

VILLAGE OF RICHMOND
REGULAR BOARD MEETING
June 21, 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: Trustees Bardy, Hollenbach, Hunter, Kielpinski, Koenig, Walleck and President Olson were present.

MINUTES: Kielpinski moved to approve the minutes of the June 5 special and June 7 regular meetings. Seconded by Bardy and passed by voice vote.

ANNOUNCEMENTS: President Olson announced an invitation to the grand opening of Turtle Creek center in Spring Grove. RSVP by Friday, tomorrow, please.

UNFINISHED BUSINESS:

a. Ordinance 2007-9, Rezoning and Granting Variations for the William Smith Property on the East Side of Rt. 31 and West of Macwood Drive was presented. McArdle reminded the Trustees that this ordinance will have the developer agreement, which was approved at the last meeting, attached. The zoning variations accommodate the drawings that were presented at the June 7th meeting. The legal descriptions have been reviewed by Smith and are accurate. A modification to the Village's benefit has been made to the legal at the SE corner of the townhome parcel, granting the 10 foot easement strip to the Village and also on the NW side where the line defining the wetland buffer has been straightened out. Kielpinski moved to pass Ordinance 2007-9. Seconded by Bardy and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig, and Walleck voting yes.

PUBLIC DISCUSSION: Charlie Eldredge, Chairman of the McHenry County Regional Planning Commission which is undertaking the 2030 plan for the County, gave a brief rundown of the work being done, mostly through the 9 subcommittees and invited and urged participation. The planning is a two year process with this first year primarily spent gathering information. The committee is looking for input from municipalities and townships and meets monthly on the second Tuesday at 6 pm. More information can be found at their interactive website, www.mchenrycounty2030plan.com.

Maureen Murphy, owner of Pawprints of Richmond, located at 5624 Broadway requested help from the Board regarding a problem she is having with the neighboring business, Paisano's. According to Murphy, the problem involves trespass on her property from the 10 foot easement granted to the neighbors in 1858. She was promised various solutions by the neighbor but nothing has been done. She is concerned about her liability for accidents that may occur on her property. If she allows the neighbor to construct a fence on her property she is concerned whether it may adversely affect her in the future. The Village Attorney was directed to look into the situation.

NEW BUSINESS:

a. Jack Pease, Fox Development and Jim Neuman, project manager presented a concept plan for approximately 80 acres on West Solon Road, east of Route 31. The proposal is for 181 single family lots with minimum lot sizes of 10, 000 to 12,000 square feet which results in a density not to exceed 2.5 units per acre. A landscaped berm will buffer the site from Rt 31 and Pioneer Road. The homes would be 1,800 to 2,200 square feet minimum size with a selling price of \$400,000 to \$420,000. Bike/pedestrian paths, integrated with the Village plan and the Conservation District are included along with a park site, with adequate parking space. Mr. Pease is requesting an annexation agreement and agrees to pay all the required fees. He will assume responsibility for improvements to West Solon Road to bring it up to Village standards provided he is granted a recapture for 1/3 of his cost if the abutting vacant parcel is developed. The entire parcel is out of the floodplain and wetland. He presented a synopsis of the covenants, conditions and restrictions that will be in place. The lots will be sold for custom building and Fox Development will approve the architecture and monitor the construction and maintenance. Pease stated that he is willing to help design Village entrance signs and help get the project done.

Savage pointed out that West Solon Road is the dividing line for the boundary agreement with Spring Grove. According to discussions, Spring Grove is willing to relinquish the southern parcel of the subject property to Richmond. A simple amendment can be passed to change the boundary agreement if the Village is in favor of the project. Bardy moved to direct the attorney and staff to negotiate an annexation agreement with Fox Development and bring it back for Board approval. Seconded by Kielpinski and passed with passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig, and Walleck voting yes.

b. An ordinance amending Chapter 23, Liquor, to provide for outdoor use permits and beer gardens, was presented and discussed. Savage pointed out the changes resulting from discussion at the previous Board meetings, specifically provision for another Class D license and stated that he is still researching information on consumption on public sidewalks, i.e. "cafe". There was a question regarding the definition of residence vs dwelling house in section 23.09. The Village Attorney will look into this. Also questioned was the reasoning behind allowing an outdoor use permit for 15 days per year. Discussion ensued. Most of the Trustees were comfortable with this. According to McArdle, a licensee may apply for all 15 at one time, even if not consecutive, if the layout and plan remain the same for each day. If anything changes, a new application must be approved. Regarding sidewalk drinking, Trustees were in agreement that this will not be allowed. All licensees will be notified that this is not allowed under their license. Trustees will review the restrictions listed for beer gardens and outdoor use permits and the ordinance will be presented at the next regular meeting.

c. Lease Purchase agreement for Police vehicle was presented. The item has been included in the budget. Chief Fryksdale stated that this is a replacement vehicle and is, in his estimation, a practical choice for the Department's needs. The Dodge Durango SUV will be purchased under a 60 month plan for approximately \$22,000. A possible \$6,000 additional cost will be incurred to outfit the vehicle. Hunter moved to enter into an installment agreement with DaimlerChrysler Financial Services Americas LLC to purchase a Dodge Durango for \$22,132.00. Seconded by Hollenbach and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig, and Walleck voting yes.

d. Savage presented a petition for a zoning text amendment to allow professional offices in the Central Business District. The Village has received inquiries regarding the placement of offices in the downtown area within the Historic District. At this time professional offices are not a permitted use in the CB District. If the Board wishes to change the permitted use the petition will go before the Zoning Board. Disadvantages of allowing professional offices include adverse use of parking spaces which in turn discourage bringing in new retail. It was pointed out that there will be opportunity for offices to locate in the new retail coming in the future. On the other hand there are quite a few vacant buildings in the downtown area. It was argued that if they are occupied and maintained property values will be kept up. Parking will be a problem regardless. More discussion

followed. The option of allowing offices on the second floor was discussed along with the thought that some buildings in the downtown area may not be suitable for retail use. Trustee Hollenbach expressed concern that the State of Illinois Tourism status may be lost if offices are allowed. High rent could well be the reason so many buildings are empty. It was pointed out that there are currently offices in the downtown area and being advertised for rent in the downtown area. A special use needs to be requested if anyone wants office use. The Trustees agreed to consider creating a new Zoning District for the Historic Overlay area allowing professional offices above street level. The Board had no problems with allowing offices in the rest of the Central Business Area.

COMMITTEE REPORTS: Finance. Tabled to the end of the meeting.

PRESIDENT'S COMMENTS: President Olson presented the following appointments: Trustee in charge of EDC, David Kielpinski; Standing Finance Committee, Pete Koenig; Zoning Board of Appeals, Scott Drabant to fill the vacant term expiring in 2009 and Ann Cunningham for a reappointment expiring in 2012. Bardy moved to approve the appointments. Seconded by Hunter and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig, and Walleck voting yes.

President Olson asked if anyone was interested in attending the County 2030 meetings and keeping the Village informed. Kielpinski stated an interest but not did not have the time commitment He offered to submit names.

ADMINISTRATOR'S COMMENTS: None

TRUSTEE COMMENTS: Hollenbach asked who gives permission to close Village Streets, specifically Broadway for Richmond Days. McArdle stated that the Board has that responsibility and requests should be on the agenda. Bryce Klontz, organizer of Richmond Days, will be so informed.

CLOSED SESSION: Bardy moved to go into closed session to discuss litigation (5 ILCS 120/2(c)(11)), personnel, (5 ILCS 120/2(c)(1)) and review of closed session minutes (5 ILCS 120/2(c)(21)). Seconded by Kielpinski and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig, and Walleck voting yes. 8:55 p.m. Board came out of closed session at 9:20. Bardy, Hollenbach, Hunter, Kielpinski, Koenig, Walleck and Olson were present. Hunter moved to release the following closed minutes: November 5, 1991, March 17, 2004, April 21, 2004, June 16, 2004, June 21, 2004, June 1, 2006, February 1, 2007, March 1, 2007. Seconded by Kielpinski and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig, and Walleck voting yes.

Hunter moved to approve Warrant 200802 in the amount of \$132,318.39, for payment. Seconded by Bardy and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig, and Walleck voting yes.

There is no charge for electricity for Memorial Hall and Village Hall as long as that use remains non-revenue producing. Payroll is not reflected on the Warrant.

There was no further business. Bardy moved to adjourn. Seconded by Koenig and passed by unanimous voice vote. 9:25 p.m.

Kathleen Hellmann, Village Clerk