

VILLAGE OF RICHMOND
REGULAR BOARD MEETING
September 4, 2008

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 7:05 p.m. at the Richmond Village Hall, 5600 Hunter Drive.

ROLL CALL: President Olson and Trustees Bardy, Hollenbach, Hunter, Koenig, and Walleck were present. Kielpinski was absent from roll call, arriving at 7:10.

MINUTES: Koenig moved to approve the minutes of the August 21st regular meeting. Seconded by Bardy and passed by voice vote

ANNOUNCEMENTS: President Olson presented a request from the Salvation Army to conduct their annual fund raising events November 21 to December 24. Collections are done at various locations in the community. Bardy moved to grant permission. Seconded by Walleck and passed by unanimous voice vote.

UNFINISHED BUSINESS: a. Appointments. Olson stated that, with advice and consent she will be appointing Robert Elliott to the Police Commission to fill a vacant term which expires in 2009. Walleck moved to approve the appointment. Seconded by Bardy and passed by unanimous voice vote.

b. Tax abatement policy. Two responses have been received from other taxing bodies. The schools have the ability to abate taxes and the Fire District has no interest in a village-wide abatement but would consider individual applications. Koenig said that the Board's initial reaction to take abatement requests on a case by case basis seems to be consistent with the rest of the community and he recommended that should be the Village approach. There was no discussion or objection and President Olson stated that would be the Village policy.

c. Sidewalk bids were again reviewed. Kielpinski arrived during the discussion. According to Savage the sidewalks will go in Cotting Park, from the parking lot to the shelter along with a pad for the dumpster. The sidewalk step replacement is on the south side of west Mill Street. He recommended the bid be awarded to L&B in the amount of \$2,132.00. Although their bid is slightly higher, they specified fiber mesh and rebar. Discussion ensued on the necessity of a sidewalk in the park. According to Savage, Cotting park has been done on a piecemeal basis and this is a continuation of the initial project. Walleck moved to approve the bid be awarded to L&B in the amount of \$2,132.00. Seconded by Koenig and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

PUBLIC COMMENT: John Seiler, 10010 Nippersink, asked if the Board would consider doing something to the sidewalk on Main Street at Jimano's. There is no handicapped cutout at the Middle school south driveway and it is dangerous for bicyclists to pull onto Rt. 12 at that location to avoid the curb. Savage mentioned that President Olson is working on getting a "Safe Routes to Schools" grant program and this project could be included. Discussion ensued. Olson will look into it. Hunter asked why, given the tight budget, a sidewalk is going in the park when one is needed elsewhere to solve an existing problem. He suggested that Public Works should review the sidewalks and put together a priority list of what needs to be done. Savage stated that he was not aware of the curb problem and there may be enough money left in the sidewalk line item budget to do the work since the park improvements are coming out of the Parks budget.

NEW BUSINESS: President Olson requested moving to items d and e. The Board had no objections.

d. Special Use zoning. Keith Hasselburg and Charles Eldredge III are requesting a special use zoning to allow a single family use in the General Business District. They propose moving an existing residence from 10705 Main Street to a vacant lot on Main Street which is in the CB District. An August 25th hearing before the Zoning Hearing Officer resulted in a favorable recommendation with a number of conditions. Savage presented a review of the project's background. A discussion was held a number of months ago regarding a request to waive the w/s connection for the new lot. The argument was that since the house at 10705 is already on water and sewer, it should not require a new connection fee to be paid at the new location. An agreement is to be worked out addressing these concerns and in the meantime Hasselburg petitioned for the zoning conditional use. The following conditions were recommended by the Hearing Officer: 1. the front yard setback will be set at a distance which represents the further of the two front yard setbacks of the structures immediately north and south of the property; 2. the house move must be completed within six months of approval by the Village Board; 3. all utility connections must be done within three months of the date of move; 4. the exterior of the moved property will be painted or sided within nine months of the move; 5. the petitioner will provide a performance bond of \$5,000.00 (cash or bond) due at the time of building permit to guarantee the painting or siding of the property; 6. no occupancy of the building shall be allowed until item #3 is satisfied and an occupancy permit is issued. According to the owner of the lot, Keith Hasselburg, the new foundation for the moved structure will be poured concrete. The 10705 Main Street site, owned by the Eldredge corporation, will be restored. Insurance for the move will be provided by the contractor. Hasselburg stated that he prefers to keep the wood siding and paint it after the move, rather than residing the house. He would like to move in in the fall but probably would not get the painting done till spring. He also stated that he does not want to take down trees on the new site unless it is necessary. Savage suggested that a condition be put on the moving/building permit to insure restoration of the 10705 lot. Three additional conditions will be added: 7. Restoration and landscaping of the old site; 8. Insurance for the move; and 9. An agreement be executed with Eldredge regarding the other concerns (e.g. connection fees). Savage explained that the moving/building permit will contain conditions addressing the restoration of the 10705 Main Street site. After further discussion it was agreed that any zoning approval would have to be conditioned on execution of a three party agreement regarding the move. (Village, Eldredge and Hasselburg.) The agreement would contain the conditions recommended by the Hearing Officer and discussed tonight by the Board. Walleck moved to approve an ordinance granting a use variance for a residential use in a general business zoning classification subject to execution of a three party agreement between the owner of the lot at

10705 Main Street, Keith Hasselburg and the Village. Said agreement to be executed within 30 days of today. Seconded by Bardy and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

e. Architectural approval, Cemail project. Tom Lawniczaic of R.B. Custom Designs, was present to discuss the elevations for the proposed commercial building (restaurant and retail center) for Mr. Cemail on Rt 31. The Community Development Committee met and recommend approval with some changes which are reflected in the drawing dated 9-2-08. The exterior is designed to look like brick and stone using per-cast concrete panels with thin set brick cast into the concrete. The brick will be set with half bricks set at the panel joints. This calk joint will not show from a distance. Samples of the concrete brick color were not available. Some natural stone will be set on the front of the building. Lawniczaic explained that the cornice will extend at least one foot, which is the maximum he feels structurally safe with. The entrance canopy will extend into the parking area, and will eliminate some parking stalls. The canopy will be high enough so that the interior chandelier will be seen from the outside. Bardy moved to approve the exterior elevations for the new restaurant/banquet facility and retail center dated 9-2-08. Seconded by Kielpinski and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

a. Ordinance 2008-17, Annual Appropriations Ordinance, was presented and reviewed. Hunter moved to pass Ordinance 2008-17, seconded by Bardy. Motion passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

b. Ordinance 2008-18, Street & Bridge Tax, was presented and reviewed. Hunter moved to pass Ordinance 2008-18. Seconded by Walleck and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

c. Resolution R2008-9, Authorizing an Intergovernmental Agreement with McHenry County Council of Governments for Damage Assessment Mutual Aid Agreement, was presented by Olson. She explained that this will provide for help in assessing damages in the event of a disaster. Hunter moved to approve Resolution R2008-8. Seconded by Walleck and passed by unanimous voice vote.

d. Resolution R2008-8, Waiving the 45 day waiting period for an Industrial Revenue Bond notice for Olsun Electric, was reviewed. Savage explained the content and recommended approval. Kielpinski moved to approve Resolution R2008-9. Seconded by Hunter and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

e. President Olson recommended setting Halloween Trick or Treat hours the same as last year, on October 31 from 3-7 p.m.. Kielpinski so moved. Seconded by Hunter and passed by unanimous voice vote.

DEPARTMENT REPORTS:

a. Finance. Hunter informed the Board that the Finance Committee has noted a lot of cross billing between attorneys and they recommend making Gordon & Karr the primary counsel for all labor issues. Board had no objection. Savage explained that because Gordon & Karr stepped in the middle of an unfair labor practices claim, they needed to be brought up to speed by McArdle's office thus there were bills from both firms. He has an engagement letter from them with a rate of \$200.00 per hour. Warrant 2008-5 was presented. Koenig moved to approve payment in the amount of \$88,524.38. Seconded by Walleck and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

b. Engineer. The final grading and seeding done by Champion Environmental, being judged inadequate, has not been approved. Coggin explained that prices are being obtained from other landscape firms to do the job utilizing the contract retainage. Champion has also been given the

opportunity to respond. There is \$18,000 available in the retained funds and Coggin felt that this would be adequate to do the job.

c. Police. Chief Fryksdale gave a report on the Labor Day weekend roadside safety check activities. Another CPA class started this week.

d. EDC- No report

PRESIDENT'S COMMENTS: President Olson thanked the Odd Fellows for doing a great job with Richmond Days and the parade. She also thanked Marge Stermer, Nate Gardner, Don Stinespring, and Dave McArdle for donating flags for the 173rd Airborne motorcade.

ADMINISTRATOR'S COMMENTS: Notice has been received from IDOT that they will be conducting a bid letting on January 09 to resurfacing Rt 173 starting at Rt 12 and heading east. The Bill Smith project is moving ahead. Their engineer is putting final touches on the Mylar of the plat and Bill Smith has prepared his letter of credit to submit with the plat to initiate the project. This will release the foundation only permit for the Cemail building. Savage met with SEC regarding the Safe Routes to School grant program. There are no matching funds required and the money is to be used for anything related to getting kids to school safely – crosswalks, paths, handicapped curbs etc. It will require some meetings and surveying of school parents. The Board had no objections to the application. Access gas station has been contacted to complete landscaping on both side of the road in front of the Shell station. IDOT is requesting some modification of the entrances at the school and the carwash and so the landscaping will be done in coordination with that.

TRUSTEE COMMENTS: Hunter asked if there was going to be a newsletter this year. Bardy suggested a January or February issue to be mailed with other issues to be published on the web page. Kielpinski stated that he has heard a complaint that the Luna property, proposed for annexation into the village, has apparently been raising/filling the property and causing run off and flooding on the adjacent property. It was suggested that the County be informed of this.

CLOSED SESSION: None

There was no further business. Kielpinski moved to adjourn Seconded by Hunter and passed by unanimous voice vote. 8:10 p.m.

Kathleen Hellmann, Village Clerk