

**Village of Wadsworth
Minutes of the Regular Village Board Meeting
Held at the Village Hall
April 4, 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, Lynn Schlosser, and Debbie Spurgeon, Village Clerk Christine Stickler and Attorney William Stanczak. All present.

Approval of Agenda: Nordigian requested an addition to the agenda under new business, 10(e), to discuss capital costs collected with school impact fees for Zion Benton Township High School. A motion was made by Ryback and seconded by Spurgeon to approve the agenda as amended.

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

Approval of the Minutes of the Meeting Held 3/21/06: The minutes of the regular Village Board meeting held 3/21/06, as presented by the clerk to all Board members, were approved on a motion by Ryback and seconded by Schlosser.

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

Correspondence: All correspondence received at the Village Hall from 3/22/06 through 4/4/06 was reviewed and placed on file.

Public Comment: Matt Balen, 14070 August Zupec Drive, again came to the Board to discuss the water problems on his property. Mr. Balen believes that the flow of water on his property is a direct result of engineering issues related to the construction of a house on the lot east of his residence. Balen identified issues such as the lack of a culvert and a raised septic system. Furlan informed Balen that he has inspected the property at least three times. He agreed that the lot to the east was built up and that there is no culvert, however, these things were specifically done so less water would follow the natural flow of water toward the Balen property and to direct the majority of the runoff towards Delany Road. Furlan also informed Balen that the Village has no jurisdiction over the type of septic field that is installed; it requires the approval of the Lake County Health Department. The Board appreciated Mr. Balen's comments but assured him that that the construction that took place to the east of his premises met all engineering and building requirements.

Ordinances/Resolutions:
2006-687
Non-Conforming Signs: A motion was made by Ryback and seconded by Spurgeon to approve Ordinance 2006-687 Amending the Village Code Regarding Customary Home Occupations. No structure or anything exterior to any structure shall indicate any nonresidential purpose.

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

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Old Business:
Garage Service Door:

After a review of the breakdown of costs, a motion was made by Spurgeon and seconded by Ryback to approve the replacement of the garage service door at a cost of \$2,985.00, according to the proposal received from Ames Construction

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

New Business:
Miss Wadsworth
Scholarship:

A motion was made by Ryback and seconded by DeMarco to approve a \$1,000.00 scholarship for Miss Wadsworth 2005. As the Village no longer sponsors the pageant, any future donation or scholarship requests will be reviewed at the time of the request.

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

Poul's Landscaping:

Poul's Landscaping & Nursery, whose main office is in Long Grove, submitted a request for a temporary 24' x 8' office trailer on their nursery site in Wadsworth. The nursery is located on approximately 110 acres north of Adams Road that did not get sold to Cambridge because the Village agreed to allow the business to harvest trees, to put a road on the property and to have a sign. The trailer would be used to process wholesale orders, which would generate sales tax revenue for the Village, and to monitor the road construction and land improvements in the nursery. Currently the trees are being harvested and transported to the Long Grove location for pick-up by wholesale landscapers. Semi-traffic to pick up the trees from the nursery comes off of Green Bay Road. Dan Kjeldbjerg indicated to the Board that the business would like to apply for a permanent structure on the site, but due to the problems they are encountering with the interior road from stormwater management and the Army Corp of Engineers, they are not ready to pursue it at this time. Discussion was held on the precedent that would be perceived if a business is allowed to conduct sales from a temporary structure and what parameters define a temporary time frame. Furlan noted he discussed the temporary trailer with the Village Engineer and Bleck expressed concern that the nursery is already at the impervious threshold and it might be necessary to put the trailer on the gravel if it is approved. It was agreed that a temporary trailer arrangement could be justified if a solid plan for a future building was imminent and if a definitive time frame could replace the term temporary. A motion was made by Nannini and seconded by Ryback to grant permission to Poul's Nursery for a 24' x 8' temporary trailer to be used to conduct wholesale nursery sales and to monitor the property until 12/31/06. The trailer must be removed from the property on or prior to that date. Attorney Stanczak will confirm the approval and time frame agreement in a follow up letter.

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

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**Establishment of
Adjudication Court:**

Nordigian presented examples of a resolution, an ordinance and an intergovernmental agreement used by the Villages of Winthrop Harbor and Beach Park to establish a local adjudication court system for the purpose of enforcement of infractions of municipal codes. The court is scheduled to convene once or twice monthly as needed and will be held in the presence of a presiding hearing officer. The Village of Wadsworth has been invited to participate in the adjudication court system. The advantages to participate would be increased revenue for the Village of Wadsworth, no requirements from Village personnel, and it opens up the opportunity to issue more ordinance citations, including building and zoning violations, as the hearings will be scheduled more quickly. Operating costs of the adjudication court system will be divided between the participants based on the number of cases per participating municipality. The intergovernmental agreement reviewed stated that either party may terminate the agreement subject to 90 days advance notice. A motion was made by Nordigian and seconded by Nannini to authorize the Village Attorney to prepare an ordinance adopting State of Illinois Statutes pertaining to the establishment of a Code Hearing Department for Administrative Adjudications and an intergovernmental agreement between the Villages of Winthrop Harbor, Beach Park and Wadsworth for the joint administration of an adjudication court.

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

**Amend 2004-667
Footing Tile Drainage
Systems:**

It was noted that Ordinance 2004-667 Amending the Village Code Regarding Footing Tile Drainage Systems contains some incorrect data for rigid plastic perforated pipe. A motion was made by Ryback and seconded by Schlosser to instruct the Village Attorney to prepare and amendment to the ordinance to correct the data to read "SDR 35, ASTMDF8403034".

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

**Capital Costs
ZBTHS District 126:**

Nordigian asked for clarification of the school impact fees for Zion Benton Township High School District 126 approved by the Board at the regular meeting 4/19/05 and reviewed at the 5/3/05 meeting. Nordigian asked if, at that time, this Board was aware of the fact that other Villages do not collect the same impact fees and capital costs per dwelling for ZBTHS. Nordigian also noted that in some of the Villages impact fees are only charged to developers and not to individual builders. Nordigian asked to go on record that if he had known and understood this information he would not have supported approval of the requested ZBTHS fees and costs. Furlan noted that, at the time of approval, the Village was unaware that other communities were not supporting the schools in the same manner; however, several trustees agreed that Wadsworth is accepting its responsibility toward education and the other Villages are being remiss in their duties. Furlan also stated that the Village is simply a conduit for the school district and if any individual or developer is not happy with the fees and costs or questions their legality, any litigation must occur directly between the builder and the school district.

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Mayor's Report:

Furlan reported that there was an article in the *Municipal Review* regarding the value of a special census and noted that the tables indicate an allotment of \$116.10 per person for 2006 and \$120.00 per person in 2007. Conducting an interim census should be considered.

Richard Charette, Winchester Road, filed a complaint that there was a large pit bull loose in the neighborhood of August Zupec Drive and Winchester Road. Furlan invited Mr. Charette to attend the meeting and present his complaint to the Board. Mr. Charette stated that he was not aware if the pit bull had ever been found, and expressed a fear for neighborhood children, as well as adults, if the Village does not take some action against vicious animals as other communities have done. Mr. Charette also stated that it is imperative for the Village to act quickly to adopt an ordinance to protect its residents from dangerous animals before it is too late. In discussion it was agreed that this is a hot topic at the moment and any ordinance must be worded properly to be enforceable and effective. Attorney Stanczak was asked to review the recent ordinances regarding vicious animals drafted by the City of Waukegan and the City of North Chicago and present the information to this Board for review and a decision.

Attorney's Report:

None.

Trustees' Comments:

Nordigian noted that the Easter Egg Hunt will be held on 4/16/06 at 1:00 P.M. Post cards announcing the event were mailed to all residents. Volunteers will meet at 9:00 A.M. to stuff the eggs.

Nordigian received a call from Tom Pawlak reporting that a side road off of Mill Creek Road by the DeGrazio subdivision has become a dumping area. Furlan stated that he will send Bob January to inspect the area, but nothing can be done if it is on private property.

Nordigian also presented a report summarizing costs and revenues for the fiscal year 2005-2006 for police protection from the Village of Winthrop Harbor. Federal grant funds for police protection ended in August 2005 and now Wadsworth is responsible for 100% of all costs. The original agreement indicated that Wadsworth must maintain the same police protection used during the grant period for at least one-year following the end of the grant funds. However, because Wadsworth does not employ any full-time officers, police protection hours could be cut back to 40 hours per week at any time. Prior to the July, Winthrop Harbor will present the Village with a proposal for continued police protection. After a review of the proposed rates and schedule, a determination will be made that will maintain costs while providing proper safety and protection for the Village and its residents.

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Spurgeon noted that the Village of Gurnee is in the process of conducting a census. Spurgeon also reported that the handicapped access lift is in the installation process.

Ryback reported that he will be attending a meeting of the SWALCO Finance Committee next week.

DeMarco reported that he has received approximately 49 applications for the Village manager's position. All were in agreement that Furlan and DeMarco should review the applications and select the most qualified applicants for review and consideration by the Board.

DeMarco also reported that he was contacted by Judy Nystrom regarding her mobile sign in front of Doug's on 41. Nystrom did not understand why she was being required to remove a sign that had been there for many years and why her sign had to be removed when a similar sign was being permitted on Wadsworth Road. A difference was noted that the sign in front of Doug's on 41 is lit up and flashes. Ms. Nystrom will be informed that the sign on wheels needs to be removed and that she is welcome to come before the Board to request a conditional use permit that will allow her to put the same information on her permanent sign. Nannini noted that it is important for the Board to enforce ordinances in a consistent manner. Schlosser suggested that St. Patrick Church should be told to remove the empty boards used for signs in front of the church property on Wadsworth Road.

Schlosser noted that the Ordinance Committee will be meeting on 4/12/06 to discuss changes to the building code.

Executive Session:

None requested.

Adjourn:

There being no further business the meeting was adjourned at 10:15 P.M. on a motion by Nordigian, seconded by Ryback.

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

Christine E. Stickler, Village Clerk