stated that he already owns the sign frames and would like the west side to have a sign also. It was suggested that he use the frames with smaller lettering to meet code but President Olson pointed out that there was nothing to stop someone in the future from using the entire frame and claiming that it was grandfathered in. Further discussion ensued. Koenig moved to deny application for the east side wall sign as presented. He further moved

that the Board would entertain application for a more appropriate sign. Seconded by Hunter and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes. Eldredge stated that the sign on the west side would be used for photo ops for the classic car restorations. He also stated that all parts for restoration will be kept inside. According to Eldredge, the zoning for this property does allow for outside storage which will be fenced eventually when Main Street Towing vehicles are moved there. He assured the Board that this will not turn into a junkyard. Kielpinski moved to deny application for a wall sign on the west side of the building. Seconded by Bardy and passed by unanimous voice vote.

4. Heuer's Restaurant, 11011 N. Rt 12. Savage informed the Board that the investigation on the non conforming signs at the restaurant was generated as part of enforcement action started by a prior board member. Donald Stinespring was representing Heuers on the enforcement proceedings. Savage explained that there are three signs on the property and they have been asked to remove one of the changeable copy signs which is located in the state right of way. There was some question as to whether the signs may be grandfathered in. Stinespring stated that he will request that Mr. Heuer attend the next meeting and they would try to arrive at a compromise acceptable to all.

f. Change Order #1 for the WWTP Demolition and reuse Pond Construction was reviewed. According to Smith Engineering, Champion Environmental Services Inc is required to conduct an asbestos survey on the building. This results in a \$2,500.00 increase in the contract price for a new total of \$118,900.00. Completion date has been changed from November 17 to January 23, 2008. Bardy moved to approve Champion Environmental Services Inc Change Order #1. Seconded by Kielpinski and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

g. (See Unfinished Business)

h. Savage informed the Board that the Village offices will be closed on December 24, 25, 31, 2007 and January 1, 2008.

DEPARTMENT REPORTS:

a. Finance. Hunter presented Warrant 2008-8, which has been reviewed by the committee and moved to approve payment in the amount of \$206,836.39. Seconded by Bardy and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

b. Public Works – There were no questions on the Engineers activity report.

c. Police – Chief Fryksdale will hold another Citizens Police Academy in February.

d. EDC-Trustee Kielpinski informed the Board that the brochures have arrived and the next EDC meeting is scheduled for December 13th at 7 pm

PRESIDENT'S COMMENTS: Olson reminded the Trustees of the McCog Christmas party on the 12th and SEC's Christmas party on the 14th and asked them to contact her if they plan to attend.

ADMINISTRATOR'S COMMENTS: Savage updated the Board on Rt 12 improvements and assured them that the business openings are conditioned on having the third lane striped.

Regarding the bike path initiative, he has been in touch with Spring Grove on choosing the route and will have SEC work up an estimate.

The Township has passed a Resolution in support of the Bypass and Savage is working on the funding for phase one engineering.

Savage informed the Trustees that he will be out of the office the week of December 10th.

TRUSTEE COMMENTS:

Hollenbach stated that some businesses are not clearing snow off their walks. Savage will have the area surveyed tomorrow and will put them on notice. If owners do not clear the snow, the Village will direct Public Works to do so and will bill the owners.

Kielpinski has received information that there is federal grant money available for the bike trail. Savage will follow up on this and reminded the Board that the Village is still waiting for the State to release the \$25,000 awarded for Memorial Hall.

Hollenbach questioned the rumor that a house located on Main Street is being relocated. Savage said that no applications have been submitted and that zoning action will be required.

Koenig informed the Board that a representative from Vieolia was present at the last finance meeting and acknowledged the problems with the leaf vacuuming program that were encountered this year. Suggestions on scheduling for next year were made which should help avoid the pitfalls.

There was no further business. Hunter moved to adjourn. Seconded by Kielpinski and passed by unanimous voice vote. 8:30 p.m.

Kathleen Hellmann, Village Clerk