

**Village of Wadsworth  
Minutes of the Regular Board Meeting  
Held at the Village Hall  
February 6, 2007**

- 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, Candy Nannini, John Nordigian, Glenn Ryback, Lynn Schlosser and Debbie Spurgeon, Village Clerk Christine Stickler, Village Administrator Moses Amidei and Village Attorney William Stanczak. All present.
- Approval of Agenda:** A motion was made by Ryback and seconded by Nordigian to approve the agenda for the 2/6/07 meeting as presented.
- Voice vote: Ayes all; Nays none. Motion carried.
- Approval of the Minutes of the Meeting Held 1/16/07:** A motion was made by Ryback and seconded by Nannini to approve the minutes of the 1/16/07 meeting as presented by the clerk to all Board members.
- Voice vote: Ayes all; Nays none. Motion carried.
- Correspondence 1/17/07 – 2/6/07:** All correspondence received at the Village Hall from 1/17/07 through 2/6/07 was reviewed and placed on file.
- Public Comment:**
- Chris Torkelson, 41275 N. Green Bay Road, noted that his property only borders Wadsworth on one side, expressed that he would prefer that his property remains unincorporated and that he is concerned about the zoning process if his property is annexed into the Village.
- Mary Rennick, 40736 N. Cornell Street, stated that the front half of her property is in Beach Park and asked what services Wadsworth would provide. It was explained that the Village would not provide any services to the property, but that the annexation would unify the ordinances in the neighborhood.
- Joyce Childers, 40620 N. Cornell Street, questioned why Wadsworth wants to annex part of her property. Ms. Childers was informed that her property was only one piece of the proposed annexation. State statute gives a municipality the right to annex properties that are surrounded by municipalities, but the municipality must take whole areas and cannot pick only certain properties.
- Jean and Don Sponenburg, 40652 N. Cornell Street, expressed that they felt it was not fair that the Village can annex their property and that they have no say in the matter.

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**Ordinances/Resolutions:  
Ordinance 2007-717  
Annexing Properties:**

A motion was made by Ryback and seconded by Spurgeon to adopt Ordinance 2007-717 Annexing Certain Surrounded Properties. All properties are contiguous to the Village of Wadsworth.

**Adopted**

Roll call vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser, Spurgeon, and Nannini. Nays none. Motion carried.

Following the approval of Ordinance 2007-717, Chris Torkelson, asked how the newly annexed properties will be rezoned, what accessory buildings would be allowed and if the rezoning will be a cost to the property owners. Mr. Torkelson was told that the properties would be rezoned SR, the same as other properties in area, accessory buildings are allowed and that the property owners will have no cost as the Village will be the petitioner for the zoning change.

A motion was made by Ryback and seconded by Schlosser to direct the Village Attorney to prepare the necessary documentation to rezone the properties newly annexed under Ordinance 2007-717.

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

**Ordinance 2007-718  
Rezoning Williams  
Property:**

A motion was made by Ryback and seconded by Nannini to adopt Ordinance 2007-718 Rezoning Certain Property. The Williams' property was annexed on 1/2/07 and is being changed from AG to the B District, which is the common district for the location.

**Adopted**

Roll call vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser, Spurgeon and Nannini. Nays none. Motion carried.

**Old Business:  
Audit Report for Fiscal Year  
5/1/05 4/30/06:**

A motion was made by Ryback and seconded by Nordigian to accept the Audit Report performed by Milburn, Cain & Co., for the fiscal year 5/1/05 to 4/30/06. Discussion was held on the recommendation to adopt GASB Statement No. 34. It was agreed that the Village would not adopt GASB Statement No. 34 at this time due to the significant cost and limited human resources. The audit report was unanimously accepted.

Roll call vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser, Spurgeon and Nannini. Nays none. Motion carried.

**Poul's Nursery  
Temporary Trailer:**

Discussion was continued from the 1/16/07 meeting regarding the temporary sales trailer for Poul's Nursery, a 110-acre nursery on Adams Road. The temporary permit for the trailer expired on 12/31/06 and Dan Kjeldbjerg has requested an extension for the trailer as the nursery experienced some business setbacks that delayed plans for the permanent structure. Kjeldbjerg apologized to the Board for not addressing this issue until after 12/31/06 and stated that since the last meeting he has done research and consulted with his attorney regarding the construction of a 60' x 64' permanent pole barn on the site. He has an engineering plan and a landscape plan, but is waiting for

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approval from the Board before hiring an architect. Nannini presented photos to clarify what is currently on the property. Although the Board supports the business venture, concerns were expressed by several trustees that a precedent was being set by allowing the temporary sales trailer in residential zoning. It was noted that the property is zoned SR and the building being suggested does not conform, therefore it would require a variance or CUP. There is also a binding agreement for the property and in order to apply for the building permit and variance, the nursery will need to obtain written consent from all parties to the agreement. There was also discussion that the impervious area threshold was at a maximum, which might cause a problem for adequate parking. It was suggested that the nursery pursue all issues regarding the permanent construction simultaneously: A) Obtain approval from SMC; B) Prepare a draft letter for approval by the Village Attorney for the written consent of all involved parties to apply for the construction permit and variance; and C) engage the services of an architect to present plans to the Village. To ensure that Poul's Nursery is committed to this project, a motion was made by Nannini and seconded by Nordigian to allow the temporary trailer to remain on the site until 5/15/07. At that time the Board will review and discuss the progress of the project and determine further action.

Voice vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser and Nannini. Nays Spurgeon. Motion carried.

**New Business:**

None.

**Mayor's Report:**

**Tollway Project:**

Furlan presented information on the North Tri-State Tollway Rebuild and Widen Project. Rebuilding and widening the section of road from Dempster Street to Grand Avenue, and rebuilding from Grand Avenue to Russell Road, will provide congestion relief and reduce travel times. No noise abatement will be provided on the north end of the tollway and it will be the responsibility of the governing municipality to require noise abatement if necessary for any new construction in the future. The project is currently in the design phase, with reconstruction work scheduled to begin on the section north of Grand Avenue to Russell Road in spring 2007. Completion is targeted for 2009/2010.

**Richards' Subdivision:**

Furlan reported that he attended the County Planning, Building and Zoning Committee meeting and objected that the 24-lot Richards' Subdivision did not take the scenic corridor into consideration in its plan. The subdivision will have access off of Delany Road, and since the Village has control of Delany Road, it will be necessary for the Village to sign the final plat of subdivision. Pat Bleck has the right to review the plan under the Comprehensive Plan.

**Beach Park:**

Furlan reported that he was deposed for the Beach Park lawsuit against the county.

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- Attorney's Report:** Stanczak investigated what is required in order for the Village to enforce the law on gaming machines that payout. Currently the Village has nothing to enforce. Stanczak suggested an ordinance regulating the gaming machines including the stipulation that a liquor license would be revoked for a violation. A gaming machine registration fee that covers the cost of the enforcement should be considered.
- Administrator's Report:** The population count resulting from the GUPCP census has been certified and will be reflected in the February revenues.
- Census:**
- Building Codes:** Building code updates should be completed by the next meeting and changes will be presented to the Board.
- Miss Wadsworth Pageant:** Amidei received a request from the Miss Wadsworth Pageant Committee for permission to use the Village Hall for a meeting. A straw vote indicated that the committee could use the building for a meeting during business hours at no cost, however, a fee of \$50.00 will apply if the meeting is held after business hours and someone is required to open and lock the doors.
- Sign Installation:** Amidei reported that at least 25 signs, including poles, need to be installed in the SE District and a quote of \$2,900.00 was obtained. Since there are other areas in the Village that will need signs, Amidei made some comparisons and reported that the Village could purchase a machine for \$3,400.00 that Village personnel could use throughout the Village. As this task has been performed by the Village staff in the past, Amidei was directed to purchase the machine.
- Emergency Warning Siren:** The Tower Lakes emergency coordinator is looking to obtain a state grant for emergency sirens and contacted the Village to see if there was any interest in joining them in the venture. Amidei will pursue the issue if grant money is available.
- Amidei asked the Board to convene an Executive Session to discuss pending litigation.
- Trustees' Comments:** Nannini recapped the success of the 2006 concerts in the park and suggested four concerts for the 2007 Concert in the Park series. It is necessary to set the dates in order to book entertainment. A motion was made by Nannini and seconded by DeMarco to approve a budget not to exceed \$20,000.00 for the 2007 Concert in the Park series for four concerts to be held on the 3<sup>rd</sup> Saturday of June, July, August and September.
- Roll call vote: Ayes Ryback, Nordigian, DeMarco, Schlosser, Spurgeon and Nannini. Nays none. Motion carried.
- Schlosser reported that No Parking signs are posted in various residential areas throughout the Village. As there are no safety issues to prohibit

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parking and as there is no ordinance to enforce the signs, it was suggested that the signs be removed.

Schlosser presented a draft of proposed mailbox installation requirements that could be used to standardize mailboxes in the Village and to limit the liability of the snowplowing contractor and the Village for damaged mailboxes. Amidei will research the issue for further discussion and a recommendation that could be incorporated into an enforceable ordinance.

**Executive Session:**

A motion was made by Nannini and seconded by Ryback to move to Executive Session to discuss pending litigation.

Roll call vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser, Spurgeon and Nannini. Nays none. Motion carried.

**Return to Open Session:**

The meeting returned to open session at 10:33 P.M.

**Adjourn:**

There being no further business, the meeting adjourned at 10:34 P.M. on a motion by Ryback, seconded by Spurgeon.

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

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Christine E. Stickler, Village Clerk