

**VILLAGE OF VOLO
MINUTES OF THE BI-MONTHLY
BOARD OF TRUSTEES MEETING
APRIL 22, 3008**

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

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

President Russell declared a quorum present.

Other Staff in attendance were Village Administrator Ken Buchardt, Village Attorney Nancy Harbottle, Village Engineers Bud Reed and Peter Stoehr, Village Bond Counsel Greg Hummel and Village Clerk Judith Rutishauser. Members of the public were also in attendance. (See attached sign in sheet.)

COMMENTS FROM RESIDENTS

There were no comments from the residents at this time.

COMMENTS FROM GUESTS OUTSIDE VILLAGE

Mr. Glenn Isaacson asked why the meeting agenda had not been posted on the Village web site. President Russell responded that Village Technical Administrator Eric Tison had been on vacation. Village Attorney Nancy Harbottle added that the Village office was in the midst of re-locating from 27273 W. Volo Village Road to the new Village Hall at 500 S. Fish Lake Road.

PRESIDENT'S REPORT

President Russell reminded the Board members to be sure to submit the name and address of anyone they wanted invited to the Village of Volo Open House in May.

**MOTIION WAS MADE BY TRUSTEE WAGNER AND SECONDED
BY TRUSTEE PORTER TO ACCEPT THE PRESIDENT'S REPORT
AND PLACE IT ON FILE. VOICCE VOTE: ALL AYES.**

PRESIDENT RUSSELL DECLARED THE MOTIION APPROVED.

ATORNEY’S REPORT – VILLAGE ATTORNEY NANCY HARBOTTLE

Vilage Attorney Nancy Harbottle reviewed the Ordinance re: Transportation Impact Fees pursuant to the Volo Comprehensive Transportation Plan with the members of the Board.

MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE WEGENER APPROVING AND ADOPTING THE 2008 TRANSPORTATION IMPACT FEES PURSUANT TO VOLO NORTH AND SOUTH TRANSPORTATION PLANS.

ROLL CALL VOTE:

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

AYES – 6, NAYS – 0

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

NEW BUSINESS

- Public Hearing to consider a request by Jack Pease and Chicago Title Land Trust Company as Trustee under Trust Number 204126, petitioners, For a First Amendment to the Annexation Agreement entered into on September 12, 1995 between the Village of Volo, Jack Pease and McHenry State Bank, as Trustee under Trust Agreement dated August 2, 1994 and known as Trust Number 12976 for the property commonly known as 33450 N. Route 12, Volo, Illinois. Said Amendment will provide for rezoning from the Mixed Use (MU-2) District to the Light Industrial (LI) District, a Special Use for a Planned Unit Development (PUD) for Proposed Spruce Lake Business park and approval of a Special Use Permit for a permanent ready mix concrete plant, mining and processing of aggregates and concrete and site reclamation for a period not to exceed 12/31/2011.

MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY

TRUSTEE PORTER TO OPEN THE PUBLIC HEARING TO CONSIDER A REQUEST BY JACK PEASE AND CHICAGO TITLE LAND TRUST COMPANY AS TRUSTEE UNDER TRUST NUMBER 204126, PETITIONERS FOR A FIRST AMENDMENT TO THE ANNEXATION AGREEMENT ENTERED INTO ON SEPTEMBER 12, 1995 BETWEEN THE VILLAGE OF VOLO, JACK PESE AND MCHENRY STATE BANK FOR THE PROPERTY COMMONLY KNOWN AS 33450 N. ROUTE 12, VOLO, ILLINOIS.

ROLL CALL VOTE:

TRUSTEE BSCHICK	AYE
TRUTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	AYE
TRUSTEE WEGENER	AYE

AYES – 6, NAYS – 0

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

7:35 P.M.: Public Hearing was opened.

Village Attorney Nancy Harbottle reviewed the request with the members of the Board.

Mr. Jack Pease of Spruce Lake Sand and Gravel was introduced to all present and began with a short history of the property. The company has owned the property for approximately 25 years, operating a sand and gravel company and a ready mix plant. Approximately 13 years ago, the property was annexed to the Village of Volo, receiving Mixed Use Zoning that allowed for an office business park and office warehouse type buildings to be built at the point of completion of the mining and gravel operation.

The point of completion is nearing and, in order to be able to proceed with plans to build an office business park, the petitioner has submitted the following request to the Village for consideration:

1. To re-zone the subject property from the Mixed Use (MU-2) District to the Light Industrial (LI) District
2. A Special Use Permit for a Planned Unit Development (PUD)

for a Business Park, and approval of a preliminary PUD Plat for Spruce Lake Business Park

3. Approval of a Special Use Permit to allow a permanent Ready Mix concrete plant
4. Mining and processing of aggregates and concrete and site reclamation for a period not to exceed 12-31-2011
5. A departure to allow outdoor storage behind the buildings which would be screened with an adequate and agreed upon visual barrier
6. A departure for the length of the cul-de-sac and an offset of the cul-de-sac "bulb"
7. A departure to exclude sidewalks in the development

Mr. Pease then proceeded to review, with the members of the Board, a brochure he had prepared which explained the proposed plan and included a concept plan and pictures of the Ready Mix plant.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE CROW TO CONTINUE THE PUBLIC HEARING FOR JACK PEASE REGARDING SPRUCE LAKE BUSINESS PARK TO THE MAY 13, 2008 BOARD OF TRUSTEES MEETING AT 7:30 P.M. AT 500 SOUTH FISH LAKE ROAD, VOLO, ILLINOIS.

ROLL CALL VOTE:

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

AYES – 6, NAYS – 0

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

7:50 P.M.: President Russell suggested a short recess.

MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE WEGENER FOR A SHORT RECESS. VOICE VOTE: ALL AYES.

PRSIDENT RUSSELL DECLARED THE MOTION APPROVED.

8:14 P.M.: Meeting was re-convened.

1. Resolution Approving Final Plat of Subdivision for Volo Village Marketplace and authorizing execution thereof

Mr. Greg Orput reviewed the Plat of Subdivision with the members of the Board.

Village Attorney Nancy Harbottle commented that the Plan Commission had reviewed the Plat of Subdivision on Thursday, April 17, 2008 and had recommended approval subject to the approval of the Village Engineer and Village Attorney.

Village Engineer Bud Reed reviewed a memo which had previously been provided in the Board folders, with the members of the Board.

Discussion followed.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUTEE WAGNER TO APPROVE RESOLUTION R-08-138 A RESOLUTION APPROVING THE FINAL PLAT OF SUBDVIVISION FOR VOLO VILLAGE MARKETPLACE AND AUTHORIZING EXECUTION THEREOF.

ROLL CALL VOTE:

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

AYES – 6, NAYS – 0

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

2. Resolution Approving the 2008 Term Sheet between W2007VLO Real

Estate L.L.C. and the Village of Volo – Volo Village Marketplace

The revised Term Sheet was reviewed with the Board members by Rich Klawiter, Attorney, and Mr. Dick Spinell of the Mid-America Group.

President Russell asked Mr. Greg Hummel, the Village Bond Counsel, to review the Term Sheet with the Board of Trustees.

Long discussion followed.

President suggested the meeting be continued to Tuesday, April 29, 2008.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE BUSCHICK TO CONTINUE THE MEETING TO TUESDAY, APRIL 29, 2008, 7:30 P.M. AT 500 SOUTH FISH LAKE ROAD, VOLO, ILLINOIS. VOICE VOTE: ALL AYES

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

9:55 P.M.: Meeting was continued to April 29, 2008.

Next scheduled Board of Trustees meeting is scheduled for April 29, 2008, 2008.

MINUTES SUBMITTED BY _____
Judith T. Rutishauser, Village Clerk

MINUTES APPROVED ON _____

