

VILLAGE OF HEBRON
VILLAGE BOARD MEETING
OCTOBER 15, 2018

President Martinez called the meeting to order at 7:00 p.m.

Trustees Shepherd, Ritzert, Vole, Wagner, Lange answered aye to roll call.

Discussion and Vote to Approve minutes of August 20, 2018 Village Board Meeting

Trustee Ritzert made a motion to approve the minutes of the August 20, 2018 Village Board Meeting. Trustee Lange seconded the motion. Trustees Ritzert, Shepherd, Vole, and Wagner approved the motion by answering aye. Motion carried.

Discussion and Vote to Approve minutes of September 17, 2018 Village Board Meeting

Trustee Ritzert made a motion to approve the minutes of the September 17, 2018 Village Board Meeting. Trustee Wagner seconded the motion. Trustees Ritzert, Wagner, and Lange approved the motion by answering aye. Trustee Shepherd and Vole abstained. Motion carried.

Discussion and Vote to Approve minutes of July 16, 2018 Planning and Zoning Meeting

Attorney Smoron clarified that the Planning and Zoning members approve these minutes and the Board should move on to the next agenda item.

Discussion and Vote on August/September Accounts Payable

Trustee Shepherd reported that the General Fund total was \$18,688.29. The Water/Sewer Fund total was \$12,385.89, which gives a combined total of \$31,074.18. He mentioned that there were no add-ons. Trustee Shepherd made a motion to approve September/August accounts payable as stated. Trustees Shepherd, Ritzert, Vole, Lange, and Wagner approved the motion by answering aye. Motion carried.

President's Report

President Martinez gave an update on the progress of the water tower project regarding the paint and logo completion. She also mentioned that Karen Lalor has graciously taken the lead in saving the Hebron library.

She read a statement from Karen stating that the library is runs on a volunteer basis, donations and the kindness of individuals. It receives no tax dollars. There will be a fall fundraiser for the Hebron Public Library on Saturday, November 17 at 1:00 p.m. at Whispering Woods located at 14518 O'Brien Road in Hebron. This will include an afternoon tea, luncheon, and wine sampling plus a fashion show. Tickets are on sale for \$50 each and reservations are required by November 3 to reserve a table. Checks should be made payable to the Hebron Public Library and then mailed to Hebron Public Library, c/o Karen Lalor, PO Box 388, Hebron, IL 60034. A flyer for this event will be available from the Village Clerk.

Finally, President Martinez stated that the Village is the only village in the County to offer two public comment sessions in their meetings. These sessions are for the public to

VILLAGE OF HEBRON
VILLAGE BOARD MEETING
OCTOBER 15, 2018

express their concerns or give their suggestions; however, this is not a session for debate. She asked that the public be respectful to each other by not interrupting and to adhere to the time allotted. If individual would like feedback, they should make an appointment with the appropriate department head.

Public Comment 1

Peter Canfield, of 1231 Il. Rt. 173, asked the Board if the Public Comments section of the meeting is done as a courtesy to the public and wanted confirmation that the Village is under no obligation; there are no ordinances or laws requiring this portion of a meeting. Attorney Smoron stated that there is not a statute, but that it is recommended by the Public Access Counselor's office of the Attorney General. Mr. Canfield asked that when an individual is given their time to speak that it is their time and not open for other comments from the general public. This was confirmed by President Martinez. He stated that during his time to speak, he felt it was rude that the general public would interrupt or comment and he asked if the Board was under any obligation to respond to anyone other than the individuals on the Public Comments list. This was confirmed by President Martinez. It was also confirmed that should the general public wish to comment, they could sign up for the second Public Comment session. It was also confirmed that this time was granted to address the Board and not Village employees.

Bob Leah, Palatine, IL, of Geronimo Energy, a solar developer company, stated that he was here because in 2016 the Future Energy Jobs Act was enacted to provide incentives to help Illinois reach its renewable energy goals by 2025. Geronimo Energy has just under thirty sites throughout Illinois and the response has been positive and welcoming from these communities. He stated that the incentives from the state flow through the solar sites back into the communities and are thus beneficial to the community. They would like to help Hebron develop such a site south of town on the west side of Hwy. 47; it would be two 2 megawatt solar facilities. He went on to state that a 40 acres parcel of agricultural land in terms of taxes would pay to the County between \$2,000 to \$3,000. The annual taxes on both projects would be over \$23,000 a year with a total of approximately \$350,000 in twenty years. He went on to say that 65 per cent would go to the school district, which is a substantial benefit to the community. They would need a permit by the end of December 2018 if the Board would give their approval for this project. He asked to be given a fair chance to work with staff and the Board to evaluate the project and have a permit by December. President Martinez corrected that the parcel in question was on the east side of Hwy. 47 and Bob Leah agreed. She also stated that the Board has been working on an ordinance regarding solar farms and it is not in place to date. Bob Leah stated that the Village time line is not working fast enough to potentially recognize these benefits. President Martinez confirmed that the property is zoned for residential and she stated that Tracie VonBergen, Hebron Township Assessor, shows different numbers than what Bob Leah is referring to and she suggested that he give her a call. She went on to state that the numbers from the assessor's office vary greatly from the numbers that Bob Leah is presenting.

Ella Bostic, 1416 Whitetail, had questions regarding her subdivision status.

Discussion and Vote to Approve an Ordinance Amending Appendix A of the Hebron Zoning Ordinance regarding Special Uses in the I-1 Industrial Zoning District

Attorney Smoron gave points in an overview of what was being asked for in amending this ordinance and these are as follows:

- Add outside storage of third party vehicles as a special use in the I-1 district.
- To remove self-storage facilities as a permitted use in the B-2 business district.
- Add self-storage facilities in the I-1 district
- Add towing operations and auto repair, trucking and excavation business with indoor and outdoor storage vehicles and equipment using in conjunction with businesses in the I-1 Industrial district.

Discussion ensued regarding the Bass property and the uses they are requesting. Joanne Lange from the Planning and Zoning commission asked Brain Bass if the fencing along the back edge of the property was going to be a solid fence or chain link. Mr. Bass answered that it would be a chain link fence. Joanne expressed her concern about the safety of this type of fencing since it runs along a trail and she stated she is worried about children getting in to the area where the equipment is being stored. He confirmed that he was going to put in a six foot chain link fence.

Adam Wallen, of Prop Wallen Architecture, prepared the plans for Geneva Lakes Storage. He stated that he was open to questions. Discussion ensued regarding the cutting down of trees. It was determined that the owners of the property were not in violation of any Village ordinances. Trustee Shepherd asked for clarification regarding the size of the detention basin. Mr. Wallen stated that the plans show a detention area designation only; it does not show the size or exact location. Trustee Wagner asked if the retail would be built first and Mr. Wallen stated that both the retail and the storage facility would be built at the same time. Michael Smoron read the ordinance prepared to address this issue and stated that Brian Bass is aware of what is being requested of his development. Discussion ensued regarding Mr. Bass's plans to develop other property surrounding his and he stated that the property in question has two rental homes on it and is located in the County. He expressed interest in this property for the future.

Trustee Shepherd made a motion to approve Ordinance Amending Appendix A of the Hebron Zoning Ordinance regarding Special Uses in the I-1 Industrial Zoning District. Trustee Ritzert seconded the motion. Trustees Shepherd, Ritzert, Lange, and Wagner approved the motion by answering aye. Trustee Vole abstained. Motion carried.

Discussion and Vote to Approve an Ordinance Rezoning of the Property Commonly Known as 11510 Maple Avenue and Granting of a Special Use and Variance from the Village's Zoning Ordinance

Michael Smoron explained that this ordinance addresses the special use for outdoor storage as just adopted. It also addresses a variance from Section 5A 10-1.2E to eliminate the front yard width of not less than 150 feet for the northern portion of the

VILLAGE OF HEBRON
VILLAGE BOARD MEETING
OCTOBER 15, 2018

property. He went on to state that this is to acknowledge that there will not be street frontage with the back portion of the property. There will be street frontage for the retail portion in front, however. Trustee Lange moved, seconded by Trustee Wagner to approve. Trustees Shepherd, Ritzert, Lange, and Wagner approved the motion by answering aye. Trustee Vole abstained. Motion carried.

Discussion and Vote to Approve an Ordinance Granting a Special Use Permit for the Property Commonly Known as 12301 Illinois Route 173

Mike McNerny was present representing the Kroening property, Wonder Lake Auto Body, owners. Trustee Shepherd moved, seconded by Trustee Lange to approve the ordinance as stated. Trustees Shepherd, Ritzert, Vole, Lange, and Wagner approved the motion by answering aye. Motion carried.

Discussion of Enforcement of the Village Ordinance Regarding the Use/Storage of Semi-Truck Trailers within the Downtown Overlay District in Reference to Label Graphics

Ryan Myers, manager of Label Graphics which opened in 1980. He stated that the company received notification from Dick Ackerman regarding the storage of semi-truck trailers. He gave an overview of what they store in these semi-trucks and explained that there is no place to store these items within the building. Mr. Myers was attending the meeting to discuss his options regarding any violations. Trustee Ritzert asked why they do not use the parking area next to the building. Discussion ensued.

Mr. Myers stated that he understands the need to attempt to clean up the DOD. He was originally here to discuss the possibility of a special use or variance to keep the semi-truck where it is, but has since discussed moving the semi-truck along Route 47 to a location behind the building along Illinois Street. President Martinez asked if this would create any undue hardship to Label Graphics. Ryan answered that they would be open to moving the semi in question and that they would invest in paving the area being careful not to cause any flooding issues to the adjacent neighbors. Trustee Lange stated that moving the semi would improve the downtown look.

Discussion ensued regarding the need for a special use or a variance. Attorney Smoron stated that if it was given a special use or variance, this would stay with the property upon sale. He suggested revisiting this issue at the next Board meeting in order to figure out what the most efficient way to handle this. Trustee Vole stated that this was ok with him as long as Label Graphics is not ticketed in the meantime. Trustee Ritzert asked if there could be a time limit attached to any agreement and Attorney Smoron confirmed that there could be. President Martinez polled the trustee if they were in agreement to discuss options further and get back to Ryan Myers with direction. All answered aye.

VILLAGE OF HEBRON
VILLAGE BOARD MEETING
OCTOBER 15, 2018

Discussion and Vote to Approve Acquisition of Property Commonly Known as 12001 Maple Avenue

President Martinez read her letter that was previously sent to the Trustees regarding the 2018-2019 Budget for land purchases and annexations. In this letter she mentioned that a landowner would like to donate his property, 12001 Maple Avenue to the Village. This land was formally owned by Ron Johnson. She mentioned that this could add a prime parking area to the Village which is much needed. She went on to list the costs associated to acquire this property as stated in her letter, giving the total at the high end of an estimate for acquiring and converting the property would be \$34,110.

Trustee Ritzert asked whether the taxes are current. Attorney Smoron stated that some are due and his understanding is that the deed buyer would be responsible for paying them, then the Village would receive the deed and receive taxing status as of the recording of the deed. He went on to give an overview of the process and the costs incurred by the Village. Discussion ensued regarding the bidding of the project. Trustee Shepherd stated that he was in favor of this project as parking is needed. Trustee Lange stated that it will remove an eye sore from the Village. Trustee Wagner questioned the amount of dumpsters estimated. Dan Nelson stated that there are two houses, a garage, and these are both full of contents. Trustee Shepherd made a motion to proceed with the acquisition by ordering an environmental audit. Trustee Wagner seconded the motion. Trustees Shepherd, Wagner, Ritzert, Vole, and Lange approved the motion by answering aye. Motion carried.

Discussion and Vote to Approve, if necessary, a 5K Run/Walk for St. John's Church on October 28, 2018

Laura Leedle explained the event in detail. She stated that they have contacted the police department to assure a safe route, the fire department and EMS, public works and the school. Trustee Shepherd stated that this was a good idea. Trustee Lange added that this would benefit the whole community. Trustee Lange made a motion to approve which was seconded by Trustee Lange. All were in favor by roll call vote and the motion carried.

Discussion and Vote to Approve the FY2018 Audit

President Martinez began by stated that the General Fund revenues exceeded the estimated revenues a total of \$44.306 and the expenditures were less than the previous year saving the Village \$96,464. Treasurer Syens stated she was pleased with the audit by George Roach and gave an overview of the process. She sees the audit as a report card for the Village and also feels that the budget was right on target. President Martinez mentioned that this was the audit of the first budget in three years. Discussion ensued regarding this audit. Trustee Lange made a motion to approve the audit. Trustee Shepherd seconded the motion. Trustees Lange, Shepherd, Ritzert, Vole, and Wagner approved the motion by answering aye. Motion carried.

VILLAGE OF HEBRON
VILLAGE BOARD MEETING
OCTOBER 15, 2018

Department Head Reports

Chief Donlea stated that the Village Clerk updated the website with the most current police blotter reports. There were no other reports.

Public Comments 2

Kevin Schenk, of 11002 Maple Avenue, asked why the Village is approving more businesses on the Bass property. President Martinez stated that this property was zoned for this use years ago. He feels that the stores in the downtown area should be filled first.

Ella Bostic asked how much the property at 12001 Maple is worth. She feels that any excess money should be put toward the sewer loan. She also asked why there are two officers on duty at the Village Board meetings. Discussion ensued.

Attorney Report

None

Board Comments

Trustee Shepherd stated that the Halloween Hours are from 3- 7 p.m. and he asked that it be added to the website. Trustee Ritzert asked if there will be extra patrol during this time and President Martinez confirmed that there will be two extra patrolmen. Trustee Vole asked the treasurer for the three year projections. Treasurer Syens stated she will have it for the Board soon. Trustee Vole stated he is concerned that gaming might be down as business has fallen and he believed that Geronimo Energies should be heard regarding their proposed solar farm. At this time, Trustee Vole tried to discuss executive session meeting information and Attorney Smoron shut this down by stated he is divulging attorney client privilege. Attorney Smoron asked if a petition has been filed for a zoning change and President Martinez replied that it hadn't. She went on to state that it is the petitioner who should discuss the annexation agreement with the owner of the property which she sent to Geronimo Energies in an email and Attorney Smoron confirmed. Attorney Smoron stated if someone seeks a zoning change, a petition is filed. A public hearing can be requested by the petitioner. The annexation agreement currently provides for residential zoning and because of the annexation in place, this would be up to the Board's sole discretion. The Village has not heard anything from the owner asking to change the zoning from residential to solar which needs to be done. He would not consul the Board to change the zoning being inconsistent with the annexation agreement.

Amber Miller stated that they are not asking for a zoning change, but a special use permit. President Martinez stated that the Board has been working on an ordinance regarding solar farm and then she asked if Geronimo Energies has a lease on the property and Amber Miller stated that they did. She went on to state that they have closed on their option to purchase. Attorney Smoron reiterated that a petition asking for a public hearing for special use as a type of zoning must be filed. He stated again that he will not recommend to the Board to undertake zoning that may be inconsistent with the annexation agreement. President Martinez said that they know now what they have to do and that the Village will not be bullied into anything less.

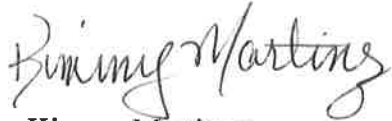
VILLAGE OF HEBRON
VILLAGE BOARD MEETING
OCTOBER 15, 2018

President Martinez mentioned that the November 5th Board meeting was cancelled so the next regularly scheduled meeting will be on Monday, November 19 at 7:00 p.m.

The meeting adjourned at 8:45 p.m. on voice vote.



Jean Attermeier,
Village Clerk



Kimmy Martinez,
Village President