

**Village of Wadsworth
Minutes of the Regular Board Meeting
Held at the Village Hall
August 21, 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:** Village President Glenn Ryback, Village Trustees Mike DeMarco, Ken Harvey, Candye Nannini, John Nordigian, Lynn Schlosser, Debbie Spurgeon. Also present were Village Clerk Evelyn Hoselton, Village Administrator Moses Amidei, Village Attorney William Stanczak and Village Treasurer David Kwiecinski.
- Approval of Agenda:** A motion was made by Nordigian and seconded by DeMarco to approve the agenda for the meeting of 8/21/07 as presented.
- Voice vote: Ayes all, Nays none. Motion carried.
- Approval of the Minutes of the Meeting Held 8/7/07:** Nordigian made a motion to accept the 8/7/07 minutes, seconded by Nannini. Discussion regarding the minutes was held, no action taken. Further review of the August 7, June 5, July 3 and July 17 minutes to be held at the end of the meeting after recess at 10:15 for clerk to obtain August 7, 2007 tape for review.
- Correspondence 8/07/07 – 8/21/07:** All correspondence received at the Village Hall from August 7, 2007 through August 21, 2007 was reviewed and placed on file.
- Public Comment:**
- Jeff Williams, 13921 Illinois Route 173 had his property zoned Business in January 2007 and requested a sign for his business. Discussion regarding fact that property is being used for both residential and business and was previously used that way while in unincorporated Lake County. Nordigian asked for a sample of what Williams would propose for signage. Trustees agreeable to ideas for sign layout and material. Williams directed to bring sketch to next Board meeting.
- Rick Taylor asked to add an open-sided shed to an existing garage on his property. Taylor states that Building Inspector Leable believes there are currently two residences on the property. Further discussion on type of building and size proposed. Administrator Amidei suggested a meeting to discuss Taylor's proposal on Friday.
- George Planey wants to thank the Board for the stop sign at Oak Crest Lane and Cashmore Road. It slows people down and the UPS driver thinks it is great.
- Mr. Bloom who lives on Schlosser Court, states a lot of work went into trying to handle the water drainage problem over there but somebody really needs to take a look at it after a heavy rain such as this Sunday morning. He is concerned that since two drain pipes were completely surrounded by rushing water, future residents may want to sue the Village. Ryback and Amidei advise that the Village engineer will be looking at this area. There is a new Lake County Stormwater Management Commission requirement that the developer do a report after a significant rainfall regarding what is observed.
- Karen Blanck, 13457 Highway 173, (between Green Bay Rd and Delany), is trying to sell her business east of the railroad tracks. A new house was built behind the property, zoned commercial. They had buyers very interested in the property but they were turned down by the Board. One was industrial condos and the village board said no. She doesn't understand Wadsworth not wanting the industrial condos. What kind of business is it the Board wants? Resident advised the usage table for Business Zoning is on the Village website. Resident wants to know her chances to go back to Zion. Amidei and Ryback will review and call the resident to set up a meeting.

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Newport Township Fire Protection District Trustee Jerry Nellessen reported he has already talked with the Village President regarding issues with the Fire Department. Parts of the fire station are over 50 years old. The staff is sleeping in the basement contrary to fire code. Finances won't allow a new facility. While the Wadsworth Road tollway bridge was being replaced, a manufactured home was provided to the Fire Department by the State of Illinois to provide services on the other side of the tollway while the bridge was being completed. They had personnel living out there and providing service to the Old Mill Creek area and the county area north of 173. The home is being stored at Temple Farms in Old Mill Creek but it needs to be moved. They would like to discuss the possibility of using the building as temporary quarters until they can come up with a final solution regarding sleeping quarters. They would like to position it behind the fire station where it would not be seen from the road unless you look between the two buildings. Discussion regarding coming to the first meeting in September for zoning variance. A second issue Nellessen wants to discuss is the fact residents are actively trying to get annexed into Zion and Antioch which lessens the tax base and the funding they receive. If there is any further commercial business building on the corner of Green Bay Road, the fire district would certainly like to see it accepted by the Board as new construction helps with the funding.

Kristen Kirshhoffer-Need the modular building for Fire Department use.

Mr. Richards: Need to provide a safer building, he thinks the modular building should be acceptable for the Village.

Chief Kirschhoffer: As reported, the Fire Department building is in poor shape and they need a place for the on-duty staff to sleep. Wadsworth is attracting volunteers from far away so they can learn the job, and services then can be provided at a reasonable rate. When these volunteers are from far away, they have to sleep on site and with the economy being as it is right now there just is no way to add on to the building at this time. They have 6 volunteers, none of whom reside in the area. Chief would like to see more commercial and business rather than an increase in taxes due to a referendum. Discussion by the Board, the matter will have to be put on the agenda and voted on. Board suggested FD submit a photo and plan of the area the trailer will be placed and a photo submitted of where it is now. Nordigian notes he will support the project. Chief pleads that commercial development is the bread and butter of Fire Department, since Forest Preserves and agriculture offer little or no tax base .

Treasurer's Report:

A motion was made by Nordigian and seconded by Nannini to approve the Treasurer's report as of July 31, 2007 as presented by Treasurer Kwiecinski.

Roll Call Vote: All Ayes, Nays none. Motion carries.

**Checks Issued
07/08/07 to 8/21/07**

A motion was made by Nannini and seconded by DeMarco to approve the checks issued July 8, 2007 through August 21, 2007 in the amount of \$137,078.52 as reported by Treasurer Kwiecinski. Trustee Nordigian questioned \$48,000 amount to Bleck and \$300 plus for new keys. Amidei explained that keys and locks needed updating.

Roll Call Vote: All Ayes, Nays none. Motion carried.

Bill Paid as of 8/21/07

A motion was made by Schlosser and seconded by Nordigian to approve the bills to be paid in the amount of \$33,279.08 as noted in the report of Treasurer Kwiecinski.

Roll Call Vote: All Ayes, Nays none. Motion carried.

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Committee Reports:

Finance:

Nannini reports that every month a report is received from Winthrop Harbor Police Regarding a breakdown of all traffic citations issued which is available for review in the Village office. There were 135 traffic stops in June, 49 on Route 41. Officer Bitton makes routine rounds in the Village.

Public Service:

Harvey reports early warning detection system still in the works, awaiting the Fire Department receiving an outline. He hopes to have more by next meeting.

Nannini reports the concert in the Park for 8/18/07 was cancelled due to rain. A 40% refund was received as identified in the contract.

Nannini reminded trustees that when the Village was involved with the Miss Wadsworth pageant, a \$1,000.00 scholarship was presented to the outgoing Miss Wadsworth at the pageant. A couple of years ago the Village stopped the involvement with Miss Wadsworth however it was indicated that the Village would be open to donating the scholarship money if requested. She believes the new director is doing a great job and that they should be advised to request the scholarship prior to the pageant each year so it can be presented at the pageant.

Nannini made a motion to present a \$1,000.00 scholarship to the 2006-2007 outgoing queen, Harvey seconded.

Voice vote: all ayes. Motion carried.

Parks and Village Hall:

Spurgeon reports that she is pleased with the walking trail repairs. This was to the area washed out with the unusually heavy rain. Even with the repairs totaling \$518.00 the project remained under budget

A motion was made by Spurgeon and seconded by Schlosser to approve \$15,000.00 for park improvements in Jonathan Knolls subdivision.

Discussion held regarding benches, wood chips and playground equipment.

Roll call vote: All Ayes, nays none. Motion carried.

Road and Bridge:

Peter Baker completed patches and paved areas, and the chip and seal on 21st Street. Gravel shoulders and landscaping around replaced culvert still need to be done. Curran Contracting is on hold for Adams Road until ditches dry enough to landscape and seed, then can come in to install finish course and shoulder gravel. Pat Maddox is going to have Curran add additional asphalt on Adams road sink hole near railroad when done with Adams Road.

Stop signs were installed at Cashmore Road and Oak Crest Lane.

Public Works will begin installing gravel on Hart, 9th St and Mill Creek after the rain subsides. They installed traffic control signs on Mill Creek Rd north of 173.

Continue to find areas that Bob should clear brush throughout the village. He and Pat started to install signage in the Southeast District.

Schlosser asked Pat Bleck about restricting parking in cul-de-sacs for safety reasons. Discussion by Board. No action taken.

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Schlosser made a motion to authorize the Village Attorney to amend the village code changing the speed limit to 30 mph on Delany Road north of 173, seconded by Nannini. Purpose is to have continuity in the village. Dan Dziekan, Township Road Commissioner, informed that township has jurisdiction over two portions of Delaney Road and would require County approval to lower it to 30 MPH. Schlosser noted she was unaware that the township owned a portion. Nordigian noted he thinks road study would be required, since it might raise the speed limit instead of lowering it. Schlosser agreed that could be a possibility if a study were implemented. Nordigian asked for a Board vote for support of lowering the speed limit.

**Motion to lower Delany Road
Speed Limit North of Rt 173**

Voice vote: Ayes: Schlosser. Nays: Nordigian, DeMarco, Harvey, Nannini, Spurgeon. Motion failed.

Schlosser discussed the Village's liability in subdivisions in landscaped right-of-way areas. Nannini asked if implied liability to Village and why Village is responsible for what happens in our right-of-way. Discussion held regarding this, the Village attorney will investigate if there is a way to protect the Village's interest.

**Motion for cost estimate for
Various roads**

Schlosser requests a motion to approve obtaining engineer cost estimate for Mill Creek Rd, Hart St, 29th St which are gravel roads and core samples for 27th Street and Place, 28th Street and Place to determine the condition of the base of the roads.

Spurgeon made a motion, seconded by Nannini to have the Village engineer prepare cost estimates to determine the condition of the roads.

Roll call vote: All ayes, nays none. Motion carried.

Schlosser advises that the Township has offered to work with the Village again regarding snowplowing.

Snowplowing Bids

Harvey made a motion, seconded by Spurgeon to authorize the Engineer to obtain bids for Village snowplowing for 2007-2009.

Roll call vote: All ayes, nays none. Motion carried.

**Ordinances and Resolutions:
Building Revision Ordinance**

A motion was made by Nordigian and seconded by DeMarco to adopt 2007-737, an Ordinance amending the Village Code regarding building codes.

Discussion was held regarding the changes.

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

Potential changes in ROW Code

Amidei discussed the Village Code regarding establishing standards for the construction of facilities in the Public Right of Way. A new state law went into effect recently regarding video service providers. The law allows the provider to either approach the village or go to the state for authorization to provide service. Amidei provides the board with a copy of the current Village code regarding telecommunications and right of way construction. The Village currently has adopted a 1998 ordinance. IML will be creating a new ordinance that will be more in accordance with the new state law. Suggest waiting for the new model before reviewing the Village ordinance.

Old Business:

None.

New Business:

None.

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Village President's Report:

Appointment of some former members and some new members to the Business and Economic Development Committee established in 1988 under Ordinance 248. It evaluates responsible business inquiries and reports its findings. As directed in the Ordinance, 2 members from Business and Industry are former chairman Harry Pettengill and Pete Campanella Sr. Three residents will include former Mayor Ed Tomkowiak, Rodney Johnson and former Village Clerk Joyce Shelley. The required Trustee will be Ken Harvey and the Village employee will be Art Leable.

Trustee DeMarco asked if anyone had any interest in reviving this inactive Committee, since it has not met in a number of years. Trustee Nannini asked what the purpose was since she was not aware of the committee's existence. DeMarco thinks it is terrible decision and an embarrassment to the village for the Mayor to assemble these nominees without first discussing the need with the board. He asked if there was a need or desire for economic development. Trustee Nordigian noted the committee is an available resource for the Village. Mr. Pettengill stated that it is up to Village to direct the Committee. He noted that although the ordinance was enacted in 1988, no committee really existed until 1996. They did research in the past on data useful for industry that might come to Village for appropriate types of development.

Motion by Trustee Nordigian, Seconded by Trustee Harvey, to approve Business and Economic Development Committee as named.

Roll call vote: Ayes-Nordigian, Harvey. Nays – DeMarco, Nannini, Spurgeon, Schlosser. Motion failed. Trustee DeMarco states the mayor's efforts to circumvent the board is a terrible decision

Village Attorney's Report:

Attorney Stanczak reported speaking with Attorney Doug Roberts, representing the remaining adult bookstore on Route 41 that is in compliance with Lake County Code. Owner would like to annex to Village and remit substantial annual registration fee in exchange for additional signage. No action taken.

Village Administrator Report:

Discussed right-of-way construction/control standards for telecommunication providers and the 1998 ordinance presently in effect. He also spoke to Lake County about their ordinance, which they may be updating. They are working on a case by case basis until that is done.

Village Trustee Comments:

Nordigian – none

Harvey – none

DeMarco – Again questioned construction trailer at Wadsworth Crossing. Believes Village code won't allow trailer until construction begins. Building Inspector issued permit under 10-5-12, item #3. Trustee Spurgeon read village code stating permits must be approved by Village Board. DeMarco does not want permit rescinded in order to avoid additional embarrassment to village.

Spurgeon-none

Nannini – Questioned if permit was valid, since it was not approved by the board.

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Schlosser – Trustee DeMarco was very clear at the last meeting; requesting this trailer be red-tagged.

Executive Session:

A motion was made by Spurgeon and seconded by Schlosser to go into executive session at 9:45 PM regarding pending litigation and personnel personal issue.

Roll call vote: all ayes, nays none. Motion carried.

Motion made by DeMarco and seconded by Nordigian to leave executive session and return to regular meeting of the board at 10:13 pm.

Recess

Motion by DeMarco, seconded by Nannini for 15 minute recess while Clerk left to obtain audio tapes from previous meeting at home.

Voice vote: all ayes, nays none. Motion carried.

Return to open session

Motion by Harvey, seconded by DeMarco to reconvene meeting at 10:30 PM

Voice vote: all ayes, nays none. Motion carried.

Minutes of previous meetings noted on Page One were reviewed and corrections added by Board members. They will be published for review at next meeting.

Refer to Attachment A.

Adjournment:

There being no further business, the meeting adjourned at 1:08AM on a motion by Harvey and seconded by Nordigian.

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

Evelyn Hoselton, Village Clerk

Attachment A
Potential Property De-annexation Route 173 at Green Bay Rd.
8/21/07 Village Board Minutes

Clerk: My question is I was told that there was action taken. Was there any action taken with what went on this tape?

Spurgeon: Oh yeah.

Clerk: There was action taken?

Ryback: What was the action taken?

Spurgeon: The board was poled for very distinct opinions and Mr. De Marco asked that be included in the record. The board also specifically asked you not to attend the meetings and we took a vote on that. Don't see that anywhere here.

Ryback: See, the board can't do that.

Clerk: Was it on the agenda? To take a vote on it?

Spurgeon: The discussion was on the agenda.

Schlosser: Yes. He had it on the agenda.

Clerk: It was on the agenda? I don't have the agenda here.

Ryback: I probably have it. It was added to the agenda unbeknownst to me. But you have to understand that a trustee can't take charge of the meeting and start a round table discussion and that the board can't direct the CEO of the community who was elected to look out for the community to just ignore inquiries from developers. I had heard a rumor at that point that there was a Home Depot in the wings. We're not getting any Home Depot. Had I not gone to the meeting, you would still think it was coming and you would be determined to fight a Home Depot that doesn't exist for our community. I think that is pretty short-sighted.

De Marco: I think we should probably listen to the tape. That's kind of what we waited for all this time.

Ryback: I know what the tape said. You said cancel the meetings. You don't have the authority to say that.

Schlosser: There were other various points of contention. It was brought up that even though you are in charge of leading the village and the meetings, that it is the responsibility of the board to make negotiations with the developers. All these things were discussed, getting back to the fact that there have been a couple of occasions since

you came into office that it's almost like, even though we were voted into office, that you're not even taking into consideration that we are supposed to make the decisions for the Village. If there is a tie you make the decision. We're not saying that you should not have meetings with developers or that you shouldn't meet with residents. I don't think that is anything of what we are trying to say. That was not at all my intention and I'm sure not the rest of you. But the whole point was that there were things that were discussed that are not part of these minutes and it is key to getting across the fact that we had issues with it. It doesn't even discuss the fact that a Home Depot was even part of it. And for you to say, and I apologize for being straight forward with this, but for you to say that we don't have a right to stand up for why we were voted into office is wrong. Because you're saying that we can't do our duties now. We're not saying that you can't do yours, you are saying that we can't do ours. And we were voted to protect the village and do our jobs and you weren't even putting that in our hands. You were taking it away from us. It would have been fine if you had sat down with the board or each of us and said how do you feel about it. The majority of us said we were against it. That's what Mike's intention was to get across in the meeting, That you could have taken that to the meeting with them and said instead of, and I'm just going to use an example, if you intended on possibly giving them the false hopes that this village, or the majority of the board, wanted a Home Depot on the corner that would have given them the false hope of that happening. In you mind maybe you didn't even know what we wanted. So, by having that discussion with each of us that would have better equipped you with how you would represent our village and the board.

Clerk: So what was the action that was taken?

De Marco: We're here at 10 to 12 in hopes of listening to that tape and now we're not going to hear it I was kind of looking forward to hearing it.

Ryback: In reply to your question, I think I did include a couple of people. I included you (Trustee Schlosser) and I included Trustee DeMarco, the chairman of the committee. And what I got instead was an open meetings violation, open meetings act violation of you communicating to the entire board when I was including two board members to come to the meeting on dissimilar committees so there wasn't a conflict. We may not be done with that yet.

Schlosser: I never said you would have a non-open meeting. I never, ever said that, so please don't put words in my mouth. I said to you that I felt that Mike De Marco is responsible for that since he is chairman of the committee and he should have been approached first, not me first, even though I respect the fact that you thought highly enough of me to include me, I appreciate that and I will stand firm on that. But I just felt that, again, not talking to the board before you had that meeting with the developers was the wrong thing to do. And I'm sorry if I feel that the rest of the board deserves to know that, but that's why we are here.

Ryback: In advance of those two emails, I contacted everybody, except Trustee Spurgeon because we were playing phone tag, and I told everybody what I had learned about phone calls by residents that these people are calling to buy our property and take it to Zion. Can they do that? And that was my concern. When I finally contacted the people and they said we were told by somebody here that we don't want retail development in Wadsworth, so we've gone to Zion and we have everything prepared to annex to Zion, I shared that concern with everybody. And then I was finally able to get a meeting with those people

Nannini: What did you just say? The developer said that to you?

Ryback: The residents called. The residents are calling Village Hall and saying we're getting calls. So I expressed my concern and I called everybody and I talked to everybody except Debbie about that concern.

Nannini: No, the part about somebody said we don't want it.

Ryback: They came here six or eight months ago and they were told we don't want any retail development

Nannini: Who is they?

Ryback: The developers. The developers came here. Moses recalls the meeting when they were here. They said we came to your school house, to the office and we talked to the mayor at the time and he said we don't want that here and they left and they went to Zion. And Zion was happy to do it. And Zion is ready to annex all the property once they establish a disconnection.

Nannini: How come it all went away, just out of curiosity?

Ryback: It hasn't gone away.

Nannini: You said there is no Home Depot in Wadsworth.

Ryback: There is no Home Depot in Wadsworth.

Nannini: How did that go away?

Ryback: They don't want to use the name of any retailer in particular that is already planned for another community. It's planned for Zion. It's going to be in Zion. It's going to be on a different corner. It was never planned for Wadsworth. Had I not attended a meeting, I would not know that

Nannini: That's not what you told me on the phone. You said they wanted to de-annex the nursery and from the Citgo Station south and that your feeling was you didn't want the de-annexation. I agreed. And you said that you want the business in Wadsworth if

it's going to be there anyway. You want the tax revenue in Wadsworth and I said, I don't care how much money it is, I don't want that type of business in Wadsworth. That's not the type of retail the residents of Wadsworth have in mind. You implied that it is better to keep control of development that will affect nearby residents in your community. That's what I found offensive about your reaction. That is why I said I don't want you to go to that meeting until you get the overall viewpoint of the board so you are presenting the viewpoint of the board, not your own.

Ryback: Correct

Nannini: That's my rationale behind asking you not to attend the meeting.

Harvey: On behalf of the mayor, I respect him enough and give him enough credit to know that he knows he cannot make decisions or give the implication that we're going to go in a specific direction without bringing it before the board. He knows he can't go there and tell somebody they're going to build and then come here and ask us to approve it. That's almost ludicrous to think that.

De Marco: Would that be similar to listing the names (Business and Economic Development Committee) and circulating it to board members before he mentions it to us? Similar concept.

Spurgeon: And issuing a permit without approval ?

Ryback: The building inspector issued that permit.

Spurgeon: On your recommendation is what we were told.

Ryback: The trailer was issued a red tag and the building inspector issued the permit.

Ryback: And the other thing probably I said to you in my conversation was if there is going to be a large retail development built on that corner and it is within our territory we don't want to give up control of it.

Nannini: I don't know. I think that is a huge decision for this village to make because we have done no research on the costs involved with a retail development of that nature. We don't have the infrastructure to support that kind of a thing. There might be an occasion where we would let them de-annex the property and let another community have the headaches that go with it. You need to research these proposals and make sure you are not jumping in for the \$1 million in tax revenue but it's going to cost you \$1.5 million every year. You don't even know.

Ryback: You are exactly right you need to do the research, but without going to the meeting and talking to the people we'd have no idea.

Trustees listened to tape of 8/7/07 meeting as requested by De Marco