

**Village of Wadsworth
Minutes of the Regular Board Meeting
Held at the Village Hall
October 2, 2007**

Call to Order: President Ryback called the meeting of the Village Board of Trustees to order at 7:30pm.

Pledge of Allegiance: President Ryback led the Pledge of Allegiance.

Roll Call: In attendance were Village President Glenn Ryback, Village Trustees Mike DeMarco, Ken Harvey, Candye Nannini, John Nordigian, Lynn Schlosser and Debbie Spurgeon, Village Clerk Evelyn Hoselton, Village Administrator Moses Amidei and Village Attorney William Stanczak

Approval of Agenda: A motion was made by Nannini and seconded by Spurgeon to approve the agenda for the meeting of 9/18/07 with the following changes: Nannini added New Business 12a & b Discussion and action regarded Proposed Ordinance for Village Clerk and proposed ordinance for fixed agenda which Village President had removed. Nannini also deleted the second Public Input section. Spurgeon moved Trustee Comments section prior to Executive Session and deleted the second Public Comment. Harvey asked why she would not want people to speak. Spurgeon referred to state statute describing it as a privilege and said previous meeting was chaotic and a free-for-all. Nordigian is in favor of second public comment if time limit is established. Nannini asked that item under "A" under public comment be relocated. Administrator believed it would be a short discussion and placed it there. Don Culling was then moved to item "B" under "Old Business". Schlosser asked if second Public Comment was to remain or to be removed. DeMarco wants it removed. Spurgeon wants it removed. Motion by Nannini amended to reflect changes, second amended by Spurgeon to reflect changes.

Voice vote: Ayes all, Nays none. Motion carried.

Approval of the Minutes of meetings held 8/7, 8/21, 9/04, 9/18: Attorney Stanczak stated that court reporter could not transcribe tapes since speakers were not identified and talked over each other. She returned tapes. Nordigian noted his comments on Attachment A were quite wordy and suggested they be reduced to 2 or 3 lines. Other minutes were acceptable to him. Some members did not bring minutes distributed at previous meeting. Nannini thought minutes were inaccurate. Board did not approve any minutes since court reporter could not transcribe tapes. Spurgeon suggested calling former Clerk Stickler to provide minutes. Attorney noted that Stickler could transcribe but Clerk is only person to create the minutes. They should be short, concise and contain a summary. Speeches should not be included. Trustee's agreed to each submit corrections. Schlosser ready to approve 9/18 now. Motion to approve 9/18 seconded by Demarco. Extensive discussion of changes without consensus. Administrator Amidei will provide new copies of all minutes for 4 dates and collect all corrections. Motion by Schlosser to table until next meeting, seconded by DeMarco

Voice vote: Ayes all, Nays none. Motion carried.

Correspondence 9/04/07-9/18/07: All correspondence received at the Village Hall from September 18, 2007 through October 2, 2007 was reviewed and placed on file.

Public Comment: Mr. Stephen Bero from Warren-Newport Library presented the president and vice president of library Board as part of their Outreach Program and invited everyone to call upon them if they can be of assistance with library services.

Mr. Nannini had his question on minutes answered previously.

Debbie Lencioni, 38545 Burr Oak Lane, questioned a building permit issued to a neighbor for a large detached garage which could possibly affect water run-off on her property and block open views. He was supposed to have homeowner association review. Amidei confirmed that permit had been issued but specific location may be

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changed due to drainage concerns. Letter was sent in September with items needing answers but has not been answered. Village does not get involved in covenant issues. Village Engineer is holding up project until items on letter are addressed.

Mr. James Gamble, 38660 Burr Oak is president of Homeowner Association and asked that village notify them when a permit is about to be issued. He noted other residents have detached garages, but would like village to check site before issuing permit. Amidei noted that size of garage is consistent with Village Code. Gamble also asked about some village roadway and drainage improvements from 2 years ago and requested follow-up. Amidei volunteered to do so.

Julie Tochar, 13326 W. Hidden Springs, learned that tree nursery north of Route 173 may be disconnected and moved to Zion. Much property is being transferred in area. She reported a car was broken into at Chestnut Trails Subdivision. Asked about Winthrop Harbor police for patrol since has never seen them in her area. She has seen Sheriff on several occasions. She also asked to survey public about 3 Concerts in Park and \$20,000 expense, suggesting that other communities have similar events but seek donations.

Frank Alessi with the Chestnut Trails Homeowners Association asked that they also be notified if building permits are to be issued so covenants can be met and to avoid problem Mr. Gamble is having on Burr Oak.

Village President's Report:

Resolution to appoint Director and Alternate Director to represent Wadsworth at Solid Waste Agency of Lake County (SWALCO). Trustee Schlosser asked if they were paid positions. They are not. Public Service Chairman Trustee Harvey will be Alternate and President Ryback will continue as Director.

Motion by Spurgeon, seconded by Nordigian to appoint President Ryback as Director and Trustee Harvey as Alternate Director

Roll call vote: Ayes all, Nays none. Motion carried

**Committee Reports:
Road and Bridge:**

Schlosser received request from resident on Boulevard View at Wadsworth Road to vacate unimproved right-of-way. Trustee Harvey also visited site and feels this road would never be permitted by Lake County due to proximity of Heatherstone intersection. Schlosser indicated that property owner needed additional space for new home's septic system. Attorney Stanczak noted that 1/2 of right-of-way is typically offered for sale to each adjacent owner and if no utilities are present currently, there may never be a need for them. Schlosser suggested that right-of-way not be vacated.

Motion by Schlosser, seconded by Harvey, requesting Peter Baker & Sons Pay Estimate Number 1 and Final Pay Request for 2007 MFT Road Project in the amount of \$96,881.82 be released for payment.

Roll call vote: Ayes all, Nays none. Motion carried

Schlosser discussed additional road patching in Southeast District which was done during Road Program. She noted that some damage on road edges appears around curves appears to have been done by garbage trucks. Motion by Schlosser, seconded by Nannini, to approve and award payment to Peter Baker & Sons for additional road patching in the amount of \$8,309.30

Roll call vote: Ayes all, Nays none. Motion carried

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Schlosser reported on two snowplowing bids received of 16 sent out. They were from Kelley Landscaping and Kirschhoffer Trucking. Village Engineer prepared bid specifications based on average winter and requested list of available equipment, then compared both contractors. Kirschhoffer bid had more equipment and was low bidder. Motion by Schlosser, second by Harvey, to award Kirschhoffer Trucking the 2007-2009 snow season Snowplowing Contract based on the bid that was submitted, based on unit costs. Nordigian asked where Kelly Landscaping was located, which is local.

Roll call vote: Ayes all, Nays none. Motion carried

Public Service:

Trustee Harvey is working with Newport Township Fire Department Deputy Chief Hubbard on the Early Warning Detection System and is assembling an emergency plan for the village which is required before applying for federal grant money. It is presently at 257 pages and growing in draft form. It will not be printed until all input is complete, at which time each Trustee will receive a copy for review and comment. He suggested the entire board may review as a group, or form an Ad Hoc Committee with Trustees and residents. It should be reviewed to be certain it meets the needs of the citizens. Items have been drawn from many other communities' emergency plans. After that an ordinance will be drafted for adoption.

Planning Zoning Plats:

Prior to this meeting, Trustee DeMarco along with the Village Engineer, Village Attorney and Village Planner and Village Administrator met with Carl Kupfer regarding 2 sites for residential development. One site is not in Wadsworth near Kilbourne Road and Hickory Lane and contains 106 acres for which 52 lots are proposed. The other is in Wadsworth near Plaza Lane is 30 acres planned for 11 lots. The Planner and Engineer offered suggestions on his preliminary plan. He will then be put on the schedule for the Village Board to give input.

Ordinance:

Trustee Nordigian had no report.

Parks and Village Hall:

Trustee Spurgeon noted that Village Hall parking lot sealcoating was completed.

Road and Bridge:

Trustee Schlosser said Adams Road is done. Sign installation in Southeast District is ongoing. Bob and Pat have been working on trimming trees and brush in that area.

Finance:

Trustee Nannini had no report

Old Business:

Dennis Greenspon Temp CO:

Dennis Greenspon Stables requested a temporary Certificate of Occupancy at last meeting. He has submitted request for amendment to Conditional Use Permit which changes wording from "any certificate of occupancy" to "final certificate of occupancy." Their revised landscape plan has been submitted to Christensen for review. He also replied to Bleck's letter of items needing attention. He would like to occupy the stable only, bringing 50-plus horses in for boarding. DeMarco was concerned about the building size being increased without engineer's knowledge. Harvey asked about driveway widths being reduced and being too narrow for fire equipment. Fire Chief Kirschhoffer was present and gave his okay. Much discussion on other details of building and site until Board was satisfied. Attorney Stanczak concurred with Board. Schlosser disagreed.

A motion was made by Nordigian and seconded by DeMarco to approve the amended Conditional Use Permit for the Greenspon development and authorize the Village Engineer to authorize the Building Department to issue a Temporary Certificate of Occupancy when the conditions are met.

Roll call vote: Ayes- Nordigian, DeMarco Spurgeon, Nannini, Harvey,. Nays – Schlosser. Motion carried.

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Motion by Nordigian, seconded by Harvey to have Attorney prepare the ordinance which allows change in Conditional Use Permit wording.

Roll call vote: Ayes- Nordigian, DeMarco Spurgeon, Nannini, Harvey,. Nays – Schlosser. Motion carried.

Don Culling building addition: Don Culling was directed to apply for a variance for building addition. His pole barn was constructed in 1998 while property was unincorporated. He has approval from Health Department and Lake County Storm Water Management. It will be on Zoning Board of Appeals agenda October 30th, since FAR is increasing from 0.11 to 0.12. Variance is required not for setbacks but for lot coverage. At that meeting, the Maya Subdivision will also be discussed.

**New Business:
Discuss Ordinance regarding
Village Board Minutes:** Trustee Nannini requests that Village Clerk be solely responsible for preparing meeting minutes, without help from Board Members and be presented for approval at next meeting. Any outside help will require Board approval. Corrections to be presented at next Board meeting. She is concerned that minutes will contain bias if corrected by Board members. Nannini talked to State's Attorney who encourages this type of rule. Motion by Nannini, seconded by DeMarco to have Village Attorney prepare ordinance.

Roll call vote: All Ayes, Nays – none. Motion carried.

**Discuss Ordinance regarding
Meeting Agenda Format:** Trustee Nannini presented her proposed agenda format. Any changes, additions or deletions would require Board approval. It eliminates the second Public Input section.

Motion by Nannini, seconded by DeMarco to have Village Attorney prepare ordinance establishing agenda format for Village Board meetings. Trustee Harvey noted that agenda is missing reports section and asked Village President's opinion. President noted that second public input is for residents who stay until end of meeting. Nannini doesn't care what is done in other communities regarding their agenda. Nordigian and Harvey are in favor of second public comment and suggested a time limit.

Roll call vote: All Ayes, Nays – none. Motion carried.

Village Attorney's Report: Attorney Stanczak had no report.

Village Administrator Report: Amidei has learned of trick-or-treat hours for neighboring communities and suggests Sunday, October 28 from 1-5 PM. All agreed. He suggested that when Wadsworth renews the recycling contract to direct recyclables to Recycle America in Grayslake in order to qualify for the "per ton" payment from SWALCO. Village of Mundelein is considering a single hauler to reduce number of trucks on streets. DeMarco doesn't like idea. Schlosser likes idea of less garbage trucks on roads. Amidei will investigate. He will put a list-serve question out to see what other communities are doing. Amidei is following up on Schlosser's concern of signs being placed on right-of-ways on weekends. He checked with other communities and they vary. He will get information from Lake county getting clearance to collect them. Schlosser wants to pay someone to pick them up and assess a per-sign fine rather than disposing of them. He would also like to change some language in the sign ordinance to be more specific and will first contact Lake County. Sal's Landscaping again has sign in front of his residence on Wadsworth Road. Amidei will search for file regarding injunction prohibiting business operation in 2002. Stanczak will look through files he has from John Mullen.

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Amidei is working on Illinois Municipal League template ordinance for right-of-way construction standards for telecommunications and video providers. He is reviewing the new ordinance after attending a seminar in Woodridge last week. It is more in conformance with state laws regarding video providers.

Cable-video provider fee ordinance update. Village can charge same rate as Comcast is charged which is 5%. Customer service standards for video and communication providers are now state law.

Cable-video customer protection ordinance, if adopted, would allow village to spearhead complaints to providers. Trustee's not in favor since there has been no problem to date.

Amidei notified resident at Kilbourne and Wadsworth Roads of future installation of AT&T Project Lightspeed utility box at front of his property.

Village Trustee Comments:

Nordigian - none

Spurgeon-none

Schlosser – none

Harvey-None

Nannini- Provided accounting of concert budget. \$20,000 was amount budgeted for four scheduled events. Actual cost \$15,725.74 including all printing and postage.

DeMarco – Noted he has only received positive feedback on annual Easter egg hunt and the Concert in the Park.

Recess:

Five minute recess before executive session beginning at 11:10PM.

Executive Session:

Motion by Schlosser, seconded by Spurgeon to go into Executive Session at 11:15 to discuss pending litigation.

Roll call vote: All Ayes, Nays – none. Motion carried.

Motion by Nordigian, seconded by Schlosser to return to regular session at 11:36PM

Adjournment:

There being no further business, the meeting adjourned at 11:37PM on a motion by Harvey and seconded by DeMarco.

Voice vote: All Ayes. Nays – none. Motion carried.

Evelyn Hoselton, Village Clerk