

Village of Richmond

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President Koenig called the July 3, 2013 Board Meeting to order at 7:00 PM, 5600 Hunter Drive, Richmond, Illinois.

ROLL CALL:

PRESENT: President, Peter Koenig; Trustees: Dennis Bardy, Scott Drabant, Charlotte Hollenbach, Craig Kunz and Ramsin Wardanian.

ABSENT: Trustee David Kielpinski.

OTHERS PRESENT: Village Clerk Karla L. Thomas, Village Attorney Brad Stewart, Acting Police Chief Ciro Cetrangolo and Village Engineer Ed Coggin.

Minutes from the June 20, 2013 Board Meeting were reviewed. Trustee Kunz requested that an amended under President's Comments, 3rd Paragraph to include the statement "The Board discussed the possibility of holding a Public Meeting regarding the matter, but decided to place it on the next agenda of their regularly scheduled Board Meeting."

Trustee Drabant moved, seconded by Trustee Kunz to approve the June 20, 2013 minutes as amended. ROLL CALL: AYES: BARDY, DRABANT, HOLLENBACH, KUNZ and WARDANIAN. NAYS: NONE. ABSTAIN: NONE. ABSENT: KIELPINSKI. Motion carried.

ANNOUNCEMENTS: None.

UNFINISHED BUSINESS: None.

PUBLIC COMMENTS: President Koenig stated that anyone wishing to speak on Item 7c will be heard at that point in the meeting. There being no public comments at that time, the Board continued on to other agenda items.

NEW BUSINESS: President Koenig explained that Resolution #R2013-02; A Resolution regarding Closed Session Minutes pertained to the release of the December 20, 2012 Closed Session Minutes reviewed and approved for release at the previous Board Meeting.

Trustee Drabant moved, seconded by Trustee Kunz to approve Resolution #R2013-02; A Resolution regarding Closed Session Minutes as presented. ROLL CALL: AYES: BARDY, DRABANT, HOLLENBACH, KUNZ and WARDANIAN. NAYS: NONE. ABSTAIN: NONE. ABSENT: KIELPINSKI. Motion carried.

President Koenig announced that the Employment Separation Agreement Release and Waiver was signed by John Fryksdale with no changes.

Trustee Drabant moved, second by Trustee Wardanian to approve the Employment Separation Agreement Release and Waiver as presented. ROLL CALL: AYES: BARDY, DRABANT, HOLLENBACH, KUNZ and WARDANIAN. NAYS: NONE. ABSTAIN: NONE. ABSENT: KIELPINSKI. Motion carried.

Trustee Drabant thanked John Fryksdale for his service, all Board Members concurred. President Koenig stated that he would like to present John will some type of plaque. The Board was in agreement.

President Koenig asked if any of the Board Members had any questions regarding the template ordinance regarding Assault Weapons. Trustee Kunz was not clear on terminology, such as, the reference to a thumbhole, a handgun grip which protrudes conspicuously beneath the action, a fixed magazine capacity in excess of 5 rounds, and the capacity to accept more than ten rounds of ammunition. Trustee Kunz listed the weapons he personally owns and stated that several of them would be considered banned under this ordinance. President Koenig then read the template ordinance for the public's benefit. Someone questioned why the Board had not notified the residents of the discussion of the template ordinance. Attorney Stewart stated that the Village fulfilled its statutory required for public notification. The Clerk reported that the agenda was posted on the Village website and on the outside board the previous Friday giving the public 6-days notice, which was well beyond the required statutory requirement.

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Public comments were then heard. Leslie Spears (2213 Hidden Trail Ct, Village of Spring Grove) commented on how ironic it was that the Village was discussing gun law with Independence Day tomorrow. Additionally, she questioned whether this was the best thing for the Village. Tim Lavin (2911 E. Lake Shore Dr, Village of Wonder Lake) commented that sporting guns are generally used in this area and the ordinance would make those weapons unlawful and that the provisions were too restrictive. He clarified the types of guns and capabilities and informed the Board on the difference between semi-automatic and automatic weapons. He noted that the police would be exempt from the proposed ordinance. Mike Weisman (City of Glen Ellyn) with the Illinois State Rifle Assn. commented that there was no need for the ordinance due to the lack of violence in the Village of Richmond. He questioned why there was no provision for enforcement and penalties in the document. He asked if money had been budgeted to defend the ordinance and requested the Board to back off the ordinance. He also questioned the Village's authority to pass the ordinance as a non-home rule municipality. Attorney Stewart stated that the Village has the authority to pass the ordinance just as home rule municipalities. Dennis Northern (10009 Circle Dr, Village of Richmond) presented statistics regarding gun accidents/incidents vs. other types of accidents and noted that guns were near the bottom. Adam Metz (5204 Nippersink Dr, Village of Richmond) commented that the Village of Richmond is a safe community to live in and the Village does not need the proposed ordinance. Gus Philpott (500 Lake Ave, City of Woodstock) with the McHenry County Right to Carry Assn. stated that people need to be able to defend themselves. Adrienne Metz (502 Nippersink Dr, Village of Richmond) commented that the Village Board was taking away the Village of Richmond residents' right to protect themselves and their children. She stated that the ordinance is not necessary. Joe Kukla (5818 Broadway, Richmond Township) commented that we have a right to carry. Wayne Walusiak (9903 Fox Bluff Ln, Village of Spring Grove) commented that the ordinance was too restrictive. Scott Szezesny (312 N. Rosedale Ct, Village of Round Lake) spoke about guns and restrictions. He suggested that Board understand the ordinance before voting on it. He stated that the Board was not upholding the Constitution due to the oath of office they took upon being seated. Darrin Illges (7701 Carleton Dr, Village of Spring Grove) asked the Board to stand against the ordinance and asked the Board to not make its law abiding citizens criminals. Richard Fischer (204 Coventry Ave, Village of Spring Grove) commented that he was concerns about the economic impact to the Village. He stated that he owns a business in Richmond that will be manufacturing gun parts. Charles Schultz, Jr. (5721 Broadway, Village of Richmond) commented that he agrees with Constitutional Rights and noted that the ordinance would ban assault weapons and other everyday weapons. He stated that the ordinance would not stop criminals from getting weapons or criminal behavior. Additionally, he stated that people need to be able to protect themselves. Michael Moore (5501 Walnut St, Village of Richmond) commented that he teaches and owns a firearms business and questioned whether the ordinance would be amended to include a grandfathering clause. He also offered shooting lessons to any Board Member for free of charge. Matt Meyer (3618 W. Mill Rd, Richmond Township) President of the McHenry County Sportsmen's Assn. asked the Board if it was prepared to fight litigation upon adoption of the ordinance. Don Knott (Richmond Township) asked if the Board could afford the cost of litigation. Trustee Bardy stated that money is budgeted for any possible litigation. Mr. Knott stated that the massacres that have taken place occurred in gun-free zones. He also asked if the Board felt that it was in the best interest of the community to pass the ordinance. He stated he was against the ordinance. Patricia Cummings (5901 Milwaukee Ave, Village of Richmond) commented that after 911 she purchased a gun and learned how to use it. She noted that she was against the ordinance. Shawn Weber (409 Farmhill Circle, Village of Wauconda) believes that the State of Illinois is pushing the concealed carry ordinance, especially limiting municipalities to a 10-day window (from the Governor's signing) to pass an ordinance. Garry Forman (8301 N. Solon Rd, Richmond Township) opposes the proposed ordinance and stated that the ordinance will not stop criminals. He believes the ordinance is a waste of time and money. Sean McCallister (4516 E. Hillshire Dr, Richmond Township) is against the ordinance and the Village should not infringe upon citizens' rights. Phillip Downes (5414 W. Valley Dr, Village of Richmond) commented that the Village should not have the say on what the people's rights are and wants the right to protect his family and other citizens. Archie Eastabrooks (6817 Tryon Grove Rd, Richmond Township) commented that the Village was trying to control the people and citizens have rights. He asked who brought this to the Village's attention. President Koenig stated that Illinois Municipal League and the Metropolitan League of Mayors alerted municipalities of the time limitation. Mr. Eastabrooks also wanted to know if the Village was prepared for litigation if the Board passed the ordinance. Aaron Hackbarth (300 S. Edward Blvd, Lake Geneva, WI) believes that this is another example of political trickery and is worried about driving through the Village if the ordinance is passed, as he transports weapons in his vehicle now. Rick Greene (5111 Wood Duck Ln, Village of Richmond) was worried about litigation costs and that burden being put on local residents. Kathleen Nelson (5901 Milwaukee Ave, Village of Richmond) supports the 2nd amendment right and is concerned that guns being ban in the ordinance are normal weapons everyone possesses. She asked that everyone support the Police Department to help control crime. Unknown individual from (Village of Spring Grove) was concerned that the 10-day window was pushing the Village to move too fast on this issue. Josh Foszcz (past Richmond Township resident) questioned why the right to carry was being taken away. Paul Loiacono (Valley Dr, Village of Richmond) commented that he would move before not being able to protect his family. Greg Thurow (May Ave, Village of Richmond) a former Police Officer asked

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why this law was needed and was concerned about litigation costs. An unknown individual/retired Police Officer commented that laws don't stop criminals from having assault weapons, nor will the proposed ordinance.

Trustee Bardy moved, seconded by Trustee Wardanian to approve Ordinance#2013-15; An Ordinance Amending Chapter 14 as presented. ROLL CALL: AYES: NONE. NAYS: BARDY, DRABANT, HOLLENBACH, KUNZ AND WARDANIAN. ABSTAIN: NONE. ABSENT: KIELPINSKI. Motion failed.

Trustee Bardy reported that the Approval to Enter into the Lease Equipment Agreement for an Exmark Lawn Mower was not necessary as the Village will be purchasing the mower outright saving approximate \$1,100.00 in interest.

COMMITTEE REPORTS:

FINANCE: Trustee Bardy reported that the Committee reviewed the bills and tabled the discussion of long-term financial goals for the Village. Trustee Bardy reported that the committee discussed the septic receiving station and possible alternatives if it did not produce. Engineer Ed Coggin stated that he believes the septic receiving station is still the best alternative for the Village. Trustee Bardy then presented Warrant#2013/14.03.01 in the amount of \$39,414.25 for approval.

Trustee Hollenbach moved, seconded by Trustee Wardanian to approve Warrant#2013/14.03.01 in the amount of \$39,414.25 as presented. ROLL CALL: AYES: BARDY, DRABANT, HOLLENBACH, KUNZ and WARDANIAN. NAYS: NONE. ABSTAIN: NONE. ABSENT: KIELPINSKI. Motion carried.

COMMUNITY DEVELOPMENT: Trustee Wardanian reported that the committee approved the sign for "Off Broadway Coffee".

POLICE: Acting Police Chief Cetrangolo reported that the 9th Class of Richmond CPA graduated and all ten members have joined the alumni. He also reported that the Village should expect high traffic flow the 5th, 6th and 7th of July due to a concert scheduled at Alpine Valley and the Nippersink Art Show. Additionally, high traffic flow will occur during Country Thunder scheduled for July 18-21. The June 2013 monthly report was distribute by Chief Cetrangolo.

ENGINEERING: Engr. Coggin reported that the septic receiving station will be delivered on the 11th. The Commercial Street paving project is underway. The roads have been ground and repaving will begin next week. Public Works has completed the work on the dry well on Commercial and repaving of that area will be included with the rest of the Commercial St. project.

PRESIDENT'S COMMENTS: President Koenig thanked the Village Clerk for the planting of flowers in all the pots downtown. The Clerk thanked Toni Wardanian for picking up the replacement hanging baskets for the downtown area. It was noted that the Garden Club planted the flowers on the bridge by Doyle's Pub.

TRUSTEE COMMENTS: Trustee Kunz commented on a sign placed on a resident's property in Sunset Ridge and wanted to know if they would be cited for violation of the sign ordinance. Acting Chief Cetrangolo reported that the sign had been removed. Trustee Kunz also asked about swimming pools in the KLM subdivision. The Clerk reported that the Village follows the County regulations regarding swimming pools. Any pools over 4 ft. in height have to be fenced in or have locking covers in place. All ladders must be removed from the pools and locked. The resident in question was notified last year of the regulation requirements and is again in violation.

Trustee Kunz asked President Koenig if he has met with the Village Treasurer to discuss her being cross trained in Payroll. President Koenig stated that he had not spoken with the Village Treasurer, but would do so within the next two weeks.

Trustee Drabant thanked Public Works and the Village Board for the mosquito abatement. He reported that several trees on Broadway by the Richmond Cemetery need to be replaced and a local resident has stated that they will donate replacement trees.

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With no further business, Trustee Bardy moved to adjourn the July 3, 2013 Board Meeting, seconded by Trustee Kunz. Motion approved by unanimous voice vote.

Meeting adjourned at 9:46 PM.

Respectfully submitted,

Karla L. Thomas, Village Clerk