

VILLAGE OF RICHMOND
REGULAR BOARD MEETING
April 16, 2009

PRESIDING: President Lauri Olson

PRESENT: Trustees Dennis Bardy, Charlotte Hollenbach, Bruce Hunter, David Kielpinski, Peter Koenig, Cindy Walleck

ALSO PRESENT: Village Administrator Tim Savage, Engineer Ed Coggin, Attorney David McArdle

President Olson called the meeting to order at 7:00 pm in the Village Hall, 5600 Hunter Drive.

ROLL CALL: Trustees Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck were present.

MINUTES: Koenig moved to approve the minutes of the April 2 regular meeting as amended (page 1 New Business b. address is 10523). Seconded by Hunter and passed by unanimous voice vote.

ANNOUNCEMENTS/REQUESTS: President Olson read a proclamation declaring the week of April 19 through the 25th as The Week of the Young Child in Richmond. Walleck moved to accept the proclamation. Seconded by Bardy and passed by unanimous voice vote.

UNFINISHED BUSINESS: None

PUBLIC COMMENTS: None

NEW BUSINESS: a. Ordinance 2009-6, Adopting the Unified Development Ordinance was presented by Savage. He told the Board that for the past 18 months a special UDO committee has undertaken the task of combining the zoning and land division control ordinances. A consultant was hired to work with the committee. A Special Zoning Commission, appointed by the Board of Trustees, held a public hearing on the proposed ordinance. No one was present to object or ask questions. It is the recommendation of both the UDO Committee and the Zoning Commission that the Board adopt the Unified Development Ordinance as presented. Consultant Walter Magdziarz of Land Vision Inc., explained that the purpose of the ordinance is to combine the existing zoning and land subdivision regulations and remove the conflicts that are present. The UDO also provides more consistency with the Comprehensive Plan. Procedures for various applications have been streamlined and regulations which were quite old have been updated to reflect current land uses, development and procedures. According to Savage, the Plan Commission now has authority to hear planning proposals from concept and zoning to plat approval, all of which are interconnected issues. The procedure will also provide the developer with a more concise route to follow and group to present it to. There will still be a Zoning Hearing Officer whose job will be to hear requests on variances to the bulk requirements of the zoning ordinance only. There were no further questions or

comments. Walleck moved to pass Ordinance 2009-6. Seconded by Bardy and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

b. Ordinance 2009-7, Establishing Septic Receiving Rates is not complete at this time and will be presented at a future meeting.

c. Ordinance Increasing the number of Class “B” liquor licenses was presented by President Olson. She recommended holding off on passing this ordinance, which provides for an additional Class “B” license, because not all documents have been filed. Savage provided correspondence from New Age TM Inc, which is applying for the license. In the first letter New Age TM is requesting a 4 am license for Fri and Sat PM and the second letter provides more detail on the plan of operation. Dave Jones, owner of the property located at 11106 Rt 12 and Anthony McCarty of New Age TM, were present. Trustee Hollenbach expressed concern about New Age’s operation in Darien, WI, which McCarty acknowledged is a gentlemen’s club. He assured the Trustees that he had no intention of opening a gentlemen’s club in Richmond. Mr Jones told the Board that the building is being purchased under a 6 year contract agreement which states that the only uses for the building can be a restaurant and banquet hall or the proposed night club use. If he does anything else with the property he will be in default of the contract. He asked the Board to give McCarty an opportunity to open his business and make it successful. He needs a liquor license in order to do this and the license could be combined with some sort of agreement as to the uses of the building. Regarding the request for the 4 am liquor license, McCarty stated that he did not require those hours but was merely trying to increase revenue opportunities. It was pointed out that the Village Zoning ordinance does not allow a gentlemen’s club as a given use in any of the zoning districts. President Olson agreed that a business to occupy the building at that location would be good for the Village but she expressed concern over the possible cost to the Village to come up with an agreement that will allay everyone’s concerns. Fire Chief Rick Gallas stated that his department has taken a proactive stand to make sure all fire codes and safety issues are being addressed. Calculations for maximum occupancy have not been completed. The Police Chief is concerned about the additional traffic and the impact it will have. McCarty agreed to work with IDOT on putting in a turning lane if needed. Savage reviewed the business plan recently submitted which includes restaurant, sports bar, banquets, bands, comedy, karaoke and a night club on the lower level. McCarty will provide security on large event nights. Savage asked what constituted a large event night. McCarty could not provide a number since that would depend on the allowed occupancy. He agreed that 400 was not an inconceivable number and he would draw them from the surrounding communities in Wisconsin and Illinois. McCarty plans to install security cameras inside and out and he has obtained permits for the work being done. President Olson reminded McCarty that he is doing all the work at his own risk since the liquor license is not guaranteed. There was no further discussion and no action was taken.

d. General Services Committee recommendations: Representatives from the Richmond Burton Baseball Association presented their request to put another field at Bennett Park. The soccer field will be relocating to the north (on school property) and the baseball association would like to develop, at their own cost, a third baseball field where the soccer field was located. This would expand their possibilities for holding tournaments. They also requested a formal agreement with the Village on the use of the fields and will provide a copy of the agreement they currently have with the Village of Spring Grove. The soccer leagues will be parking on the school property and, if all three diamonds are in use, temporary parking may be needed on the grass at the NW corner of the property just south of the parking lot. President Olson thanked the Association for the wonderful job

they have been doing on the fields and the program. Koenig reported that the General Services Committee recommends approving the request with the understanding that all the work and equipment will be provided by the Association except possibly the use of Village trucks to haul displaced soil to a different location. Bardy moved to approve RBBA's request to develop a third baseball field at Bennett Park. Seconded by Kielpinski and passed by unanimous voice vote.

Next, Koenig reported that the Committee also discussed Cruise Nights and the alternative locations for the event. Lars Anderson is pursuing relocating at the Dog & Suds and Heuers at the north end of the Village. There is enough space for display and parking for spectators, participants and the existing businesses. The Committee continues to work to finalize the location.

e. A request from the Richmond Business Partners to close parking stalls on Broadway just south of Stevens Park for a July Picnic in the Park event was discussed. Savage stated that the request is pretty straightforward. Public Works may be requested to put out picnic tables. More information is needed and the request was forwarded to the General Services Committee.

f. At the request of Trustee Walleck the Casino Night Agreement was tabled to the next meeting to allow the Odd Fellows a chance to review the document.

g. Resolution R2009-3, Authorizing Transfer of Funds was presented by Savage. He explained that the source of the funds is the Bond Issue and the money is going into the Water/Sewer Capital Improvement Fund. Walleck moved to approve Resolution R2009-3. Seconded by Hollenbach and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

PRESIDENT'S COMMENTS: President Olson informed the Board that Builders Unlimited (Bill and Linda Becknell) has donated towards purchase of bullet proof vests for the Police. A special use liquor license may be requested by Olive Black to transfer a portion of their inventory to Memorial Hall for a program. Trustee Walleck informed the Board that Olive Black may want this to be a permanent venue.

ADMINISTRATOR'S COMMENTS: Savage reported on the street patching and sweeping schedules. Budgets are near completion and will be presented at the next meeting.

TRUSTEE COMMENTS: Trustee Hunter suggested the Board consider putting together an agreement with New Age TM Inc regarding the proposed business. A list of allowed uses and other requirements such as security and traffic management could be attached to the liquor license and any violation of the agreement would be considered a violation of the liquor license. President Olson expressed concerns about the cost of attorney review fees. Trustee Bardy suggested the Board give direction to the administration to come up with an agreement that everyone is happy with. The Board had no objection to this. President Olson requested a retained personnel account be set up to pay for legal input. Savage stated that he could put assurances together but the first issue to be addressed is whether the Board wants a venue of the nature proposed (400-500 people on Friday and Saturday night with a regional draw) Is that the vision for the Village? Kielpinski suggested that the number could be more like 800 people. McArdle recommended getting the attorney involved at the beginning of the process, along with the Chief of Police and the Fire Chief. He suggested retained personnel fees not to exceed \$10,000.

Kielpinski asked if a sign could be installed at the Swallow Ridge Drive indicating the location of Burlington Road. The existing sign leads drivers to think that Swallow Ridge Drive is in fact Burlington Road. Savage will look into the problem and contact IDOT if they need to be involved.

Walleck inquired about the \$3,000 of Village funds that were turned over to Rotary for development of Richmond Days and/or creation of events. Kielpinski did not have information and Walleck will ask the current Rotary President for information.

CLOSED SESSION: Walleck moved to go into closed session for acquisition of property (5 ILCS 120/2(c)(5)), and semi annual review and approval of closed minutes(5 ILCS 120/2(c)(8)) .

Seconded by Kielpinski and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes. 8:10 p,m,

Board returned to open session at 8:33. President Olson, Trustees Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck were present for roll call.

No action was taken. Hunter moved to adjourn. Seconded by Keonig and passed by unanimous voice vote. 8:34 p.m.

Kathleen Hellmann, Village Clerk