

VILLAGE OF ROCKTON
BOARD OF TRUSTEES MEETING MINUTES
August 21, 2012

Mayor Adams called the meeting to order at 7:00pm. Present were: Mayor Adams, Mr. Winters, Mr. Magnus, Mrs. Nelson, Mr. Hoey, Mr. Fridly, and Mr. Peterson. Also present: Atty. Galluzzo

Motion by Winters second by Fridly to waive the reading of the August 7, 2012 Village Board Meeting minutes. All ayes. Motion approved 6-0.

Motion by Fridly second by Winters to approve the August 7, 2012 Board Meeting Minutes. All ayes. Motion approved 6-0.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

PUBLIC COMMENTS

There was no public comment.

MAYOR ADAMS

Public Hearing: Zoning Variation to Allow Continuance of R-2 Zoning Status at 203 Union Street

Mayor Adams opened the hearing to the public at 7:02pm. The following people addressed the board during the public hearing:

Lynne Berglund the owner of 203 Union Street addressed the board and explained how she had bought the property in March of 2012. All of the paper work she received when she bought the property stated that it was a duplex. Two months after she had bought the property she was informed by the village's code enforcement officer that the property was actually zoned R-1 and would require a zoning variance to in order to continue to be rented or used as a duplex. She stated that the property had been used as a duplex off and on, but mostly on for over 50 years. She said realizes that this piece of property has had a pretty poor reputation, but she does not plan on continuing this reputation. She stated that she has spent over \$30,000 so far on improvements to the property. She said that her lawyer said there is something called a legal non-conforming status and because of that the village cannot adversely affect her use of the property. She said she feels she only has the best interest of the village in mind.

Mary Newnam, a neighbor who lives at 213 Union Street, expressed her concerns that letting the property at 203 Union Street remain a rental duplex presents a threat to the value of the homes in the neighborhood. She stated that while the property has been used as apartments it has had a long history of criminal activity. She asked the village to uphold the zoning that is on the books and not approve the variance to allow for the use as a duplex that can be rented.

Kyra Newnam, a neighbor who lives at 213 Union Street, also expressed concerns about continuing to allow the property at 203 E. Union to remain a duplex and to be rented out as such. She asked about the village's ordinance referring to a property that sits vacant for any reason for

six months that is then supposed to lose its grandfathered status. Kyra also stated that while the owner says there have been improvements, that the windows are wide open and that a coat of paint really isn't an improvement in her eyes. Kyra also questioned what happens if the new owner sells the property and someone who doesn't care buys it and the neighbors are stuck with the same situation they have dealt with over and over.

Mr. & Mrs. Tim Conley, neighbors at 203 E. Franklin, both shared that they see this as the village's opportunity to change the zoning back to R-1 to be the same as the rest of the property in the family neighborhood.

The trustees discussed with Attorney Galluzzo what the term "clear intent on the part of the owner to abandon the current use" means in terms of this property. The property was condemned in December of 2011 and then cleaned up and sold in March of 2012. Attorney Galluzzo said they needed to need to determine if it was a legal non-conforming use and whether or not there was an intent to abandon the current use.

The Mayor closed the public hearing at 7:23pm

Resolution 2012-113

Motion by Winters, second by Hoey to approve Resolution 2012-113; Authorizing the Village of Rockton to Intervene in Proceedings before the State of Illinois Property Tax Appeal Board. Roll call. All ayes. Motion approved 6-0.

Mr. Tom Chapman from Raymond James explained Bond Ordinances 2012-10, 2012-11 and 2012-12

Ordinance 2012-10

Motion by Winters, second by Peterson to waive the first reading of Ordinance 2012-10. Roll call. All ayes. Motion Approved.

Motion by Fridly, second by Peterson to approve Ordinance 2012-10; An Ordinance Authorizing the Issuance of General Obligation Alternate Bonds (Telecommunications Tax Alternate Revenue Source) of the Village of Rockton, Winnebago County, Illinois, In an Aggregate Principal Amount Not to Exceed \$300,000 for the Purpose of Paying All or a Portion of the Costs of A Concession Building at the Rockton Athletic Fields, and Related Costs and Expenses; Providing for the Publication of Public Notice of Intent to Issue such Bonds; and Concerning Related Matters. Roll call. All ayes. Motion Approved 6-0.

Ordinance 2012-11

Motion by Winters, second by Peterson to waive the first reading of Ordinance 2012-11. Roll call. All ayes. Motion Approved.

Motion by Winters, second by Hoey to approve Ordinance 2012-11; An Ordinance Authorizing the Issuance of Waterworks Revenue Bonds of the Village of Rockton, Winnebago County, Illinois, In an Aggregate Principal Amount Not to Exceed \$700,000, For the Purpose of Improving and Extending the Waterworks System of the Village of Rockton; Providing for the Publication of Public Notice of Intent to Issue such Bonds; and Concerning Related Matters. Roll call. All ayes. Motion Approved 6-0.

Ordinance 2012-12

Motion by Winters, second by Fridly to waive the first reading of Ordinance 2012-12. Roll call. All ayes. Motion Approved

Motion by Winters, second by Hoey to approve Ordinance 2012-12; An Ordinance Authorizing the issuance of General Obligation Alternate Bonds (Waterworks System Alternate Revenue Source) of the Village of Rockton, Winnebago County, Illinois, In an Aggregate Principal Amount Not to Exceed \$700,000, for the Purpose of Paying the Costs of Improving and Extending the Waterworks System of the Village; Providing for the Publication of Public Notice of Intent to Issue such Bonds; Calling a Public Hearing with Respect to Such Bonds and Providing for Public Notice of the Hearing; and Concerning Related Matters. Roll call. All ayes. Motion Approved 6-0.

Ordinance 2012-13

Motion by Winters, second by Fridly to waive the first reading of Ordinance 2012-13. All ayes. Motion Approved.

Motion by Winters, second by Fridly to approve Ordinance 2012-13; An Ordinance Changing the Village Clerk Position from Full Time to Part Time and Amending the Duties and Responsibilities Incident Thereto. Roll call. All ayes. Motion Approved 6-0. The Mayor made it clear that these changes to not take place until after the election in April 2013.

Ordinance 2012-14

Motion by Winters, second by Peterson to waive the first reading of Ordinance 2012-14. Winters, Peterson, Magnus, Nelson, Hoey - Aye. Fridly - Nay. Motion Approved 5-1.

Motion by Winters, second by Fridly to approve Ordinance 2012-14; An Ordinance Establishing Salaries for Newly Elected Village Officials in the Village of Rockton. The Mayor and Mr. Winters explained the changes and the fact that they do not go into effect until after the election in April 2013. Roll call. All ayes. Motion Approved 6-0.

Correspondence

The Mayor had no correspondence to read, but he reminded the audience and the trustees that the next village committee and board meetings will be held on Tuesday September 4th with the administration meeting starting at 5pm.

ZONING

Zoning Variance: Zoning Variance Request to Be Able to Rebuilt As Is with More than 75 Percent Damage - 414 Grove Street

Mr. Brett McKillips explained that he needs this zoning variance in order to obtain a loan for this property. The Mayor shared that this variance request had been approved by both the planning and zoning boards. Motion by Winters, second by Fridly to approve the zoning variance request for 414 Grove Street to be able to rebuild as is if the building were to sustain more than 75 percent damage. Roll call. Winter, Fridly, Nelson, Hoey, Magnus – Aye. Mr. Peterson abstained. Motion approved 5-0 with one abstention

Zoning Variance: Zoning Variance Request for Continuing R-2 Status with More Than Six Month Vacancy Lapse – 203 E. Union

The Mayor explained that this zoning variance request had been approved at planning with a vote of 5 –aye, 1- nay, and one abstention, and that the zoning board’s vote was split 2-aye, and 2 nay.

Motion by Fridly, second by Peterson to approve the zoning variance request for 203 E. Union Street for continued R-2 status with more than a six months vacancy lapse. The Village Trustees

and the Village Attorney discussed the variance request. Roll call. Peterson, Magnus, Hoey, Fridly - Aye. Winter, Nelson- Nay. Motion approved 4-2

BUILDING AND PARKS - Mrs. Nelson

Ratify Consensus to Approve Engineering for Grading for the Rockton Athletic Fields Expansion

This item was tabled.

SEWER, WATER, & GARBAGE, Mr. Peterson

Hire Full-time Public Works Employee

Motion by Peterson, second by Fridly to hire Jacob Costello as a full-time public works employee effective 8/18/12 with a beginning hourly rate of \$10.50/hour. Roll call. All ayes. Motion approved 6-0

Waive the Bid Process and Purchase New GMC Truck for Public Works

Motion by Peterson, second by Fridly to waive the bid process and purchase a new GMC 3/4 ton truck for the Public Works Department ata cost of \$33,899. The village may obtain financing to purchase this truck. Roll call. All ayes. Motion approved 6-0

Purchase Equipment for New GMC Truck

Motion by Peterson, second by Hoey to approve the purchase of equipment to outfit the new public works trucks in the amount of \$6,140. Roll call. All ayes. Motion approved 6-0

STREETS AND WALKS, MR. MAGNUS

Ratify Consensus to Approve Parking Lot Steps

This item was tabled.

Ratify Consensus to Approve Replacement of Natural Gas Line

Motion by Mr. Magnus, second by Hoey to ratify the consensus to approve hiring Brian Elmer to replace a natural gas line at a cost of \$1641. Roll call. All ayes. Motion approved 6-0

PAYMENT OF BILLS

Motion by Winters, second by Peterson, to pay bills in the amount of \$169,985.92. Roll call. All ayes. Motion approved 6-0.

Hearing no further business, motion by Winters, second by Hoey to adjourn at 8:01pm. All ayes. Motion approved 6-0.

Respectfully submitted,

Brenda Warren
Village Clerk