

VILLAGE OF POPLAR GROVE

ADMINISTRATION COMMITTEE MINUTES

January 25, 2010 – 6:30 PM

(Unless noted otherwise – all motions approved are Unanimous. All funding requests go to the Finance Committee for approval at the next Village Board meeting).

Present:

President Brad Rightnowar, Chairman Kris Campbell, Trustee Judi Zangs, Secretary Maureen Brzinski, Arturo Torres, Joshua Shafala, and public audience.

Absent: Trustee Ronald Quimby

Minutes of December 21, 2009:

A motion was made by Zangs, 2nd by Campbell to approve minutes as presented.

Public Comments:

Motion was made by Zangs, 2nd by Campbell to approve the request for a refund of \$400 to Arturo Torres for the difference between a Class A (\$900) and Class C (\$500) liquor license for LaEsperanza Grocery Store.

Susan Riege filled out a public comment sheet opposing making the Dog Ordinance stricter. Ms. Zangs stated she will give Ms. Riege a call and convey what the committee was discussing, about promoting better pet ownership.

Shafala:

President Rightnowar stated for the record that he had received a phone call and then a copy of a letter from Donald and Janina Daraskevich who received a letter from Shafala requesting a Special Use Permit for an establishment of a barber shop business to be conducted at 404 Jayde Place which is adjacent to their property. The Daraskevich's do not look favorably upon the request and do object to any such allowance.

A letter was also received in December from Michael and Mari Ward who are not favorable about having a business in their neighborhood, especially across the street from their home. They stated it is a residential area and there has been a parking problem there since they moved in 2000. They have also noticed non-running vehicles parked in the driveway and do not want the signage of the business in their neighborhood.

Shafala continued:

Finally a letter received in December from Donald and Phyllis Koy objecting to the Special Use Permit because of the subdivision being a residential neighborhood which should not have business signs hung or posted and concerns about parking issues.

Joshua Shafala, stated for the record he had followed the process requested by the Planning Commission. Mr. Shafala stated there are seventy home businesses in the Village and he is the only one who has followed the process and feels he is being penalized for it. Mr. Shafala feels he needs to support the people who have supported him over the years, patrons who want him to be in business again, and also supporting the Village by keeping the money in the community. Mr. Shafala donated one of the non-running vehicles to the Kids with Disabilities Assoc. and stated he would only have two appointments an hour with the two vehicles parking in his driveway. He will take down the sign.

President Rightnowar stated the Village is obligated to follow the Ordinances that are in place. The Village is not bound or expected to, under the law, enforce interpersonal or interproperty restrictions or conveniences. The Planning Commission found that Mr. Shafala met all the requirements under our Ordinances and therefore justified providing the Special Use Permit/Accessory Use/Home Occupation.

Motion was made by Zangs, 2nd by Campbell to approve the Planning Commissions recommendation regarding Shafala's home business with the provision there would be no sign.

Old Business:

Bicycle Friendly Community: No changes or additions to project at this point.

Village Beautification and Community Garden Development Project:

The Chairwoman of the Village Beautification Committee/Community Garden is working with the University of Illinois Extension Service pursuing a grant for the Community Garden Development project.

Cliff Stetter will speak to the Simeral's about the use of their land for the Community Garden development project. Our intent is to work with the Food Pantry to offer free plots to all the people who are current customers of the Food Pantry and to help them to understand about the planting. Because the Food Pantry is a non-for-profit organization, we might want to mention to the Simeral's about leasing their land for a possible tax write off.

Plots will be rented for a modest amount, preferable on Village property, and we are also looking at the possibility of establishing a small tree nursery.

Old Business continued:

Park Commission:

In his e-mail, Ron Quimby requested format to set up Park Commission and any other people who might want to get involved. He only has four names and requests a few more before he sets up a meeting.

Permits / Zoning:

Lane has a court appearance on February 4th. Mr. Lane had a meeting with President Rightnowar and Rightnowar stated Mr. Lane has to file an application and go through the process and as he goes through the process, they will hopefully come to an agreement whereby he can stay open. Rightnowar reiterated that his obligation is that Mr. Lane stay in compliance with the ordinances of the Village.

Motion was made Zangs, 2nd by Campbell for a one year extension for Poplar Woods per the Planning Commissions recommendation.

Fire Department would like to erect a training tower at the south end of the Fire Station lot. Rightnowar's counter proposal would be, we'll give you some ground out of the way, to use as you see fit, so we could keep the area between the Fire Station and the Village as a pristine area.

All Class A liquor establishments were sent a copy of the Liquor Ordinance regarding posting of occupancy requirements.

Signs:

Don Bawden will create a form specifically for sign permits. Also the person who reviews sign permits should be the Code Enforcement Officer not the Planning Commission.

Sign permit for Lane was received and rejected because his establishment is not in compliance with the Village

Other Administrative:

Approximately twenty people showed up for the Census 2010 testing for P/T positions.

Nothing new to report on the unauthorized dumping at the water tower. Suggestion was made last committee meeting to get the Ordinance Officer involved if it couldn't be resolved locally

Old Business continued:

Other Administrative continued:

Cliff Stetter stated Mr. Simeral was going to request a meeting with the Village a month ago regarding the cut drain tiles, but he never did. Mr. Stetter will be talking to the Simerals regarding the Community Garden Development project and most likely this issue will come up again.

FEMA: Ron Quimby will be attending the IL Department of Natural Resources open house February 10th. It will be an explanation of the digital flood insurance maps and how they relate to the FEMA and Flood Insurance study. We have a thirty (30) day comment period after the open house to correct boundary mistakes, road corrections, anything on the map that is a mistake as well as any questions we might have. After a review of all the communities and comments, a final report will be sent out to each community and we will have six (6) months to adopt a flood plane ordinance or modify an existing one to reflect any changes.

Stetter stated this could be a great opportunity for the Village to approach the people who own this land, and who could take it off of their taxes if donated to the Village. This land could be used to develop some type of park space, nature walks, bike paths or a combination of things and if in a flood plan most likely it's not being farmed, developed with buildings or anything else. It would be a partnership opportunity with the Conservation District and the Village.

President Rightnowar confirmed the interviewing of counsel will occur Saturday February 6th and all Trustees were requested to attend if at all possible.

Snow Emergency Parking Restrictions:

Have the Public Works Director look into how other municipalities handle this situation, ask public works employees for their ideas and see what the current signs say (word for word). Present information at next committee meeting.

Snow Mobiles:

Driving snow mobiles across private property is considered trespassing and should be handed by the Sheriff's Office.

New Business:

We received an e-mail asking if the Village had a Real Estate Transfer Tax, which we do not. Zangs went online and checked other municipalities and found some were collecting \$3 for every \$1000 worth of home value or more. Zangs stated there might not be an influx of building new homes, but people are buying and selling homes in the Village. Zangs suggested Rightnowar look at this possibility.

Zangs brought up the possibility of a business license fee for home businesses in the Village. Rightnowar stated no business license fees at this time.

FOIA Officers for the Village will be Clerk Martha Suhr and Secretary Maureen Brzinski. The training requirements for this position must be completed by July 1, 2010.

Public Hearing:

The value of police response time when agreement is in effect vs. response time after agreement has changed.

There was much discussion about officers used on select evenings which we will be addressing in our next agreement.

There was a discussion about creating a commercial development committee.

There was a recommendation to have Vehicle Stickers. This would be an opportunity for the Village to recoup the cost of our Ordinance Officer which is being paid out of our general fund.

Deputy Russell had a meeting with President Rightnowar and stated anything short of a misdemeanor should be written under the Village. Rightnowar stated other municipalities incorporate by referencing the code of the State of Illinois which gives them the authority to write any ticket under the vehicle code, i.e. overweight trucks traveling on Rt. 76, DUI's, etc. Lastly, Deputy Russell tows about three cars a week and there is no towing charge in place for the Village. The Deputy suggested we develop an ordinance that allows us to charge a fee and that we get one specific towing company who collects that fine when the car is picked up. We give the towing company an administration fee and we receive the rest of the fine.

Police Protection:

Rightnowar stated police protection is a good thing but it isn't as utilized, as efficient as it could be, predominantly because of the way the procedures were followed. If we go to the Sheriff and request to internalize these deputies so they are employed by the Boone County Sheriff's Office but really work for the Village and create a long term relationship with the deputies assigned to us, we will get a better response from them. That is going to be a subject of renegotiation but also, when we hit 5000 citizens the Village is going to have to start paying for police protection anyway.

Rightnowar suggested a committee be put together, including Zangs and the public living in the Village, to answer the questions from the Public Hearing and provide additional information.

Closed Session:

Motion made by Zangs, 2nd by Campbell to go into closed session for litigation in process and Prairie Green Subdivision:

Secretary Maureen Brzinski was asked to leave the closed session because of residing in the Prairie Green Subdivision.

Motion made by Zangs, 2nd by Campbell to move out of closed session.

Adjournment:

Motion made by Zangs, 2nd by Campbell to adjourn.