

**VILLAGE OF VOLO
MINUTES OF THE BI-MONTHLY
BOARD OF TRUSTEE MEETING
MAY 27, 2008**

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

Present: President Burnell Russell
Trustee Crow
Trustee Wagner
Trustee Wegener

Absent: Trustee Buschick
Trustee Evans
Trustee Porter

President Russell declared a quorum present.

7:32 P.M.: Trustee Buschick arrived at the meeting

Other Staff in attendance were Village Administrator Ken Buchardt, Village Attorney Nancy Harbottle, Village Engineer Bud Reed, Village Technical Administrator Eric Tison, Village Clerk Judith Rutishauser, Mr. Jack Pease of the Spruce Lake Business Park with his consultants, Mr. John Beresheim representing the Midwest Bank and Mr. Tony Leach representing the Chase Bank and Eric and Scott Nielsen, former residents of the Village. Members of the public were also in attendance. (See attached sign in sheet.)

COMMENTS FROM RESIDENTS

There were no comments at this time.

COMMENTS FROM GUESTS OUTSIDE VILLAGE

Scott Nielsen presented a check in the amount of \$3,675.00 from Arnstein & Lehr, Rolf Campbell & Associates and Manhard Consulting to President Russell for the flag poles which were presented to the Village at a ceremony during the Volo Village Hall Open House on Saturday, May 17, 2008. President Russell thanked Scott and his Scout Troop for participating in the ceremony.

PRESIDENT'S REPORT

1. Letter from Grant Township Requesting \$200.00 Donation for "Field of Dreams"

The Village received a letter from Grant Township requesting a donation of \$200.00 for their 5k walk/run fund raiser to be held on August 10, 2008 to raise money for their Grant Township Center "Field of Dreams".

**MOTION WAS MADE BY TRUSTEE WEGENER AND
SECONDED BY TRUSTEE WAGNER TO DONATE \$200.00
TO THE GRANT TOWNSHIP CENTER "FIELD OF DREAMS".
ROLL CALL VOTE:**

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

AYES – 4, NAYS – 0, ABSENT – 2

PUBLIC HEARING

Continuation of Public Hearing from May 13, 2008 Board of Trustees Meeting 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, IL. Said Amendment will provide for re-zoning 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 CROW AND SECONDED BY
TRUSTEE WEGENER TO OPEN THE PUBLIC HEARING TO
CONSIDER A REQUEST BY JACK PEASE AND CHICAGO TITLE
LAND TRUST COMPANY. VOICE VOTE: ALL AYES.**

7:40 P.M.: Public Hearing was opened.

At this time, anyone wishing to testify at tonight's Public Hearing was sworn in by Village Attorney Nancy Harbottle.

Mr. Jack Pease of Spruce Lake Sand & Gravel introduced his associates Mr. Jim Neuman and Mr. Nick Mathie, his engineer, and then began his presentation with a short history of the property. The company has owned the property (approximately 71 acres) for about 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 a 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 Board of Trustees, a brochure he had prepared, which explained the proposed plan and included a concept plan and pictures of the Ready Mix plant.

Discussion followed.

Village Engineer Bud Reed reported to the Board of Trustees that Mr. Pease has complied with all of the suggestions made by the Plan Commission at their April 17, 2008 meeting and items mentioned in Village Engineer Reed's letter of May 9, 2008.

In addition, this developer will be responsible for any improvements IDOT deems necessary for U. S. Highway 12 for access into and out of the property.

A traffic study was submitted by Transportation Strategies, Ltd. on November 19, 2007. It has been reviewed by the Village staff and the developer is now awaiting approval from IDOT.

At this point, Village Engineer Bud Reed reviewed his memo of May 9, 2008 with the members of the Board of Trustees.

Questions and comments were requested from the Board members.

Discussion followed.

MOTION WAS MADE BY TRUSTEE WAGNER AND SECONDED BY TRUSTEE CROW TO CLOSE THE PUBLIC HEARING. ROLL CALL VOTE:

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

AYES – 5, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

8:30 P.M.: Public Hearing was closed.

ORDINANCES, RESOLUTIONS AND MOTIONS TO BE CONSIDERED

1. Motion to Approve an Ordinance Approving the First Amendment to Annexation Agreement between the Village of Volo and Jack Pease and Fox Development company of Illinois and Authorizing Execution thereof – 33450 North U. S. Highway 12

MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE WEGENER TO APPROVE ORDINANCE #0-08-377 AN ORDINANCE APROVING THE FIRST AMENDMENT TO ANNEXATION AGREEMENT BETWEEN THE VILLAGE OF VOLO AND JACK PEASE AND FOX DEVELOPMENT COMPANY OF ILLINOIS AND AUTHORIZING EXECUTION THEREOF – 33450 NORTH U. S. HIGHWAY 12 SUBJECT TO RESOLUTION OF COMMENTS BY VILLAGE ENGINEER AND VILLAGE ATTORNEY AND RESOLUTION OF OUTSTANDING OPEN ISSUES AS FOLLOWS:

1. ESCROW FOR STUB ROAD
2. PAYMENT OF WAIVER FOR SIDEWALK
3. PRE-PAYMENT OF TRANSPORTATION FEES

Discussion followed.

ROLL CALL VOTE:

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

AYES – 5, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

2. Motion to Approve a Map Amendment for a Certain Parcel from the MU2 District to the LI District

MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE WAGNER TO APPROVE ORDINANCE #0-08-378 – TO APPROVE A MAP AMENDMENT FOR A CERTAIN PARCEL FROM THE MU-2 DISTRICT TO THE LI DISTRICT

ROLL CALL VOTE:

PRESIDENT RUSSELL	AYE
TRUSTEE BUSCHICK	AYE

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

AYES – 5, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

- 3 Motion to Approve an Ordinance Granting a Special Use Permit to Jack Pease and Chicago Title Land Trust u/t/n 204126 for a Planned Unit Development for Spruce Lake Business Park including a Permanent Ready Mix Concrete Plant – 33450 North U. S. Highway 12

MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY WAGNER TO APPROVE ORDINANCE #0-08-379 – AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO JACK PEASE AND CHICAGO TITLE LAND TRUST u/t/n204126 FOR A PLANNED UNIT DEVELOPMENT FOR SPRUCE LAKE BUSINESS PARK INCLUDING A PERMANENT READY MIX CONCRETE PLANT – 33450 NORTH U.S. HIGHWAY 12

ROLL CALL VOTE:

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

AYES – 5, NAYS – 0, ABSENT - 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

4. Motion to Approve an Ordinance for the Continuation of the Special Use Permit for mining and the processing of aggregates and concrete and site reclamation for a period of time ending on or before December 31, 2011

Short discussion followed.

MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE CROW TO APPROVE ORDINANCE #0-08-380 – AN ORDINANCE TO APPROVE THE CONTINUATION OF THE SPECIAL USE PERMIT FOR MINING AND THE PROCESSING OF AGGREGATES AND CONCRETE AND SITE RECLAMATION FOR A PERIOD OF TIME ENDING ON OR BEFORE DECEMBER 31, 2011.

ROLL CALL VOTE:

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

AYES – 5, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

5. Motion Approving an Ordinance – Budget and Appropriations for The Fiscal Year Beginning May 1, 2008 and Ending April 30, 2009

Discussion followed.

MOTION WAS MADE BY TRUSTEE WAGNER AND SECONDED BY TRUSTEE WEGENER TO APPROVE ORDINANCE 0-08-381 – AN ORDINANCE APPROVING THE BUDGET AND APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING MAY 1, 2008 AND ENDING APRIL 30, 2009

ROLL CALL VOTE:

PRESIDENT RUSSELL	AYE
TRUSTEE BUSCHICK	AYE
TRUSTEE CROW	AYE
TRUSTEE EVANS	ABSENT
TRUSTEE PORTER	ABSENT
TRUSTEE WAGNER	AYE

TRUSTEE WEGENER

AYE

AYES – 5, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

6. Motion to Approve a salary increase for Village employees of five percent (5%) for each employee

MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE WEGENER TO APPROVE A SALARY INCREASE OF FIVE PERCENT (5%) FOR EACH EMPLOYEE.

ROLL CALL VOTE:

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

AYES – 5, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

7. Motion to Approve the Village obtaining a Working Cash Loan in an amount not to exceed \$2,000,000 from either Chase Bank or Midwest Bank and directing the Village Attorney to proceed with the necessary loan documentation.

Village Treasurer Cheryl Grolle reviewed her report with the Board of Trustees.

Mr. Tony Leach of the Chase Bank and Mr. John Beresheim of the Midwest Bank presented their revised bids for the loan to the Board of Trustees.

Discussion followed.

MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE WAGNER TO APPROVE THE VILLAGE OBTAINING A WORKING CASH LOAN IN AN AMOUNT NOT TO EXCEED \$2,000,000 FROM CHASE BANK AND DIRECTING THE VILLAGE ATTORNEY TO PROCEED WITH THE NECESSARY LOAN DOCUMENTATION.

ROLL CALL VOTE:

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

AYES – 5, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

8. Motion Approving a Resolution Approving a Contract with Jani-King for a term of two years – Cleaning Services Village Hall

Village Treasurer Cheryl Grolle reported that the phrase “automatically extended” (referring to the renewal of the contract) has been deleted from the contract as suggested by Trustee Porter.

MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE WEGENER TO APPROVE RESOLUTION #R-08-140 A RESOLUTION APROVING A CERTAIN MAINTENANCE AGREEMENT FOR JANITORIAL SERVICES FOR THE VILLAGE HALL BUILDING BETWEEN THE VILLAGE OF VOLO AND JANI-KING OF ILLINOIS AND AUTHORIZING EXECUTION THEREOF

ROLL CALL VOTE:

PRESIDENT RUSSELL	AYE
TRUSTEE BUSCHICK	AYE
TRUSTEE CROW	AYE
TRUSTEE EVANS	ABSENT
TRUSTEE PORTER	ABSENT
TRUSTEE WAGNER	AYE

TRUSTEE WEGENER

AYE

AYES – 5, NAYS – 0, ABSENT – 2

PRESIDENT DECLARED THE MOTION APPROVED.

- 9. Motion Approving Manhard Contract re: Water Quality of Fish Lake Drain Watershed

Because the contract had not been distributed to the Board of Trustees prior to the meeting, this motion was tabled until the June 10, 2008 Board of Trustee meeting.

- 10. Motion Approving the payment of the June 3, 2008 real estate tax Installment

Village Treasurer Cheryl Grolle reviewed her memo with the Board of Trustees and explained that, although some of the Village’s parcels are in the process of filing for exemption, the tax payments are due on June 3, 2008. A list of these parcels is attached.

Discussion followed.

MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE WEGENER TO APPROVE THE PAYMENT OF THE JUNE 3, 2008 REAL ESTATE TAX INSTALLMENT.

ROLL CALL VOTE:

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

AYES – 5, NAYS – 0, ABSENT – 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

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

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

9:30 P.M.: Meeting was adjourned.

Next Board of Trustee meeting is scheduled for June 10, 2008.

MINUTES SUBMITTED BY _____
Judith T. Rutishauser, Village Clerk

MINUTES APPROVED ON _____

