

VILLAGE OF WAUCONDA
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 22, 2009
MINUTES

1. CALL TO ORDER

The Mayor called the Committee of the Whole Meeting to order at 7:00 p.m.

2. ROLL CALL

Upon roll call by the Village Clerk, the following Trustees were:

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

Absent: None

3. ITEMS FOR DISCUSSION

A. Request for Sign Variance from Wauconda Care Center, Rt. 176 and Thomas Ct., to Allow an Off-Site Sign

Director Geary turned over items A, B, and C to Mr. Chris Miller representing our Zoning Consultant, Rolf C. Campbell & Associates, Inc. Mr. Miller informed the Board that the existing sign was for ReMax which was the previous business at this location. Wauconda Care Center now owns this property, and they would like to replace the sign to list their business.

Trustee Lochmayer asked that while he appreciates the business bringing the request forward, is this not after the fact? Mr. Miller stated that yes, it is after the fact, but they had received the initial request back in November. They were waiting for information on where it would be located. They received a verbal statement of location and went forth with this.

Trustee Barbini asked if and when we approve this, will the Board be given a written Exhibit A. He deferred to the petitioner, Mr. Nakon, who stated he can include one. Photos are available. They did submit a photo after the petition.

In summary, Wauconda Care Center purchased the property from ReMax Reality. They would like to replace the sign with one for their business, which they have already done, by request. This will require a variance.

Mr. Magna asked about another issue.

Trustee Mayo had a problem with anyone putting up a sign before the Board approves it.

Trustee Murphy recalled that when the Board approved the ReMax sign, that if and when ReMax moved, the sign would be moved because the sign was for that business. Everyone needs to go through the proper procedures. They are asking for a variance in the procedure because they have already put up the sign.

The Mayor reiterated that the point is the sign should not have gone up without Board approval. There was a suggestion to delay the final approval until discussion or approval on the right-of-way issue. It was asked if they would need to take down the sign for now. Mr. Magna stated that while it is in violation right now, however in the spirit that we will be able to resolve all of our issues together, we can refrain from enforcement action. We can schedule a decision for the meeting on the 19th.

B. Request for Rezoning from R-4 Residential to GB General Business and Variances for Property Located at 225 S. Maple Ave., Owned by Michael and Cynthia Hansen

Chris Miller asked for the Board to consider rezoning of the property at 225 S. Maple Ave. to open an insurance business. There are eight conditions suggested for the rezoning. At the hearing, one resident is concerned that the rezoning may decrease their property value. The Zoning Board findings addressed this issue. Also, the business would have a free standing sign.

Trustee Mayo mentioned her concern that if we rezone this property to GB (General Business), we will not have any control over what goes in there in the future. Mr. Miller stated this is correct but, because of the structure, it can only be used for offices.

Trustee Knight stated that the B/Z did a nice job with this in relation to the Comprehensive Plan.

Trustee Barbini asked for the difference in a commercial business and a retail business.

Mr. Miller stated that all businesses are considered a commercial business, there is no distinction. He also commented that the Comprehensive Plan suggests that multi-family housing also be included here.

Mr. Magna suggested the Ordinance include a comment that this is a transitional move.

Moved forward to Jan. 5th meeting.

C. Request for Annexation, Rezoning from R-1 Residential to GB General Business, Conditional Use Permit, and Variances for Business Known as Lake County Water Sports, LLC, Located at 26591 Highway 12, Owned by Michael & Ed Salisbury

Chris Miller brought forward a request that the 3.5 acres of property located next to Apple Storage be annexed into Wauconda. Currently there are two structures on that property. The owners of Lake County Water Sports are seeking this annexation to bring in their business for boat storage and retail. A Public Hearing is scheduled for Jan. 5th before the Regular Board Meeting.

Mr. Salisbury provided further information of the Annexation Agreement for the property and their plans for construction and business. This information can be found starting on page 43 of the COW packet.

Trustee Knight asked about statement 4 where the Fire Dept. has indicated they will allow a new building to be constructed without a sprinkler system providing that they will connect to water. It was clarified that this means they will connect to a hydrant. This also relates to the other building in this area.

The existing house would be cosmetically improved, and the garage with this house is structurally sound. The house will be improved to make it an office. Eventually it will be knocked down and a show room will be put there. A drawing was provided to show the concept. Lake County Water Sports is an established business. They are looking to expand their business in Wauconda.

Currently, Wauconda has an ordinance that restricts metal structures. They would like to have Wauconda consider changing this to allow them to use metal in the construction. The front would be of brick or stone but the building itself will be steel. The current ordinances list the percentage of metal that is allowed. In today's financial circumstance, a full brick building is not feasible.

They were asked to bring back information regarding the elevations of the building. Their current timeline includes the hope to be able to open in the spring. There has to be a public hearing on this annexation before the Board can make a vote.

D. Lake County SMC Community Recertification and the Required Ordinance Adopting, By Reference, the Lake County Watershed Development Ordinance

We are a Certified Community of Storm Water Management. Bob Devery, our enforcement officer, continued that there is a recertification process that occurs every three years. This is the year that process needs to be started. A number of things will be presented throughout the year. This process will begin Jan. 10th, 2010. There are ongoing changes that need to be addressed. Mr. Magna needs to review the template provided for him to review and modify as needed. The plan is to adopt the Ordinance by reference. This will be brought forward to the Jan. 19th Regular Board Meeting.

E. Proposed Resolution Declaring Support for Allocations of Lake Michigan Water to Member of the Water Planning Group and Intent to Pursue a Delivery System for Such Allocations

In preparation to receive this resolution, there will be a Public Hearing on Jan. 13th and 14th. Mr. Magna stated that it is a very ambitious project to bring Lake Michigan water here. It is a consortium of 9 or 10 communities. Such things are rare, but if they go through, they are very successful. There is a working group that proposes a formation of a new group, The North and West Lake County Joint

Action Water Agency. It behooves us to keep our options open to other possibilities such as JAWA, or the possibility of the Central Lake County JAWA. Price has something to do with it, and we need to investigate other possibilities. While this is about getting the best quality, safety and quantity of the water, it's also about what's it going to cost.

The Mayor thanked Mr. Magna for his input and stated that he thinks this is probably one of the most important and pressing issues facing the future of the Village of Wauconda.

F. IDOT Resolution Providing for the Retirement of Certain Municipal Indebtedness by the Use of Motor Fuel Tax Funds (Series 2006A G.O. Bonds) (Obligation Retirement Resolution)

This Resolution is a procedural action to notify IDOT of our intention to use these funds. It is a yearly procedure.

This will be moved to the Jan. 5th Board Meeting.

G. Proposed Ordinance Approving the First Amendment to an Agreement Between RedSpeed Illinois, LLC, and the Village of Wauconda (Traffic Law Enforcement System)

Every community using the automated enforcement system is facing the same issue of the State of Illinois requiring, through an administrative policy, that there be an upgrade on the incandescent lights. The permit we received was predicated on the change being made. We are sharing the cost of this upgrade with RedSpeed at a 50/50 rate. RedSpeed will front the money, and we will reimburse them over 7 months from money earmarked for fees and fines each month. This is mandated. This includes all communities who have automated enforcement.

This will be moved to the Jan. 5th Board Meeting.

H. Proposed Ordinance Approving the Second Amendment to an Agreement Between RedSpeed Illinois, LLC and the Village of Wauconda (Traffic Law Enforcement System)

This designates the three intersections that are currently identified as using red light cameras for traffic violation enforcement: Rt. 176 & Main Street, US 12 & Bonner Road, and US 12 & Rt. 176.

I. Other Business

- Trustee Knight reminded the Board of the Police Committee Meeting next week at 6:30 p.m.
- Mayor Knigge informed those in attendance that there will be no meeting on Dec. 29th.
- From Dec. 27th through Jan. 4th the Mayor will be out of town.
Merry Christmas to all.

4. **ADJOURNMENT**
Meeting was adjourned at 8:15 p.m.

Ginger Irwin, Village Clerk