

**VILLAGE OF VOLO
MINUTES OF THE SPECIAL
BOARD OF TRUSTEES MEETING
APRIL 29, 2008 – CONTINUED FROM
APRIL 22, 2008**

7:30 P.M.: **MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE PORTER TO OPEN THE MEETING CONTINUED FROM APRIL 22, 2008. VOICE VOTE: ALL AYES.**

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

President Russell Called the Continued Special Meeting 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.)

President Russell suggested the agenda be amended to consider item 2 on the agenda first, then consider item 1.

MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE WEGENER TO AMEND THE AGENDA AS SUGGESTED BY PRESIDENT RUSSELL. VOICE VOTE: ALL AYES.

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ORDINANCES, RESOLUTIONS AND MOTIONS TO BE CONSIDERED

2. Ordinance Amending Planned Unit Development - Ordinance

No. 0-07-362 Volo Market Place (Archon – Mid – America – Orput) to permit additional variations from the sign regulations in the Zoning Ordinance, including, but not limited to, allowing wall signs in the rear of the buildings and vary the height limitation for freestanding pylon signs.

President Russell introduced Mr. Greg Orput of the Orput Group to the members of the Board.

Mr. Orput introduced the other members of his group.

Mr. Orput began a presentation of the proposed project. The subject site consists of 89 acres zoned 100% Commercial/Retail, bounded by Route 12 on the west, Gilmer Road on the east with the proposed Ellis Drive running through the middle of the site.

The project will be built in two phases. The southern portion will be Phase 1 and the northern portion will be Phase 2. Phase 1 is scheduled to be complete by Fall of 2009.

Discussion followed.

At this point, Mr. Dick Spinell joined the discussion.

The original signage pylon was approved at 35 feet high and 15 feet wide. The Developer is now requesting an additional 5 feet to the height of the sign and to permit signage at the rear of the buildings for visibility.

Village Planner Jon Wildenberg offered his comments at this time.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE WAGNER TO APPROVE ORDINANCE #0-08-372 AS CORRECTED – AMENDING PLANNED UNIT DEVELOPMENT ORDINANCE #0-07-362 VOLO MARKET PLACE (ARCHON – MID- AMERICA – ORPUT) TO PERMIT ADDITIONAL VARIATIONS FROM THE SIGN REGULATIONS IN THE ZONING ORDINANCE INCLUDING, BUT LIMITED TO, ALLOWING WALL SIGNS IN THE REAR OF THE BUILDINGS AND VARY THE HEIGHT LIMITATION FOR FREESTANDING PYLON SIGNS.

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.

1. Ordinance Approving the 2008 Term Sheet between W2007VLO Real Estate L.L.C. and the Village of Volo – Volo Village Marketplace

Mr. Dick Spinell reviewed the proposed Term Sheet with the Board.

Mr. Richard Yaras continued to review the Term Sheet with the members of the Board.

Discussion followed.

MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE PORTER TO APPROVE ORDINANCE #0-08-373 – AN ORDINANCE APPROVING THE 2008 TERM SHEET BETWEEN W2007VLO REAL ESTATE L.L.C. AND THE VILLAGE OF VOLO – VOLO VILLAGE MARKETPLACE.

ROLL CALL VOTE:

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

AYES – 6, NAYS – 1

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED

**BY TRUSTEE CROW TO ADJOURN THE MEETING. VOICE
VOTE. ALL AYES.**

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

9:45 P.M.: Meeting was adjourned.

MINUTES SUBMITTED BY _____
Judith T. Rutishauser, Village Clerk

MINUTES APPROVED ON _____

Next Board of Trustees meeting is scheduled for May 13, 2008.

