

**Village of Wadsworth
Minutes of the Regular Village Board Meeting
Held at the Village Hall
May 2, 2006**

- Call to Order:** President Furlan called the meeting of the Village Board of Trustees to order at 7:30 P.M.
- Pledge of Allegiance:** President Furlan led the Pledge of Allegiance.
- Roll Call:** In attendance were Village President Ken Furlan, Village Trustees Mike DeMarco, Candye Nannini, John Nordigian, Glenn Ryback and Lynn Schlosser, Village Clerk Christine Stickler and Attorney William Stanczak. Trustee Debbie Spurgeon was absent.
- Approval of Agenda:** Furlan noted several changes under new business. 10b Greenspon Stables CUP was eliminated and two items were added as 10b. Zoning Text Amendment and Map Amendment for Southeast District and 10c Text Amendment for Table 1 Use List of the Village of Wadsworth Zoning Ordinance. A motion was made by Ryback and seconded by DeMarco to approve the agenda for the 5/2/06 meeting as amended.
- Voice vote: Ayes all; Nays none; Absent Spurgeon. Motion carried.
- Approval of the Minutes of the Meeting Held 4/18/06:** The minutes of the regular Village Board meeting held 4/18/06, as presented by the clerk to all Board members, were approved on a motion by Ryback and seconded by Nannini.
- Voice vote: Ayes all; Nays none; Absent Spurgeon. Motion carried.
- Correspondence:** All correspondence received at the Village Hall from 4/19/06 to 5/2/06 was reviewed and placed on file. The Board received a letter from Amanda Guthrie, Miss Wadsworth 2005, thanking them for the scholarship awarded to her.
- Public Comment:** All members of the audience who requested to speak at the meeting had comments regarding the rezoning of the Stonegate Subdivision; therefore, public comments were deferred until the discussion of that issue.
- Ordinances/Resolutions:** None.
- Old Business:**
Rezoning Stonegate Sub. Before accepting public comments, President Furlan made a preliminary statement regarding the rezoning of the Stonegate Subdivision. Furlan stated that the Village has been trying to accomplish this rezoning for a year. All properties in the subdivision are considered legal non-conforming because of the default AG zoning that was assigned at the time of annexation. If the Village does not change the zoning, Furlan believes that the Village is doing a disservice to the residents because of the issues that can be created when the actual property parameters do not meet the requirements of the assigned zoning.
- Public Comment:** Bob January, 40790 Lester Lane, noted that he and the other residents of the subdivision oppose the rezoning and requested that the Village Board

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follow the recommendation of the Zoning Board of Appeals and not rezone the Stonegate Subdivision.

Gordon Olson, 13885 W. Stonegate Road, asked for an explanation of the benefits of the rezoning and questioned if it was so important why it has been left AG since the subdivision was annexed in 1991. Olson also noted that three years ago he annexed some additional property that he purchased and the non-conforming zoning was never mentioned and there have been no problems. Furlan responded that because the inappropriate zoning was the fault of the Village, the Village has been very lenient regarding accessory buildings and setbacks requirements in the area. However, what residents must understand is that things change. Additions are not allowed on legal non-conforming property and rebuilding is not guaranteed if a disaster should occur. A petitioner would be at the mercy of the Board members at the time of the request. Olson stated that he would go to court to disconnect from the Village if the zoning is passed.

Doris Schultz, 40735 Lester Lane, asked why the Village did not send out information to the residents in order for them to make an informed decision if there are so many important affects of this rezoning.

Rebecca Carpenter, 40805 Delany Road, stated that she was told at the ZBA meeting that her chickens would be allowed under the rezoning and now she is being told that they would not be allowed. It was explained that it is correct that animals are allowed in SR; however, there is also a minimum property size that her property does not meet. As it stands today Carpenter's chickens are illegal in AG, however if no one complains, the Village will not enforce the issue. Consenting neighbors may not always be the case as properties are sold to new owners.

James Bullock, 40685 Lester Lane, stated that the residents are very confused by the conflicting information heard at the ZBA meeting and at this Board meeting. He has never heard of legal non-conforming. As the issue stands, he opposes the rezoning, but he would like more information. Joanne Bullock added that when the property was in the county all that was required to build a pole barn was a building permit, whereas the Village of Wadsworth requires a variance.

Karen Olson stated that she was offended by the implication that she could be refused permission to rebuild her house after a disaster due to personal feelings of the Board of Trustees at that time. Furlan noted that the example was extreme to prove his point.

Additional discussions ensued regarding buildings, accessory buildings, setbacks and permitted uses under AG and SR. The residents agreed that they needed more information to understand the position of the Board. Rebecca Carpenter asked if the issue could be postponed to allow some time for residents to do some research to form educated opinions. The Board agreed to move further discussion of this issue until the next Board

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meeting. Nannini proposed that she could compile some information on the main issues, do a comparison of AG legal non-conforming to SR and explain legal non-conforming. This information will be distributed to residents of the Stonegate Subdivision prior to the meeting in order for them to review it and call ahead with questions before the issue is placed on the agenda again. Furlan offered to be available to any resident for a discussion.

**Southeast District Text
Amendment & Map
Amendment:**

A motion was made by Ryback and seconded by DeMarco to authorize the Village Attorney to prepare the necessary documents to effect the zoning change from AG to SR for the Southeast District by way of both a text amendment and map amendment. This area includes the areas annexed in 2004 and 2005 bounded southerly by 27th Street, easterly by Sunset Road, westerly by Bayonne Avenue and northerly by the lots on the south side of 29th Street.

Roll Call Vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser and Nannini. Nays none. Absent Spurgeon. Motion carried.

**Text Amendment
Table 1 Use List of
Zoning Ordinances:**

A motion was made by Nannini and seconded by DeMarco to authorize the Village Attorney to prepare the necessary documents to effect the text amendment to the Table 1 Use List of the Village of Wadsworth Zoning Ordinance.

Roll Call Vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser and Nannini. Nays none. Absent Spurgeon. Motion carried.

**New Business:
MFT Road Program:**

Schlosser noted that the bid for the MFT Road Program ended at 10:00 A.M. on 5/2/06. Four bids were received all of which exceeded the Village Engineer's estimates. A portion of the increased cost could be attributed to the rise in fuel prices. A motion was made by Schlosser and seconded by DeMarco to approve an additional \$15,000.00 for the 2006 MFT Road Program and to authorize the Village Engineer to prepare the supplemental paperwork and the resolution needed to reflect the increase.

Roll Call Vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser and Nannini. Nays none. Absent Spurgeon. Motion carried.

Non-MFT Road Program:

Schlosser noted that the bids for the 2006 Non-MFT Road Program also came in at a higher amount than estimated. A motion was made by Schlosser and seconded by DeMarco to award the 2006 Non-MFT Road contract to Peter Baker and Son Co. in the amount of \$126,117.60, and to authorize the Village President and Clerk to execute the necessary paperwork.

Roll Call Vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser and Nannini. Nays none. Absent Spurgeon. Motion carried.

MFT Road Program:

A motion was made by Schlosser and seconded by Nordigian to award the contract for the 2006 MFT Road Program to Payne and Dolan, Inc, in the

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amount of \$83,095.55, and to authorize the Village President and Clerk to execute the necessary paperwork.

Roll Call Vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser and Nannini. Nays none. Absent Spurgeon. Motion carried.

Handicapped Lift:

Phase two of the lift installation at the Village Hall has been completed and, according to the contract, payment of the second installment is due. A motion was made by Ryback and seconded by Nannini to approve payment in the amount of \$8,363.20 to Steele Mobility, per the contract agreement.

Roll Call Vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser and Nannini. Nays none. Absent Spurgeon. Motion carried.

Hanssen Road Subdivision:

Mark Korinski presented a proposal for a 10 lot subdivision covering the north and south sides of Hanssen Road at Route 41. The property is approximately 21 acres including the road and is zoned AG. The Comprehensive Plan currently has this area labeled as commercial, however that is not a viable option for the property. The intent is to develop the property as a subdivision having 40,000 sq. ft. buildable lots while maintaining the scenic corridor facing Route 41. If necessary a PUD would be considered. The developer will be selling the lots and the purchasers will build their homes. All were in agreement that it appeared to be a good plan.

Mayor's Report:

Furlan requested an Executive Session to discuss employee compensation.

Attorney's Report:

Stanczak noted that he is working on the Administrative Adjudication Ordinance and the Intergovernmental Agreement for the Adjudication Court with Beach Park and Winthrop Harbor. Old Mill Creek has expressed an interest to join the group. Stanczak is awaiting their final decision before completing the documents so they do not need to be redrawn if Old Mill Creek enters.

Stanczak also noted that he forward copies of the dog ordinances he obtained to all trustees for reference purposes.

Trustee's Comments:

Nordigian asked about the Richard's subdivision proposal to the county and was informed that the meeting will take place on 5/23/06.

Ryback noted that he asked Mr. Brosten to come to the meeting to make the Board aware that he is concerned about some of repairs and changes being done at his salvage business on Route 41 and Route 173. Furlan stated that the Village is also aware of the issues, including a \$70,000 permit for \$500,000 worth of renovations. Furlan has already talked to Pat Bleck regarding the 35 parking spaces and the matter was turned over to stormwater management.

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DeMarco noted that he has scheduled 6 of the 7 candidates for the Village Manager position for interviews on 5/20/06 beginning at 8:00 A.M. If necessary he will schedule the remaining interview on 5/16/06 at 6 P.M.

Schlosser noted that due to personal reasons, she might miss the 5/16/06 meeting.

Executive Session:

A motion was made by DeMarco and seconded by Ryback to move to Executive Session at 9:17 P.M. to discuss employee compensation.

Return to Open Session:

The meeting returned to open session at 9:34 P.M.

Employee Compensation:

A motion was made by DeMarco and seconded by Schlosser to approve raises for the Village employees as follows: a 2.5% raise to Bob January; a 3.5% raise to Joan Clavey, and 4% raises to Pat Pasko and Jan Sine.

Roll Call Vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser and Nannini. Nays none. Absent Spurgeon. Motion carried.

Adjourn:

There being no further business, the meeting adjourned at 9:36 P.M. on a motion by Schlosser and seconded by DeMarco.

Voice vote: Ayes all; Nays none; Absent Spurgeon. Motion carried.

Christine E. Stickler, Village Clerk

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