

**Village of Wadsworth  
Minutes of the Regular Board Meeting  
Held at the Village Hall  
February 17, 2009**

- 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 John Nordigian, Mike DeMarco, Ken Harvey, Candye Nannini, 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 Harvey and seconded by Nordigian to approve the agenda as presented. Requests were made to advance item 11A (Newport Fire Dept) to position 4A, item 15F (petitions) to 11C and 15E (liquor code) to 11D.  
  
Voice vote: Ayes all, Nays none. Motion carried
- Newport Fire Protection Dept Temp Bldg Extension:** Newport Fire Protection District Trustees Gerald Nellessen and Joe Stanonik made a brief presentation regarding the temporary living quarters building placed behind the fire station 18 months ago. They implemented a strategic plan in Spring of 2008 and are working on it presently, but need additional time to complete the study and secure funding. They requested a 48 month extension for the temporary building. Motion by DeMarco, seconded by Harvey, to approve the fire protection district request for a 48 month extension.  
  
Roll call vote: Ayes all, Nays none. Motion carried  
  
Motion by Schlosser, seconded by Spurgeon, directing the village attorney to prepare an ordinance approving the fire protection district request for a 48 month extension.  
  
Voice vote: Ayes all, Nays none. Motion carried
- Approval of the Minutes of the meeting held 11/4/08** Motion by Nordigian, seconded by Spurgeon, to approve the minutes of 11/4/08 as corrected  
  
Motion by Spurgeon to table minutes since changes were not made.
- Approval of the Minutes of the meeting held 1/06/09** Motion by DeMarco, seconded by Nannini approve the minutes of 1/06/09 as corrected. Several additional changes were requested  
  
Motion by DeMarco to table minutes to table minutes since changes were requested.
- Approval of the Minutes of the meeting held 1/20/09** Motion by Nannini, seconded by Schlosser, to approve the minutes of 1/20/09 as presented. Several corrections were requested.  
  
Motion by Nannini to table minutes.
- Approval of the Minutes of the meeting held 2/03/09** Motion by Nannini, seconded by DeMarco, to approve the minutes of 2/03/09 as presented.  
  
Voice vote: Ayes all, Nays none. Motion carried
- Correspondence 2/03/09-2/17/09:** All correspondence received at the Village Hall from February 3, 2009 through February 17, 2009 was reviewed and placed on file.
- Public Comment:** There was no public comment.
- Treasurer's Report:** A motion was made by Harvey, seconded by Nannini, to approve the Treasurer's report dated January 31, 2009 as presented by Treasurer Kwiecinski.

**Village of Wadsworth  
Minutes of the Regular Board Meeting  
Held at the Village Hall  
February 17, 2009**

Roll Call Vote: Ayes-all Nays-none. Motion carried.

**Checks Issued  
1/21/09 to 2/17/09**

A motion was made by Nannini, seconded by DeMarco, to approve the checks issued from January 21, 2009 through February 17, 2009 in the amount of \$415,843.60 as reported by Treasurer Kwiecinski.

Roll Call Vote: Ayes-all Nays-none. Motion carried.

**Bill Paid as of 2/17/09**

A motion was made by Nannini, seconded by Schlosser, to approve the bills to be paid as of February 17, 2009 in the amount of \$51,010.35 as noted in the report of Treasurer Kwiecinski.

Roll Call Vote: Ayes-all Nays-none. Motion carried.

**Ordinances and Resolutions:**

A motion was made by DeMarco, seconded by Harvey, to Adopt an Ordinance Approving an Intergovernmental Agreement between the Village of Wadsworth and the Solid Waste Agency of Lake County. Amidei explained current market values and how they relate to the new agreement. The ordinance is an updated version of the August 2008 agreement which has expired and uses a blended formula.

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

**Old Business:**

None

**New Business:**

Architect Micheal Coan presented a potential subdivision plan for the owner of property at 14430 Yorkhouse Road, which contains an old barn that will be converted to a new residence. At this time he asked only to work with the barn. When finished, they will come back to request a 4-lot subdivision for the remaining acreage. The barn encroaches the side lot setback by a few inches and may require a variance at the time of subdivision. President Ryback confirmed that all board members were in agreement with the concept.

DeMarco stated that he agreed with the outcome of the Candidates Petition Challenges, but asked questions about the Clerk receiving those petitions on the last day. He stated he made several requests for them but was unable to get copies of the challenges. The Clerk stated she was never called to provide them. DeMarco stated that Amidei never saw the person filing the petition. President Ryback reported that much research went into process so it was handled correctly. He called the Village Attorney for them but was declined. On Friday he asked for them. On Saturday he asked for the originals before the meeting. Ryback stated that everything was done according to statute. DeMarco began asking for opinions of other trustees and was ruled out of order several times. He again asked for opinions and was ruled out of order. (See attached transcript)

Nordigian reported that he has obtained liquor license ordinance information from nearby communities. He questioned the automatic termination of licenses which are not in use. He will plan an ordinance committee meeting soon. Ryback noted that a liquor commission can be appointed by liquor commissioner and he might make that appointment. Nordigian asked if both groups can work together on the project.

**Village President's Report:**

President Ryback addressed information on the agenda regarding the over-ride of his veto for a \$20,000 budget for Concerts in the Park. He obtained an estimate for less than half of that amount and is disappointed that some Trustees are not watching expenses as he is. He referenced the Treasurer's report as evidence that costs are increasing as income is decreasing. At the least, he asked to decrease the four postcard mailings to one and to have a complete cost accounting delivered by the Trustee in charge after each event. He recalled this procedure being used for former Fun-Fest events which sometimes showed a profit to be used the following year. He also made reference to a letter from Lake County

**Village of Wadsworth  
Minutes of the Regular Board Meeting  
Held at the Village Hall  
February 17, 2009**

Division of Transportation, in which the County Engineer stated there are plans to reconstruct Wadsworth Road in 2010 and will consider fixing the sidewalks.

**Village Attorney's Report:**

Attorney Stanczak had no report.

**Village Administrator Report:**

Mr. Amidei reported that Union Pacific Railroad plans to repair the Adams Road crossing by May 22<sup>nd</sup>. He also reported attending a meeting at Mill Creek School with President Ryback regarding Lincoln's Birthday and a reading of the Gettysburg address. He reported information from the Illinois Municipal League regarding a possible reimbursement on road salt. He also reported on the installation of a new street light in the Forest View neighborhood. Of greater concern is the repeated dumping of old auto tires along area roads, with as many as 300 collected in the Village and Township during recent weeks. It has been reported to the police. He discussed the national stimulus plan and numerous local projects he plans to submit and is also pursuing funding for Ninth Street near the railroad. He will keep the Board informed regarding the capital bill updates and the cost of sidewalks. A suggestion was made to include a Wadsworth Road sidewalk funding request to Congresswoman Bean.

**Committee Reports:**

**Public Service:**

A motion was made by Harvey, seconded by Nannini, to establish a \$2200 budget for the annual Easter Egg Hunt to be held on April 11<sup>th</sup> at Village Hall. Harvey added 10% to last year's \$2,009 expenditure and hopes to use less than the allocated amount which will include the postcard mailing, postage, eggs, candy and prizes.

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

Harvey also reported on his attendance at a CTY training session (Reverse 911) at the Fire Department last Friday. It will be used for emergency notification, amber alerts and hazardous material spills. He referenced flyers which will be mailed to residents for information updating. Amidei has placed the information on the Wadsworth website. The system will be in operation prior to the spring tornado season.

**Road and Bridge:**

Trustee Schlosser presented the 2009 MFT and non-MFT Village Road program. Bleck intends to again utilize the in-place heat scarification method for resurfacing. He believes the program is large enough to justify bringing in the necessary equipment.

A motion was made by Schlosser, seconded by Nannini, to have the engineer prepare paperwork for the non-MFT Road Program in the amount of \$334,000 as indicated on Bleck's letter of February 16, 2009.

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

A motion was made by Schlosser, seconded by Nannini, to have the engineer prepare plans and prepare the resolution for the MFT Road Program in the amount of \$100,000 which addresses paving on Kelly Road. After finding Kelly Road included in the above amount on Bleck's letter, the prior motion was amended to \$334,000 for both MFT and non-MFT work.

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

A motion was made by Schlosser, seconded by Nannini, to have engineer Bleck prepare a wetland delineation, working with both Lake County Stormwater Management and the Army Corp of Engineers, in an amount not to exceed \$15,000. It will be required for future repair of Ninth Street.

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

Schlosser noted that this work will bring the roadway to the 10 year flood level but not guarantee all flooding will be eliminated. She also reported on Bleck's findings on a

**Village of Wadsworth  
Minutes of the Regular Board Meeting  
Held at the Village Hall  
February 17, 2009**

Delany Road culvert, estimated at \$10,000 and water drainage issues on Golf Lane estimated at \$35,000.

A motion was made by Schlosser, seconded by Nannini, to budget \$45,000 to correct flooding on Delany Road by installing a culvert and providing ditching and on Golf Lane where some ditches have been filled in, to excavate and re-shape ditches to eliminate flooding.

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

Schlosser has noted that several roads need attention now and before they get worse, is suggesting a UPM product for patching. She also identified some standing water problems where a 3 inch trash pump would be helpful. Amidei is presently requesting bids for a pump.

**Finance:**

Nannini stated that Ryback's quote for four bands was exactly \$3,050 less than what she spent for four bands for Concerts in the Park and agreed to eliminate one postcard mailing. She believed the mailed information could be lost by fall. She asked not to compare actual dollar amounts to budget amounts.

A motion was made by Nannini, seconded by DeMarco, to reconsider the vote to establish a budget for the annual concerts in the park in an amount of \$20,000. Nannini responded that it was done the same way last year. Attorney Stanczak read from statute regarding the correct way to override the President's veto. Nordigian stated he would vote "no" since, if the Village President believes he can do it for less, he should

Roll Call Vote: Ayes, DeMarco, Schlosser, Spurgeon, Nannini, Harvey. Nays-Nordigian Motion carried.

A motion was made by Nannini, seconded by Spurgeon, to establish a budget for the 2009 concerts in the park in an amount of \$20,000, overriding the president's veto.

Roll Call Vote: Ayes, DeMarco, Schlosser, Spurgeon, Nannini, Harvey. Nays-Nordigian Motion carried.

**Ordinance:**

Trustee Nordigian is planning an Ordinance Committee meeting in the next seven days.

**Parks and Village Hall:**

Trustee Spurgeon had no report.

**Planning Zoning Plats:**

Trustee DeMarco advised that a pre-application meeting regarding "The Shanty" will take place on March 3 at 6PM. Village Planner Christensen has not reported back regarding wind and solar power zoning, but DeMarco reported on several communities and other counties that address these topics.

**Adjournment:**

There being no further business, the meeting adjourned at 9:54PM on a motion by Harvey, seconded by DeMarco.

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

---

Evelyn Hoselton, Village Clerk

**Village of Wadsworth  
Minutes of the Regular Board Meeting  
Held at the Village Hall  
February 17, 2009**

**VERBATIM ACCOUNT FROM THE 2/17/09 MEETING  
NEW BUSINESS SECTION  
Second Paragraph**

Ryback: Item 15F, discussion regarding candidate petition challenges.

DeMarco: OK, first I wanna start out by saying that I agree with the decisions the Electoral Board came to in both cases, ahhh, I do wanna review some things that happened that follow a time line that happened with this board that were there on Saturday but I just wanna walk thru it and see if it sounds right to you...

The 26<sup>th</sup> of January the following week several requests were made to see the original  
The petition challenges were due by on close of business February 2<sup>nd</sup>. According to the Clerk after the close of business she took one at 4:48 PM when she just happened to be here happened to hear a person knock on the door ...doesn't seem right after the close of business...fact that Moses was here, didn't see the person file a complaint here...it was unusual...ummmm

Clerk: Moses was there

DeMarco: Did you say Moses wasn't there?

Clerk: He was there.

DeMarco: OK, I wasn't concerned. Tuesday, Tuesday and Thursday ...had some discussion...that's fine, that's why the board has such a problem with the minutes every time. Ummm Wednesday I called the village to get a copy of the challenge, they didn't have them. I called the Village Attorney, he said he didn't have them, he's trying to get them. Thursday called the village again, need to get a copy of the challenge

Clerk: No one notified me at all.

DeMarco:I called the village, I said, and the attorney didn't notify either?

Clerk: Nobody, no

DeMarco: Somebody's lying to. OK, Uuummmm, ahhhh on Thursday Glenn sent out an email basically telling the board we had these challenges..... Friday the 6<sup>th</sup> ummmm we tried to make some efforts to see the originals, to get the challenges to get the originals of them from work wasn't there when they were supposed to be there.

Saturday at 11:45 according to the proceedings, I went downstairs for the trustee challenges, asked Evelyn can we see the originals? She said I don't have them.

Clerk: When was this?

DeMarco: Approximately 11:45, 15 minutes before the procedure starts, OK. I'm not lying, this one, this one I heard myself, I'm not the only one that heard it.

**Village of Wadsworth  
Minutes of the Regular Board Meeting  
Held at the Village Hall  
February 17, 2009**

Clerk: My person was bringing them over

DeMarco:...asked, said I didn't know...are they gonna be here for the proceedings? She said I'll call somebody cause I mentioned who do you call if you don't know who has them? That's what I remember quite well, and so then she came back and said Harley's gonna bring them. I never saw Harley come here during the proceedings, the attorney said that Glenn had them for one day starting you had to have them by law

Ryback: There were things I had to do on a very tight timetable to put this together as required by statute and I pretty much put 2 days of my things on hold to educate myself on what needed to be done, and it had to be done since the meeting could be held no later than the following Monday, the 9<sup>th</sup>, and they had time to do it on Saturday since they handled meetings for a lot of other communities and some of those meetings were continued to some future date and in some places they're still being continued but we were fortunate enough to get it all done on Saturday

DeMarco: So you had the original challenges with you, right?

Ryback: At the meeting I had them, yes.

DeMarco: So hard to call Harley to bring 'em cause Harley didn't have the originals. I,,seems kinda unusual ummm and so for me this a problem. I mean at some point this should be responsible so say there was some ethical behavior er uh transpires here. You can argue about the minutes all day but the law really comes down to your desig(?) who writes it. Elections... it's a little bit more structured on what you can do and what you can't do and the expectations of the occupant and so I guess its gonna go around its not a problem with me either, but from a ethical standpoint I guess I'd like to ask each of the board members do you think this is an issue?

Ryback: (Gavel sounding) If we're going to do any asking, it's going to be from the chair. You're not going to conduct a consensus. This hearing was held by...

DeMarco: Anyway, I will go on and I will ask each trustee individually..

Ryback: (Gavel sounding) You will not ask each trustee. You are out of order (Gavel 3 times)

DeMarco: So what do you...

Ryback: Trustee DeMarco, you are out of order. You are not conducting the meeting, the meeting is conducted from here.

DeMarco: Are there any other...

Ryback: (Gavel sounding 3 times) Trustee DeMarco! Do you need to be removed from the meeting?

DeMarco: Ha, I don't think so

Ryback: Alright, we're not conducting...

**Village of Wadsworth  
Minutes of the Regular Board Meeting  
Held at the Village Hall  
February 17, 2009**

DeMarco: Are you afraid to let the trustees voice their opinion at this meeting?

Ryback: They can voice their own opinion if I ask for their opinion. You are not asking for their opinion

DeMarco: Well I think I am asking for their opinion

Ryback: Not at this meeting

DeMarco: Well I think I am

Ryback: I don't think you're going to. That is not the way the meeting is conducted. There is no cross-talk, there is no discussion. You're not on "The Vue" here. This is a meeting.

DeMarco: I'll ask one more time. Trustee Nannini, what do you think..... (Gavel sounding 4 times)

Ryback: We are not having a consensus, we are not having a discussion, if there are questions to be asked, I'll ask the questions. What we've done here is, I've followed the procedure that's according to state statute. What particularly was your problem with it?

DeMarco: Do I have to go thru this list again?

Ryback: You couldn't see the original challenges?

DeMarco: I didn't want to see the original challenges, I think some other people did, ahhh, I couldn't even get copies of the challenges but I went thru the list. If you're afraid to let the trustees state their opinion I understand why.

Ryback: I'm not afraid of anything, but you are not asking.

DeMarco: I am asking. I think we owe the village that, if the trustees don't wanna respond that's certainly their prerogative

Ryback: It was all done according to statute and there's nothing that's improper with it

DeMarco: That's your opinion.