

VILLAGE OF RICHMOND
REGULAR BOARD MEETING
February 21, 2008

PRESIDING: President Lauri Olson

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

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

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

ROLL CALL: President Olson and the above Trustees were present

MINUTES: Walleck moved to approve the minutes of the February 7th regular meeting. Seconded by Bardy and passed by voice vote.

ANNOUNCEMENTS: None

UNFINISHED BUSINESS: Cruise Nights Special Event Permit. Trustee Koenig presented a recommendation from the General Services Committee. There is some conflict over the area on Broadway that should be closed. Following public input from some of the businesses on Broadway that will be impacted, the Committee is recommending approval of the permit with closure of West Broadway from Main to the bridge, along with use of the parking lot and George Street from Main to the bridge. Also recommended is approval of the village services requested in the application (traffic control, installation of banners, etc.). Mr. Phil Gilardi, owner of Pisano's restaurant, will provide valet service for his customers with parking either in the Community Church parking lot or whatever location is available. Staging area for the valet parking could be at the SE corner of East Broadway. Committee also recommended allowing temporary signs, Friday nights only, directing customers to the valet parking area. Originally Mr Gilardi suggested having Mill Street as the staging area but the Committee recommends East Broadway because it would be easier for the customers to reach the restaurant and also because there has been an objection received about the possibility of patrons cutting through private property. This change has been emailed to Gilardi but no response has been received. President Olson requested that Mr. Gilardi be contacted to find out if he is in agreement with using East Broadway rather than Mill Street. Savage pointed out that either location could work at Gilardi's option and the Village's participation has to do with the Cruise Night Special Event Permit and permission for the temporary signs on Route 12 only. Hunter suggested that the event be reviewed midway through the season to see if any areas need fine tuning, or if any suggestions come in. Lars Anderson, representing Rally Insurance, sponsor of the event, stated that any change to the fundamental character of the event halfway through will probably not be acceptable. Positive and constructive suggestions will always be considered. Walleck suggested that the situation could be monitored throughout the summer and any changes can be considered for next year. Koenig reminded the Board that this will be the 10th year for Richmond Cruise Night and

there are no new concepts being proposed. Kielpinski moved to approve the Special Event Permit as presented. Seconded by Koenig and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

PUBLIC COMMENT: Lars Anderson, speaking as a member of the Richmond Business Partners, brought up some snow removal issues. He acknowledged that this has been an unusual year and he asked if there was a general snow removal or plowing plan for example what times and in what order the streets are plowed. He asked if this could be discussed with a committee –how the businesses can work with the Village in terms of their own businesses cars and tenant’s cars and other information. The Board referred the issue to the General Services Committee for their next meeting.

NEW BUSINESS:

a. Ordinance Amending a Special Use Permit for Olive Black, 5607 Broadway, was presented and discussed. The Zoning Hearing Officer has recommended approving the ordinance with certain conditions. A decibel limit for the amplified live entertainment was one of the recommendations. The Village does not have the equipment to measure decibel levels. According to Savage, the business owners attorney, Donald Stinespring, has agreed that the noise issue is best handled as a nuisance under our existing ordinances, therefore, reference to decibel level has been removed from the original ordinance presented. Because there have been changes made that the business owner is not aware of, the Ordinance was tabled to the next meeting to give the owner a chance to comment.

b. Ed Coggin, Smith Engineering, presented a supplemental Motor Fuel Resolution for the 2007 street resurfacing program in the amount of \$31,000 covering work done on South Street last year. Koenig moved to approve the Resolution. Seconded by Walleck and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

c/d/e Attorney McArdle introduced the three agreements which implement the Phase I improvements for the bypass. The Smith Agreement deals with the engineering. Under the terms of the intergovernmental agreement between the Village and McHenry County, the County agrees to fund 50% of the \$236,650 local portion, not to exceed \$118,325.00. In the local agency agreement the State of Illinois appoints the Village of Richmond as the local agency and deals with the split of costs between the federal, state and local agencies. This agreement addresses the entire project including construction. According to the agreement if the work is not completed within 20 years the money must be paid back to the federal government. Coggin assured the Board that IDOT grants extensions on a regular basis, e.g the 420 ROW which was begun in the 50’s. According to Savage the Village is only obligated as local agency for the Phase I engineering and there is nothing in the paperwork that requires the Village act as lead agency for Phase II.

c. County Intergovernmental Agreement. Language will be added to paragraph 9, page 2 to make this provision reciprocal and the County will be asked to agree with this change. Walleck moved to approve execution of the agreement subject to the County signing the agreement by April 1, 2008, and further subject to negotiating reciprocity in paragraph 9, page 2. Seconded by Hollenbach and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

d. The form used for the local agency agreement indicates that the Local Agency is responsible for \$2,366,500 and McArdle pointed out that that is not accurate since it represents the total project amount which will not be funded until the next fiscal year. With the start of the next fiscal year the numbers will flip and the 2+ million will show as the federal and state share. By July 2008, \$230,000 will have been incurred by Smith according to their schedule and if the federal money is not allocated, the Village can cancel the Smith

Agreement, as provided in the agreement itself. The county will still be obligated to their share. Aside from this, the agreement is standard. Kielpinski moved to approve execution of the Illinois Department of Transportation Local Agency Agreement for Federal Participation. Seconded by Walleck and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

e. According to McArdle a lot of time was spent reviewing the Smith engineering agreement. The termination section allows the Village to terminate the agreement anytime upon payment of balance due for work completed. According to McArdle this is a professional services agreement and does not require bidding. Smith Engineering is pre-qualified with IDOT to perform these services and a letter will be presented to IDOT to support the selection process. Walleck moved to approve the Preliminary Engineering Services Agreement for Federal Participation with Smith Engineering Consultants subject to the condition that no notice to proceed will be issued to Smith Engineering until the County Intergovernmental Agreement and the State Local Authority Agreement are fully signed. Seconded by Koenig and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes.

PRESIDENT'S COMMENTS: President Olson thanked Trustee Walleck and the Memorial Hall Committee for providing a wonderful evening on Saturday for the Presidents Ball. She also informed the Board that the proposed ethanol plant is still moving forward within Hebron Township. The proposed area consists of 160 acres and is located on the north side of Rt. 173 west of the RR tracks. It is outside the Village's planning jurisdiction. The Trustees were in favor of a resolution opposing the plant.

ADMINISTRATOR'S COMMENTS: None

TRUSTEE COMMENTS: Bardy informed the Board that high school senior Jordan Blanton won his third state wrestling championship. Walleck thanked everyone for their support of the Memorial Hall event.

CLOSED SESSION: Kielpinski moved to go into closed session for litigation (5 ILCS 120/2(c)(11)) , personnel(5 ILCS 120/2(c)(1)) and approval of closed minutes (5 ILCS 120.2(c)(8)) Seconded by Koenig and passed with Bardy, Hollenbach, Hunter, Kielpinski, Koenig and Walleck voting yes. 7:50 p.m.

Board came out of closed session at 9:55 p.m. Bardy, Hollenbach, Hunter, Kielpinski, Koenig, Walleck and Olson were present for roll call.

There was no further business. Hunter moved to adjourn Seconded by Kielpinski and passed by unanimous voice vote. 9:55 p.m.

Kathleen Hellmann, Village Clerk