

**VILLAGE OF VOLO
MINUTES OF THE REGULARLY SCHEDULED
BOARD OF TRUSTEE MEETING
AUGUST 14, 2007**

7:30 P.M.: Meeting was Called to Order
Pledge to the Flag
Roll Call

Present: President Burnell Russell
Trustee Crow
Trustee Evans
Trustee Porter
Trustee Wegener

Absent: Trustee Buschick
Trustee Wagner

President Russell declared a quorum present.

Other Staff in attendance were Village Administrator Ken Buchardt, Village Attorney Nancy Harbottle, Village Treasurer Cheryl Grolle, Village Technical Administrator Eric Tison, Village Planner Jon Wildenberg and Village Clerk Judith Rutishauser and Plan Commissioner Theresa Arpino. Also present were Mr. Todd Rusell of Arcline Associates, Mr. Joseph Reed and Mr. Andrew Hochberg of Next Realty and Mr. Chip Beltchenko representing Starbucks, one of the petitioners at tonight's meeting; and Mr. Travis Wiersma of the Platford Group, Mr. James Mahnick and Mr. Kevin Mayers of Consumers Cooperative Credit Union, the second petitioner on tonight's agenda. Also present were members of the public. (See attached sign in sheet.)

APPROVAL OF MINUTES

The minutes of the Board of Trustees meeting for July 10, 2007 were presented for review and approval. Errors were reviewed and corrected.

**MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED
BY TRUSTEE CROW TO APPROVE THE MINUTES AS
CORRECTED.
ROLL CALL VOTE:**

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

The minutes of the Board of Trustees meeting for July 24, 2007 were presented for review and approval.

MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE PORTER TO APPROVE THE MINUTES AS CORRECTED.

ROLL CALL VOTE:

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

TREASURER’S REPORT – VILLAGE TREASURER CHERYL GROLLE

STATEMENT OF ASSETS

General Fund	\$ 1,585,919.44
Water Operations Fund	121,336.64
Water Construction Fund	13,801.65
Impact Fee Fund	<u>4,029,608.10</u>
TOTAL VILLAGE ASSETS	\$5,750,665.83

TRUST & AGENCY OUTSTANDING SUMMARY

TOTAL **\$ 133,030.49**

RECEIPTS VS. EXPENDITURES SUMMARY

Total Receipts **\$ 298,863.25**

Total Expenditures **609,738.75**

NET INCOME **- \$ 310,875.50**

MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE EVANS TO ACCEPT THE STATEMENT OF ASSETS REPORT, THE TRUST & AGENCY OUTSTANDING SUMMARY AND THE RECEIPTS VS. EXPENDITURES SUMMARY AND PLACE THEM ON FILE. VOICE VOTE: ALL AYES. PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ACCOUNTS PAYABLE SUMMARY

General Fund **\$ 141,,280.42**

Water Operations Fund **55,377.23**

Water Construction Fund **11,583.49**

Impact Fee Fund **500,606.54**

TOTAL **\$ 708,847.68**

MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE PORTER, TO PAY BILLS IN THE AMOUNT OF \$708,847.68.

ROLL CALL VOTE:

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

OFFICE REPORT – VILLAGE CLERK JUDITH RUTISHAUSER

A copy of the Office Report is attached.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE WEGENER TO ACCEPT THE OFFICE REPORT AS PRESENTED. VOICE VOTE: ALL AYES.

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

Trustee Evans proposed a question regarding parking on Volo Village Road. He directed the question to the Sheriff's Deputy in attendance. The Village Parking Ordinance states that parking is allowed only in designated areas. Does this need to be posted in order to be enforced? The Deputy responded that it would be advisable to post the text on signs for the public.

ADMINISTRATOR'S REPORT – VILLAGE ADMINISTRATOR KEN BUCHARDT

The Village Administrator's Report was reviewed by the Board.

Village Administrator Ken Buchardt presented a short update regarding the Special 2007 Census. The office space which was rented by the Village has been equipped with tables, chairs, telephones, maps and incidental office supplies in anticipation of the final approval of the Census Bureau.

Village Administrator Buchardt also reported that the transducer in the South Water Tower had been damaged by a lightning strike recently and repairs will begin as soon as possible.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE CROW TO ACCEPT THE REPORT BY THE VILLAGE ADMINISTRATOR AND PLACE IT ON FILE. VOICE VOTE: ALL AYES. PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

COMMENTS FROM VILLAGE RESIDENTS

There were no comments.

COMMENTS FROM GUESTS OUTSIDE VILLAGE

Mr. Richard Hartman inquired about the measures being taken to prevent lightning strikes to the water tower. Village Administrator Buchardt responded.

PRESIDENT'S REPORT

1. Progress of Bike Path Realignment

President Russell reported that the revised plans have been presented to the Forest Preserve and have been approved. The property has been surveyed and the Forest Preserve is drafting an agreement to approve the new plan for the bike path and return the old easement to the Village. \$3,000 has been spent to stake the new path and that will be completed sometime next week. The Village President will be accompanied by a representative of the Forest Preserve to walk the proposed path and determine whether the existing trees should be cleared or left as is.

2. Molidor Road Traffic Light

Village President Russell has spoken to George Gudderly of the Lake County Department of Transportation and the plans are progressing in a timely manner.

3. DS & T Report

The second report of projections from Dam, Snell & Taveirne reflects that our finances are right in line with previous projections.

MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE PORTER TO ACCEPT THE REPORT OF THE VILLAGE PRESIDENT. VOICE VOTE: ALL AYES.

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ATTORNEY'S REPORT – VILLAGE ATTORNEY NANCY HARBOTTLE

Village Attorney Nancy Harbottle reviewed with the Board a request to reduce the William Ryan Bond from the original \$2,236,226.00 to \$755,441.10

**MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE CROW TO REDUCE THE WILLIAM RYAN HOMES PERFORMANCE BOND FROM \$2,236,226.00 TO \$755,441.10.
ROLL CALL VOTE:**

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ORDINANCE #0-07-345 – AN ORDINANCE ESTABLISHING COMPENSATION FOR MEMBERS OF THE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Village President Russell explained that an inconsistency had been discovered between the amount paid to the Plan Commission and ZBA members and the amount set forth in the ordinance passed by the Board of Trustees on September 28, 2004. The ordinance set forth an amount of \$50.00 per meeting and the amount actually paid since May 1, 2006 has been \$55.00 per meeting. Ordinance #0-07-345 will be retroactive to May 1, 2006.

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE WEGENER TO APPROVE ORDINANCE #0-07-345 – AN ORDINANCE ESTABLISHING COMPENSATION FOR MEMBERS OF THE PLAN COMMISSION AND ZONING BOARD OF APPEALS.
ROLL CALL VOTE:**

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES- 4, NAYS –0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

PLANNER'S REPORT – VILLAGE PLANNER JON WILDENBERG

There was no report at this time.

ENGINEER'S REPORT – VILLAGE ENGINEER BUD REED

There was no report at this time.

ORDINANCES AND RESOLUTIONS TO BE CONSIDERED

ORDINANCE #0-07-346 – AN ORDINANCE ESTABLISHING VILLAGE OF VOLO MAINTENANCE SPECIAL SERVICE AREA NO. 9 (RYLAND HOMES – LANCASTER FALLS NORTH)

MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE EVANS TO APPROVE ORDINANCE #0-07-346 – AN ORDINANCE ESTABLISHING VILLAGE OF VOLO MAINTENANCE SPECIAL SERVICE AREA NO. 9 (RYLAND HOMES – LANCASTER FALLS NORTH).

ROLL CALL VOTE:

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ORDINANCE #0-07-347 – AN ORDINANCE ESTABLISHING VILLAGE OF VOLO MAINTENANCE SPECIAL SERVICE ARE NO. 10 (RYLAND HOMES – LANCASTER FALLS SOUTH)

MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE PORTER TO APPROVE ORDINANCE #0-07-347 – AN ORDINANCE ESTABLISHING VILLAGE OF VOLO MAINTENANCE SPECIAL SERVICE AREA NO. 10 (RYLAND HOMES – LANCASTER FALLS SOUTH)

ROLL CALL VOTE:

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ORDINANCE #0-07-348 – AN ORDINANCE ESTABLISHING VILLAGE OF VOLO MAINTENANCE SPECIAL SERVICE ARE NO. 11 (WILLIAM RYAN HOMES – AUTUMN GROVE SUBDIVISION)

MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE PORTER TO APPROVE ORDINANCE #0-07-348 – AN ORDINANCE ESTABLISHING VILLAGE OF VOLO MAINTENANCE SPECIAL SERVICE AREA NO. 11 (WILLIAM RYAN HOMES – AUTUMN GROVE SUBDIVISION)

ROLL CALL VOTE:

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ORDINANCE #0-07-349 AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR SNV-VOLO, LLC (NEXT REALTY/STARBUCKS)

Village Attorney Nancy Harbottle introduced Mr. Joseph Reed of Next Realty who in turn introduced the other representatives of Starbucks Coffee.

Mr. Joseph Reed proceeded with a presentation of the proposed plan for a retail building on a portion of Lot 3 in the existing Home Depot Subdivision. It will be a one story retail building, approximately 6,600 square feet in size, architecturally finished on all four sides. Starbucks will be the anchor store at approximately 1,750 square feet. The site is approximately 1.1 acre of a 2.2 acre site shared with Auto Zone located at Hartigan Road and U. S. Highway 12, just west of the Home Depot store.

There are 52 parking spaces provided for the entire center and the drive through lane provides enough space to stack eight vehicles. A traffic study was completed on other Starbucks in the area, and confirmed that the parking and stacking space provided would be adequate for a facility of this size.

Discussion followed.

Village Planner Jon Wildenberg offered his comments at this time. He stated that a complete set of plans would be needed before a permit could be issued for construction and suggested additional trees be added at the Hartigan Road entryway.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE WEGENER TO APPROVE ORDINANCE #0-07-349 – AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR SNV-VOLO, LLC (NEXT REALTY/STARBUCKS).

ROLL CALL VOTE:

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ORDINANCE #0-07-350 – AN ORDINANCE APPROVING A SPECIAL USE PERMIT AND SIGN VARIATION FOR CONSUMERS COOPERATIVE CREDIT UNION

Mr. Daniel Robison of Robison Architects made a short presentation. The subject property is located on Lot 2 of the Volo Commerce Center, (2.16 acres) at the corner of Ellis Drive and Route 120 in Volo, IL. The 2.16 acres is currently zoned B-3 Commercial as are the adjacent properties to the north, east and west. The property will be developed into a branch office of Consumers Credit Union with a building size of almost 5,500 square feet with 5 drive up lanes and one ATM lane to conduct banking business. The plan will include approximately 66 parking spaces. Access to the property will be from Ellis Drive and also from Commerce Drive.

The building will be one (1) story, approximately 5,500 square feet with an entrance at the southeast corner of the building. The exterior will be of a brick veneer with a stone accent. The roof will be pitched, similar to the new Village Hall. The windows will be tinted with tan frames.

The applicant had requested variations from the Sign Regulation section of the Zoning Ordinance to permit a sign height of approximately 25 ft. and a three (3) sided sign with each side approximately 10'8" by 8'8". The Plan Commission recommended approval of a variation only for the three (3) sided sign and recommended denial of the requested height variation. The Trustees agreed with those recommendations.

Village Planner Jon Wildenberg offered his comments at this time.

Discussion followed.

MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE EVANS TO APPROVE ORDINANCE 0-07-350 – AN ORDINANCE APPROVING A SPECIAL USE PERMIT AND SIGN VARIATION TO PERMIT A THREE (3) SIDED LCD SIGN FOR CONSUMERS COOPERATIVE CREDIT UNION, SUBJECT TO SUBMISSION OF SPECIFICATIONS OF LCD SIGN TO BE CONSISTENT WITH DISCUSSION.

ROLL CALL VOTE:

TRUSTEE BUSCHICK	ABSENT
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSENT
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ORDINANCES AND RESOLUTIONS PENDING

1. Subdivision Ordinance – Engineering Fees
2. Public Right-of-Way Ordinance
3. Reduction of Reconnection Fee for Water Service

WEBSITE – VILLAGE TECHNICAL ADMINISTRATOR ERIC TISON

A copy of Village Technical Administrator Eric Tison's report is attached.

COMMENTS FROM BOARD MEMBERS

There were no comments at this time.

DISCUSSION WITH ARCHITECT ROBISON ABOUT MUNICIPAL FACILITY

Mr. Daniel Robison reported that there is a problem with drainage of the site that needs to be discussed with Village Engineer Bud Reed.

ADJOURNMENT

MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE CROW TO ADJOURN THE BOARD OF TRUSTEE MEETING. VOICE VOTE: ALL AYES.

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

9:05 P.M.: Meeting was adjourned.

MINUTES SUBMITTED BY _____
Judith T. Rutishauser, Village Clerk

MINUTES APPROVED ON _____