

**VILLAGE OF MACHESNEY PARK, ILLINOIS**  
**HELD IN THE FRANK G. BAUER MUNICIPAL HALL**  
*Journal of Proceedings ~ Regular Meeting, September 17, 2018*

The meeting was called to order at 6:00 PM by Mayor Steve Johnson. Pastor Heath Tibbets from First Baptist Church of Machesney Park gave the Invocation, which was followed by the Pledge of Allegiance led by Boy Scouts from Troop 206, with Scoutmaster Dave Logan and other leaders.

Present: Mayor Steve Johnson, Trustees Jake Schmidt, James Kidd, Aaron Wilson, Terri Bailey and Erick Beck

Absent: Trustee Joe Seipts

Also

Present: Village Clerk Lori Mitchell  
Village Treasurer Bradley Robison  
Village Attorney Tom Green  
Village Administrator Tim Savage  
Community Development Director James Richter II  
Public Works Superintendent Chad Hunter  
Village Engineer Chris Dopkins  
Public Safety Supervisor Lt. Pete Dal Pra

The Journal of Proceedings for the Regular Board Meeting from September 4, 2018 was approved per typewritten copies submitted by the Clerk on a motion by Trustee Wilson and seconded by Trustee Bailey. Motion carried by voice vote.

**Village Treasurer Bradley Robison presented the Treasurer's Report** showing what the Village reported that the Treasurer's report as of September 10, 2018, indicated a total of all funds as \$13,320,277.95. A copy of the treasurer's report is available at the back of the room. A motion was made by Trustee Wilson and seconded by Trustee Schmidt to accept the Treasurer's Report and place it on file for audit. Motion carried by voice vote.

**Clerk Mitchell introduced Trustee Jake Schmidt who read a proclamation for Constitution Week** which was presented by Mayor Johnson to Peggy Mangefort from the Rockford Chapter of Daughters of American Revolution. Ms. Mangefort shared interesting facts about the Constitution and thanked the Village for its support.

**Clerk Mitchell introduced Trustee James Kidd who read a proclamation for POW/MIA Recognition Day** which was presented by Mayor Johnson to Chairman Barney Spencer from Vietnam2Now. Mr. Spencer invited the Village and everyone to the Loves Park City Hall on Friday night at 6pm to honor the POW/MIA.

Trustee Wilson presented the warrant in the amount of \$1,077,661.88 and moved for its authorization; seconded by Trustee Beck. Motion approved. On roll call: 5 ayes (Trustees Schmidt, Kidd, Wilson, Bailey and Beck), 0 nays, 1 absent (Trustee Seipts)

**ADMINISTRATIVE REPORTS**

**Mayor Johnson reported** that he toured PCI in Rockford recently, the wayfinding signs are being erected, Los Panchos is now open for business and he encouraged everyone to check them out. He also reported he will be attending the IML Conference in Chicago this week to network with other municipal officials from around the state.

**Attorney Tom Green had no report** this evening.

**Village Administrator Tim Savage reported** the river did crest at well under 12 feet. There was some flooding in yards, but very minimal use of the Village provided sand bags. Further, he reported that the Village fared very well, but there was some water on roadways. The Public Works Department is now cleaning up at Stone's Landing and along ditches.

1. Minutes Approved

2. Treasurer's Report

3. Communications

4. Warrant/Approved

5. Administrative Reports

6. Mayor's Report

7. Attorney's Report

8. Village Administrator

**Finance and HR Manager Michelle Johannsen** left no report.

**Community Development Director James Richter II** reported the Hobby Lobby at the Machesney Gateway Center next to Home Depot is finishing up work on their store and they plan to open on Monday, October 1.

**Public Works Superintendent Chad Hunter** had no report this evening.

**Village Engineer Chris Dopkins** reported on ongoing projects in the Village. He reported the Scott, Juniper and Cadet storm sewer improvements are essentially complete. Curb and gutter pour is tentatively scheduled for Tuesday of next week. Victory Lane improvements will be starting later this week. He further updated the Board regarding the Flood Demolition Program. Further, regarding the Quantum Road Improvements, he thanked Rock River Water Reclamation District Joe VanArk for the hard work to help get the permits.

**Public Safety Supervisor, Lt. Pete Dal Pra** had no report this evening.

#### COMMITTEE AND TRUSTEE REPORTS

**District #1 Trustee Seipts, Administration and Finance Committee Chairman** left no report this evening.

**District #2 Trustee Schmidt, Public Improvement and Safety Chairman** reported that the PISC Committee met this evening and recommended approval of Resolution 54-R-18, to Authorize Engineering for the 2019 Capital Improvement Program. This will go to the October 1 Board Meeting with a positive recommendation.

**District #3 Trustee Kidd, Public Improvement and Safety Vice-Chairman,** had no report this evening.

**District #4 Trustee Wilson, Administrative and Finance Vice-Chairman,** had no report this evening.

**District #5 Trustee Bailey, Planning and Economic Development Chairperson,** had no report this evening.

**District #6 Trustee Beck, Planning and Economic Development Vice-Chairman,** had no report this evening.

CONSENT AGENDA\* - Mayor Johnson noted that the next item is the Consent Agenda. He asked Staff to introduce all items to be considered under the Consent Agenda.

**Administrator Tim Savage presented the items as follows:**

- A. Ordinance 31-18, Authorizing \$900,000 Promissory Note for Quantum Court within Weststone IJRL TIF, Final Reading
- B. Ordinance 30-18, Variance for Accessory Building Height, 11203 Dorothea Avenue, First Reading
- C. Ordinance 32-18, Special Use Permit for Self-Storage, 10446 Product Drive, First Reading
- D. Ordinance 33-18, Text Amendment, Article 1, Section Z-12 of the Zoning Code, Rear Yard Abutting Public Roadway, First Reading
- E. Ordinance 34-18, Text Amendment, Article 1, Section Z-9 of the Zoning Code, Fence Regulations, First Reading

9. Finance/HR Manager
10. Comm. Dev Dir
11. Pub Works Supt
12. Village Engineer
13. Pub Safety Supervisor
14. Committee Reports
15. District #1 Report
16. District #2 Report
17. District #3 Report
18. District #4 Report
19. District #5 Report
20. District #6 Report
21. Consent Agenda

- F. Ordinance 35-18, Text Amendment, Chapter 23, Compensatory Storage Requirements, First Reading  
G. Resolution 50-R-18, Authorizing a Five-Year Lease with TLC Illinois, LLC, for 8702 N. Second Street, Unit B

Consent Agenda was Accepted as Amended

Mayor Johnson noted that he was removing Resolution 50-R-18 from the Consent Agenda and placing it under Unfinished Business. He asked if there were any other items a Trustee would like removed from the Consent Agenda to be considered separately. Trustee Wilson indicated he would like to have Ordinance 30-18 removed from the Consent Agenda so it can be brought back for second reading to night also, because the resident wishes to move ahead on this project before cold weather sets in. The Consent Agenda was accepted as amended.

Mayor Johnson called for a motion to approve all remaining items under the Consent Agenda. The motion was made by Trustee Wilson and seconded by Trustee Bailey. The motion was approved by roll call vote: 6 ayes (Trustees Schmidt, Kidd, Wilson, Bailey, Beck and Mayor Johnson), 0 nays, 1 absent (Trustee Seipts)

All Items on the Consent Agenda as Amended were Approved

#### UNFINISHED BUSINESS

22. Unfinished Business

Mayor Johnson called for a motion to approve Ordinance 30-18, Variance for Accessory Building Height, 11203 Dorothea Avenue, First Reading. The motion was made by Trustee Beck and seconded by Trustee Kidd. **Staff Report: Community Development Director James Richter II gave the rationale for this ordinance for use as storage for recreational vehicles. Discussion: Trustee Wilson explained that he will be requesting to waive the rules on this item and bring back for second reading tonight.** The motion was approved by roll call vote: 6 ayes (Trustees Schmidt, Kidd, Wilson, Bailey, Beck and Mayor Johnson), 0 nays, 1 absent (Trustee Seipts)

23. Ord 30-18/Var/11203 Dorothea AV/1<sup>st</sup>/Pass

Trustee Wilson made a motion to waive the rules so Ordinance 30-18 can be brought back for second reading tonight. Motion was seconded by Trustee Schmidt. The motion was approved by roll call vote: 5 ayes (Trustees Schmidt, Kidd, Wilson, Bailey, and Beck), 0 nays, 1 absent (Trustee Seipts)

24. Waive Rules/Pass

Mayor Johnson called for a motion to approve Ordinance 30-18, Variance for Accessory Building Height, 11203 Dorothea Avenue, Second Reading. The motion was made by Trustee Wilson and seconded by Trustee Bailey. The motion was approved by roll call vote: 6 ayes (Trustees Schmidt, Kidd, Wilson, Bailey, Beck and Mayor Johnson), 0 nays, 1 absent (Trustee Seipts)

25. Ord 30-18/Var/11203 Dorothea AV/2<sup>nd</sup>/Pass

Mayor Johnson called for a motion to approve Resolution 50-R-18, Authorizing a Five-Year Lease with TLC Illinois, LLC, for 8702 N. Second Street, Unit B. The motion was made by Trustee Schmidt and seconded by Trustee Bailey. Mayor Johnson explained that he will be voting "present" on this item because his wife, Diana, has begun working part time for TLC. He talked it over with the attorney and he didn't feel there was a conflict of interest because she was an hourly employee, but he still didn't want to give any indication of impropriety regarding this vote. Staff Report: **Community Development Director James Richter II reported that this is to accommodate the location of the TLC Corporate Office at the JC Penney Building. As you know, TLC is currently developing the assisted living facility immediately south of the building. We will be creating a 1,753 square foot office for them that allows them to utilize the south entrance of the building - closest to TLC's assisted living facility. A demising wall will be installed to separate TLC's unit and their office staff will build-out their space with several offices, a waiting area and a storage area. Their employees will use the existing bathrooms in the building. This is a net-net lease, which means that TLC will pay their own property taxes and their utilities in addition to rent. We expect the build-out to start as soon as they provide us**

26. Res. 50-R-18/TLC Lease/Pass

with architectural plans. We request your favorable recommendation for the lease. **Trustee Kidd said** that he would vote yes grudgingly because he doesn't feel we should own JCPenney, but he also feels we should not lose money on it. Further, he does feel it is a conflict of interest and knows that the Mayor is an honest person. The motion was approved by roll call vote: 5 ayes (Trustees Schmidt, Kidd, Wilson, Bailey, and Beck), 0 nays, 1 present (Mayor Johnson) and 1 absent (Trustee Seipts)

#### NEW BUSINESS

Mayor Johnson called for a motion to approve Resolution 55-R-18, Authorizing the Village to Sell Surplus Property at 1017 Harlem Road. The motion was made by Trustee Schmidt and seconded by Trustee Bailey. *Staff Report: Village Administrator Tim Savage explained the Village acquired 1017 Harlem earlier this year after we found that it had been listed for sale for some time. The house on the property was and is on our demolition list and acquiring it eliminates at least one step in the state mandated notification process for demolitions, so we felt that there were benefits to acquiring it. So we are proposing the Village sells the property to the North Park Fire District for the same amount we purchased it for which is \$25,000.*

He said there are several contingencies attached to the sale:

- *The first is that the Village needs to follow State Statute for the sale of the property, which requires us to obtain an appraisal and sell the property at no less than 80% of the appraised value. Copies of the appraisal have been placed at your seats at the dais and indicate that the property indeed appraises at \$25,000, which is what we paid for the property.*
- *The second contingency is that the Fire Protection District will need to obtain zoning approval for a fire station on the subject property, which will include an adjacent lot that is under contract by the District for the use of the property as a fire facility.*
- *And finally, the District asked for six months to close on the property, to allow for them to seek the zoning approval and make arrangements to acquire the property.*

**Trustee Wilson asked** if there was any indication that this facility would be used as a training facility. VA Savage stated as far as the discussions he has had with NPDF, it will not be used as a training facility. The motion was approved by roll call vote: 6 ayes (Trustees Schmidt, Kidd, Wilson, Bailey, Beck and Mayor Johnson), 0 nays, 1 absent (Trustee Seipts)

**PUBLIC COMMENT – Mr. Ken Hodawonic from Wilshire Blvd.** addressed the Board about his dissatisfaction with the service of Rock River Disposal not putting the garbage cans back behind the curb. He said he feels that they are a monopoly and he would like their contract terminated.

**Trustee Kidd stated (for the record)** that last week he received seven phone calls from residents regarding concerns about Rock River Disposal. Four of the calls were about hydraulic fluid that was sprayed along the streets from their vehicles and three calls were about the garbage cans not being put back and the garbage being strewn along the streets.

**CLOSED SESSION: None**

**Trustee Kidd moved to adjourn;** seconded by Trustee Bailey. Motion approved by voice vote. Meeting adjourned at 6:31 p.m.

APPROVED:

27. New Business

28. Res 55-R-18/1017  
Harlem Road

29. Public Comment  
Ken Hodawonic

Trustee Kidd

30. Closed Session

31. Adjourn

BOARD MEETING – FIRST AND THIRD MONDAY AT 6:00 PM EXCEPT WHEN A HOLIDAY FALLS ON A BOARD MEETING MONDAY, THE MEETING IS RESCHEDULED FOR THE TUESDAY AFTER THAT HOLIDAY.

Administration and Finance Committee – First and Third Monday @ 5:45 PM prior to a regularly scheduled Board Meeting.

Planning and Economic Development Comm.- First Monday of each month at 5:30 PM

Public Improvements and Safety Comm. - Third Monday of each month at 5:30 PM

Planning and Zoning Commission – Fourth Monday of each month at 6:00 PM

These minutes are not official unless signed and sealed by the Village Clerk.