

COMMITTEE OF THE WHOLE MEETING
OCTOBER 13, 2009
MINUTES

1. CALL TO ORDER

Mayor Knigge called the Committee of the Whole Meeting to order on Tuesday, October 13, 2009, at 7:00 p.m. at the Village Hall.

2. ROLL CALL

On roll call by Tracee Keagle, the following Trustees were:

Present: Trustees Knight, Mayo, Lochmayer, Barbini and Wahl

Absent: Trustee Murphy

Also present were Village Administrator Dan Quick, Public Works Director Dave Geary, Assistant Village Administrator Linda Krajniak, Superintendent Alex Pryde, Chief of Police Doug Larsson, Engineer Bob Devery, Steve and Sandy Boehmer, Abel and Olga Machado, Brian Lolmaugh, Cathy Scott, and the Press.

3. ITEMS FOR DISCUSSION

A. Request from Abel and Olga Machado, Owners of El Pulpo #2 Located at 400 W. Liberty, to Change Liquor License from a Class RA to a Class A

Administrator Quick introduced Abel and Olga Machado. The owners of El Pulpo #2 would like to change their RA license to a Class A license. They have had a successful business at 400 W. Liberty for several years. Administrator Quick opened the floor to questions and review. Trustee Mayo wanted to know how the change would affect their hours of operation. Administrator Quick answered that right now they close at 11:00 p.m. and this would change to a closing of 2:00 a.m. on Sunday through Thursday and close at 3:00 a.m. on Friday and Saturday.

B. Request for Variance from Petitioner Brian Lolmaugh for Property Located at 910 Madison

Attorney Magna explained the variance petition from Brian Lolmaugh for 910 Madison. This property has a pre-existing non-conforming use. This precedes the date of the current Village requirements. The petitioner wants to improve the home by expanding the deck across the home. His original request was too significant for the non-conforming rules, but the petitioner adjusted his request to just expand the front porch with a roof. The Zoning Board felt that this was a decent compromise. The Zoning Board recommendation is to approve the grant of a variation request for a lateral expansion of an existing non-conforming structure. Trustee Lochmayer thanked the homeowner for investing in Wauconda.

C. Review of Building and Zoning Committee Minutes Pertaining to Changes to the Sign Ordinance and Other Recommended Changes

Mayor Knigge mentioned that Sandy and Steve Boehmer were in attendance. The Boehmers were part of this Chamber Committee. Trustee Lochmayer explained that the

Chamber put together a committee of representatives from the businesses in order to develop some revisions to the sign standards. The committee had comments and recommendations that were mostly acceptable. These changes will standardize signage requirements. The first change they discussed was adding the word “professionally” to painted sign requirements. Trustee Lochmayer wanted to mention that Trustee Murphy, who was absent from this meeting, brought up a process of architectural review. This will have to be followed up at a later date because the Village does not have an architectural review process right now. Trustee Wahl asked if there had been a change to garage sale sign limits. The limit was two signs and now it says six. Trustee Lochmayer responded that they had decided to change it to six.

Mayor Knigge asked for a quick review of all the changes. Trustee Lochmayer went through the list and mentioned the purpose of regulations, definition changes, event signs, garage sale signs, flags, pendants, permits, no “hand” painted signs, applications, exemptions, political and campaign signs, prohibited signs, canopy signs, canopy stickers and painting, wall signs, sign pollution, projecting/hanging signs, freestanding signs, legal non-conforming signs, pre-approval and standards for the Building Department to apply to the review process, maintenance and repair requirements, pylons, banners, monument signs, painting review process and penalties.

At this time, the Board also discussed changes to zoning fees, standards, and structure. Attorney Magna wants the ordinance for open burning to include a definition for “open fire” and to specify a recreational fire because waste and leaf burning are prohibited. There were additional revisions to the Village Code that are clarifications. These revisions clarify items such as driveways, parking areas, asphalt, concrete, new construction, paving over sewer lines and non-restorative easements. Director Geary explained that, if a resident puts an improvement in the “right-of-way” in front of their home, the Village will get in writing from the resident that the Village is not responsible for replacement if access to the right-of-way is needed by the Village. Administrator Quick asked about the word gravel being struck. Trustee Lochmayer affirmed that gravel was taken out. Director Geary said there were at least 100 RVs on gravel in the Village. Director Geary wanted to know if they would have to comply and how it would be enforced. Trustee Lochmayer explained that any existing gravel will be grandfathered in. Moving forward new driveway expansions will not be permitted in gravel. Attorney Magna added that existing gravel can be maintained but not expanded. The Board moved on to discuss amendments to the resolution of fees, inspections, charges, permits and safety. Cathy Scott asked if vendors are aware they need permits to do work in the Village because she had some work done and was not aware she needed a permit, and the vendor did not mention it. Administrator Quick said that all the contractors the Village use know it, and private vendors should know to ask residents for proof of permit before work proceeds. He added how important this is with HVAC vendors because the Village wants to make sure it is safe in regards to carbon monoxide. Director Geary and Mayor Knigge both mentioned that it is ultimately the residents’ responsibility to get permits before any work is done.

D. Proposed Ordinance Amending Village Code Pertaining to Sales of Alcohol to Minors

Chief Larsson explained that Deputy Chief Jacobson found language in Village Code Section 119.49, Item D., which needs to be removed. There is an exemption in the Code for person(s) who are 19 years old, but not yet 21, to purchase wine and beer. Chief Larsson is requesting approval of an ordinance amending this Code.

E. 2008 Road Bond/2010 Schedule and Costs

Director Geary brought forward a recommendation of an engineering agreement for the 2010 Road Bond Agreement. Engineer Devery's proposal includes a representation of what needs to be done. Not to exceed 325K.

F. Letter of Agreement Pertaining to Special Service Area #13, Limited Reimbursement of Installation Costs, 27960 and 27961 Myrtle

Director Geary said that this is a reimbursement agreement with one of the residents in the SSA #13 area. The resident would prefer to not use the contractor we hired to do the work on their homes. This resident pays the taxes on this SSA. The agreement has two parts. First, the resident pays the Village the bedroom impact fee on both homes. Secondly, once the work is completed, the Village will reimburse the resident from the County's SSA #13 fund, not the Village fund. Attorney Magna has met with the resident and the resident has already signed the agreement. All the houses that are planned for hookup are prepared to move forward. It has been a successful, in-budget project.

G. Other Business

Director Geary considers this an emergency. Last Wednesday night there were three water main breaks within a hundred feet of each other on MacIntosh Drive north of Bonner Road. Three times in one night, every time we turned the water back on, the line broke in another place. The main concern was getting the water back on for those residents. There have been six significant breaks in this water main line over the last several years. Public Works wants to move quickly to bring in a contractor. Exploratory digging will be done to see how big the problem area is. The Village will get a price quote from a contractor and try to get this line repaired before winter sets in.

Village Engineer Devery explained that the pipe in question was put in about 20 years ago. Water mains are typically set in a stone bedding. This pipe is directly on the bare ground with no bedding, and the soil in this area is very corrosive. The soil is eating away at the pipe particularly at the end of the line. Each repair puts pressure on the next weak spot in the line. Engineer Devery won't know the cost of the repair until the contractor explores how much pipe needs to be replaced. Exploratory digging and pricing should be done next week. Plastic pipe may be used because it is resistant to corrosive soil. Trustee Barbini wanted to know if the Village has a contingency in the Public Works budget to address this issue. Director Geary said Public Works is going to go to a depreciation account or a capital restrictive account to pay for this unplanned project. Director Geary plans on bringing this up with Director Torres. Staff wants to waive the bidding process because there is no time. The line could break at any time. It is a potential crisis situation. Attorney Magna suggests putting an ordinance/resolution to

waive the bidding process on the next agenda. Mayor Knigge wanted to know what would happen if it broke again tonight. Engineer Devery answered that Public Works would have to continue to try to repair it. Administrator Quick added that this is a very big water line. He explained when it broke in the past, it almost drained the whole water tower. It is very fragile.

4. Closed Session Matter(s):

A. The appointment, employment, compensation, discipline, performance or dismissal of specific employees of this public body (5 ILCS 12/02 (c) (1))

5. Adjournment

Meeting went into Closed Session at 8:25 p.m. and adjourned at 8:30 p.m.

Tracee Keagle