

**CHANNAHON VILLAGE BOARD
BOARD MEETING
JUNE 15, 2009**

Village President Joe Cook called the meeting to order at 6:40 p.m.

President Cook led the Pledge of Allegiance.

Roll call was taken with Trustees Militello, Nash, Papesh, McMillin, Slocum, and Greco present.

Also present were Village Administrator Jamie Bowden, Village Attorney Dave Silverman, Director of Public Works Ed Dolezal, Director of Community Development Mike McMahon, Deputy Police Chief Jeff Wold, and Village Clerk Missey Schumacher.

CITIZENS/SPECIAL REQUESTS/PUBLIC HEARINGS

**Citizen's Request – Raymond and Cindy Smith, 24944 S. Willard Street
Denial of Variance**

McMahon stated that Mr. and Mrs. Smith were present and requesting a variance to a 5 foot set back to build a garage on their property. PZC denied the request due to the size and location of the proposed garage. They found that no hardship was involved as required for a variance. McMahon stated that Jake Melrose did a site inspection before for PZC meeting. He noted a number of garages and sheds within 5 feet of the property lines. The Code was instituted in 1971, with several of them built before then. He added that a variance for this garage wouldn't make a huge difference in the neighborhood.

President Cook explained that under the variance request process, there is no appeal process.

Mrs. Smith stated that they had gone before PZC and asked for a 5 foot variance to build a 20 x 30 garage. They want to build a 2 car garage. There are two homes on lot, so it is already out of code. The lot is 120x210 with two homes on it. A fence running down the middle makes each piece 61x210. The septic is located near fence. They cannot be sure garage would be 10 ft. from the septic if the garage is built 10 ft from the property line. Also, they want to add a back garage door to store boats behind the garage. They explained that they are trying to keep the front of the residence clear.

Mrs. Smith stated that their parents purchased the property with idea that it would be for their children. They own 2 cars and a truck, and need storage space. This garage would eliminate the need for an additional shed. There is a similar garage on Center St., but with 2nd story and it is only 3 ft. from the property line. If the garage is 10 ft. from the property line, they would have to angle into the garage. There are walnut trees that would have to be cut down to move the garage farther back. They would like to conserve those trees. The property to the north has a garage within 5 feet of the property line.

Mrs. Smith thinks PZC didn't follow standards. The variation will not alter the character of the locality. It is in the older part of town. Others in the area are built the same. It won't alter character that area of town. Mrs. Smith stated that they paid a \$200 non-refundable fee for the

application. It seems to them that the denial was already decided. She also stated that she is offended that PZC commented that it was the lower income area of town.

Trustee Slocum asked what do the neighbors feel about this?

Mr. Smith responded that the neighbors are OK with it.

President Cook explained the make up of the neighborhood. The immediate area has been Smith family property for many decades. This is not an engineered subdivision. A large parcel was purchased and sectioned off long before the current regulations. It is a unique area with houses on 60 ft wide lots. This variance would not change the character of the area.

Trustee Greco asked what the PZC vote was.

McMahon stated that one voted in favor. He added that the code contains no consideration for old part of town.

President Cook stated that perhaps some consideration needs to be given for that part of town. Staff can decide if a change in the ordinance is necessary.

Mr. Smith stated that Mary Smith has a 2 ft. variance.

McMahon stated that the R2 zoning is specifically for the older part of town. All of setbacks are the same as R1. Perhaps the code can be changed and work to preserve the character of the neighborhood, not raise the bar.

President Cook added that adding garages does raise the bar and improve the area.

Bowden stated that perhaps zoning should be amended.

Attorney Silverman stated that the board can't overrule PZC's decision. It would go to court and be confined to the facts of the hearing. An option would be an amendment to the zoning ordinance.

President Cook added that the Board could amend the zoning ordinance to allow for administrative variances to be decided by the Board.

Silverman stated that Mr. and Mrs. Smith could go back to PZC and ask for appeal to decision. However, the PZC is bound by ordinances.

CONSENT AGENDA

Trustee Slocum made the motion to approve the Consent Agenda. Seconded by Trustee Greco.

ROLL CALL AYES: Militello, Nash, Papesh, McMillin, Slocum, and Greco.

NAYS: NONE

MOTION CARRIED

Items approved at this time are as follows:

- A.** Consider Approval – Minutes – Committee – June 1, 2009
- B.** Consider Approval – Minutes – Board – June 1, 2009
- C.** Consider Approval – An Ordinance of the Village of Channahon Ascertain the Prevailing Rate of Wages for Laborers, Workmen and Mechanics Employed on Public Works of Said Village – 2nd Read
- D.** Bills List – June 15, 2009

REPORTS & COMMUNICATIONS FROM VILLAGE OFFICIALS

A. VILLAGE PRESIDENT

Lower DuPage River Watershed Planning

Trustee Slocum made a motion to contribute \$3,000.00 over two years to support the Conservation Foundations program for the Lower DuPage River Watershed Planning. Seconded by Trustee Nash.

ROLL CALL AYES: Nash, Papesh, McMillin, Slocum, Greco, and Militello.

NAYS: NONE

MOTION CARRIED

B. ADMINISTRATION

Approval for Radar Speed Sign

Trustee Greco made a motion to approve the purchase of a Radar Speed Sign and install it on Navajo Dr., at a purchase price of \$7,954.00. Seconded by Trustee Nash.

ROLL CALL AYES: Papesh, McMillin, Slocum, Greco, and Nash.

NAYS: Militello

MOTION CARRIED

Bowden presented his monthly report for May 2009. He also reminded the Board of the scheduled joint meeting with Minooka Village Board to be held at Channahon Village Hall on Wednesday, June 17, at 7:00 p.m.

C. COMMUNITY DEVELOPMENT DEPARTMENT

McMahon presented his monthly report for May 2009.

He also stated that the Canal St. demolition will take place shortly. VOC is in possession of house. We are waiting for Com Ed to disconnect the electrical service. Nicor is already disconnected.

Reminder – Planning Commission Regular Meeting Monday, July 13, 2009 – Channahon Municipal Building – 6:00 p.m.

D. FINANCE DEPARTMENT

No business

E. POLICE DEPARTMENT

Wold presented the monthly report for May 2009.

F. PUBLIC WORKS DEPARTMENT

Deer Ridge Subdivision – Agreement to Remove Cost of Tree Installation from Step 4 Guarantee; Improvement Completion Guarantee Reduction Allowance for Steps 3 and 4

The Board considered the reduction of Completion Guarantees with the contingency that VOC bill will be paid.

Trustee Militello clarified that the Village will be made whole, but trees will be removed from development agreement. Houses will not receive a Certificate of Occupancy until the parkway is installed.

Trustee Nash added that it should be in writing with the developer so we can enforce it.

Bowden stated that everything is done except tree installation.

Trustee Militello made a motion to remove costs fro tree installation from Step 4 guarantee for Deer Ridge Subdivision, and to allow reductions to Step 3 and 4 Improvement Completion Guarantees \$34,719 to \$6,944 and \$127,244 to \$19,833, respectively. Seconded by Trustee Papesh.

ROLL CALL AYES: McMillin, Slocum, Greco, Militello, Nash, and Papesh.

NAYS: NONE

MOTION CARRIED

Employee Recognition

Dolezal stated that he would like to recognize Tim Zazada – water operator. He asked Bruce Vaickus to say a few words.

Vaickus stated that Zazada came from Batavia with his wife, Debbie and children Jacob and Alexa. He recently took the Class IV and Class III waste water certification test. His goal is getting the Class I certification. There are only a few hundred such certifications in the state. This is not required for his position; he chose to do this on his own. VOC would like to congratulate him on his accomplishments.

Dolezal presented his monthly report for May 2009.

F. VILLAGE ATTORNEY

No report

COMMITTEE REPORTS

Trustee Sam Greco – Finance

Trustee Scott McMillin – Public Works: no report

Trustee Debbie Militello – Human Resources: no report

Trustee Judie Nash – Public Safety: no report

Trustee Jerry Papesh – Community and Legislative Affairs: no report

Trustee Scott Slocum – Land Use: no report

OLD BUSINESS

No old business

NEW BUSINESS

No new business

COMMENTS FROM THE FLOOR

None

ADJOURNMENT

Trustee Slocum made a motion to adjourn the meeting at 7:20 p.m. Seconded by Trustee Militello.

VERBAL ROLL CALL: ALL AYES

MOTION CARRIED

Submitted by
Janet Schumacher
Village Clerk