

**VILLAGE OF VOLO  
MINUTES OF THE BI-MONTHLY  
BOARD OF TRUSTEE MEETING  
JULY 24, 2007**

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 Wegener

Absent: Trustee Wagner

President Russell declared a quorum present.

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, Elizabeth Wertke, Chairperson of the Planning Commission and Mr. Greg Hummel of Bell, Boyd & Lloyd, bond consultant to the Village of Volo. A copy of the sign in sheet is attached.

**COMMENTS FROM RESIDENTS**

Mr. Ken Barnick, President of the Terra Springs Homeowners' Association, addressed the Board of Trustees regarding the Village of Volo Parking Ordinance. He was particularly interested in how long it took for the Ordinance to be in effect. Village Attorney Nancy Harbottle responded that Ordinances generally take effect 10 days after approval by the Board of Trustees.

Village Administrator Ken Buchardt added that the Parking Ordinance was very specific and included Village streets by name. It was concluded that the Parking Ordinance would not apply to Terra Springs until the Ordinance is amended to add the street names in the Terra Springs Subdivision after the Village accepts the public improvements in the subdivision.

**COMMENTS FROM GUESTS OUTSIDE THE VILLAGE**

There were no comments at this time.

## **PRESIDENT'S REPORT**

### 1. Review of General Fund Projections

Village President Russell reported that he had met with Mr. Doug Tavierne to review the General Fund Projections. It showed that the Village is pretty much on track with what was projected a year ago, so the Village funds are approximately where they should be.

### 2. Committee Meetings

President Russell commended the Village Board Committee members who have already scheduled meetings; the Community Relations Committee has met to begin planning Volofest on September 22, 2007 and the Public Safety Committee had scheduled a meeting with the Sheriff's Department which needed to be re-scheduled to a later date.

Mr. Dave Young from Lake County Planners was introduced to the Board members and explained that the function of his organization was to help attract new businesses to the Lake County area. One of the businesses he was instrumental in bringing to Volo is the Glacier Project.

Short discussion followed.

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE WEGENER TO ACCEPT THE PRESIDENT'S REPORT AND PLACE IT ON FILE. VOICE VOTE: ALL AYES. PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

## **ATTORNEY'S REPORT**

Village Attorney Nancy Harbottle explained that the Platford Group had made a presentation to the Village over a year ago, to the Plan Commission and the Board of Trustees, for a Planned Unit Development of approximately 13 acres on property that they own adjacent to the existing Volo Commerce Center. It was approved subject to certain conditions which were reflected in an agreement which was provided to the Board members, in their packets, for review.

Mr. Travis Wiersma of the Platford Group then reviewed the Planned Unit Development with the Board members to bring everyone up to date. The proposed site, consisting of approximately 13.75 acres, is located along Route

120 bordered by Route 60 and Ellis Drive which is the main entrance into the Volo Commerce Center. The existing Volo Commerce was developed about 11 years ago. Another 5 acre piece was added approximately 5 years ago, making the total project approximately 45 acres.

The Platford Group now plans to add the 13.75 acres as a commercial retail development to be named Volo Crossings.

An organization named Consumer's Credit Union is under contract to build on an outlot, approximately 2 acres in size, located at the corner of Ellis Drive and Route 120. Their plan has already been reviewed by the Plan Commission and will be presented to the Board members sometime soon.

The center 6.75 acres will be a commercial retail development of small to mid-sized tenants to be developed by the Platford Group and the remaining 5 acres could be divided into 2 or 3 more outlots for service restaurants, pharmacies, etc.

The engineering plans have been revised to include a right in right out along Route 120 for which preliminary approval has already been received from IDOT. The intersection on Route 60 has been changed to a right in right out as well. Preliminary approval has been received from IDOT for this change also. An improvement to the intersection of Ellis Drive and Route 120, which includes widening of Ellis Drive from Route 120 going south attaching into the Cambridge Subdivision, is also being planned. There will be an additional entrance off of Commerce Drive into the Credit Union as well.

Short discussion followed.

Village Engineer Bud Reed was asked for comments at this time.

Discussion followed.

Village Attorney Nancy Harbottle reviewed the Development Agreement with the members of the Board.

Discussion followed.

**RESOLUTION R-07-127 – APPROVING PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE VILLAGE AND PLATFORD CORPORATION AND VOLO COMMERCE CENTER LLC**

**MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE WEGENER TO APPROVE CERTAIN DEVELOPMENT**

**AGREEMENT BETWEEN THE VILLAGE OF VOLO AND PLATFORD CORPORATION AND VOLO COMMERCE CENTER LLC, THE VOLO COMMERCE CENTER SUBDIVISION PHASE II AND AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE THIS DOCUMENT AND THE VILLAGE CLERK TO ATTEST THERETO.**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>AYE</b>
<b>TRUSTEE CROW</b>	<b>AYE</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>AYE</b>
<b>TRUSTEE WAGNER</b>	<b>ABSENT</b>
<b>TRUSTEE WEGENER</b>	<b>AYE</b>

**AYES – 5, NAYS – 0, ABSENT –1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

**RESOLUTION R-07-128 – APPROVING A CERTAIN TERM SHEET BETWEEN THE VILLAGE AND WHITEHALL STREET GLOBAL LIMITED PARTNERSHIP 2007 AND MARS/OCI LLC (ORPUT DEVELOPMENT – 90 ACRES U.S. ROUTE 12)**

Mr. Greg Orput was presented to the Board members and in turn presented his partners, Mr. John Maggiore and Mr. Dick Spinnel. Mr. Orput then made a short presentation describing the proposed development for the Board members.

Mr. Greg Hummel of Bell, Boyd and Lloyd explained some of the conditions of the Term Sheet to the members of the Board.

Discussion followed.

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE WEGENER TO APPROVE A CERTAIN SECOND TERM SHEET BETWEEN THE VILLAGE AND WHITEHALL GLOBAL LIMITED PARTNERSHIP 2007 AND MARS/OCI LLC (ORPUT DEVELOPMENT - 90 ACRES U.S. ROUTE 12)**

**ROLL CALL VOTE:**

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

**AYES – 5, NAYS – 0, ABSENT – 1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED**

**ORDINANCE #0-07-343 – AN ORDINANCE AMENDING THE ORDINANCE #0-03-205 – NUISANCE ORDINANCE**

Discussion followed on the hours for construction activity.

**MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE PORTER TO APPROVE AS AMENDED ORDINANCE #0-07-343 – AN ORDINANCE AMENDING THE ORDINANCE #0-03-205 – NUISANCE ORDINANCE**

**ROLL CALL VOTE:**

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

**AYES – 5, NAYS – 0, ABSENT – 1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

**ORDINANCE #0-07-344 – AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS - TERRA SPRINGS SUBDIVISION**

After some discussion,

**MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE EVANS TO APPROVE ORDINANCE #0-07-344 – AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS -TERRA SPRINGS SUBDIVISION.**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>AYE</b>
<b>TRUSTEE CROW</b>	<b>AYE</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>AYE</b>
<b>TRUSTEE WAGNER</b>	<b>ABSENT</b>
<b>TRUSTEE WEGENER</b>	<b>AYE</b>

**AYES – 5, NAYS – 0, ABSENT – 1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED  
BY TRUSTEE WEGENER TO ADJOURN THE BOARD 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** \_\_\_\_\_