1. Call to Order
2. Roll Call
3. President’s Report
4. Clerk’s Report
5. Engineering Report
6. Public Works Report
7. Police Department Report
8. Committee Reports
9. Public Discussion (Public discussion shall be limited to three minutes per speaker)
10. Consent Agenda (items listed on the Consent Agenda will be approved by a single vote of the Board unless a member of the Board requests that a separate vote be taken on any item)
11. Unfinished Business
12. New Business
   A. Consideration of a Covenant, Agreement and Deed Restriction for 1502 Wilmot Farms Drive and 1506 Wilmot Farms Drive
   B. Consideration of the August 6, 2019 Village Board Regular Meeting Minutes
   C. Consideration of an Ordinance adopting the Complete Streets Policy
13. Other Business
14. Adjournment
MEETING MINUTES OF A REGULAR MEETING
OF THE VILLAGE OF SPRING GROVE
AUGUST 20, 2019

Council Chambers, Spring Grove, Illinois, August 20, 2019; a Regular Meeting of the Village Board was held this date at 6:00 p.m., at the Municipal Centre, 7401 Meyer Road; President Mark Eisenberg presiding.

Roll Call. Roll call showed the following Board members present: President Mark Eisenberg; Trustees Mike Lee, Jeff Letzter, Pat Mazzanti, Bob McMahon, Kelly Popelka and Lloyd Simonson - 7. Absent: None. Also present for the Village were: Bob Walczak, Building and Zoning Officer; Sgt. Rich Kresen, Police Department; Mike Ringler, Public Works Supervisor; Scott Puma, Village Attorney; and Sandi Rusher, Village Clerk.

President’s Report. None.

Clerk’s Report. The special board meeting to discuss the Cannabis Regulation and Tax Act will be held on September 24, 2019.


Public Works Report. An update on the department’s workload was provided. Supervisor Ringler and Trustee Mazzanti will look into if it is more cost effective to purchase a new tree chipper or to continue making repairs to the existing one. Quotes are being obtained to restripe the crosswalks on Winn Road.

Building and Zoning Report. The four new “Welcome to Spring Grove” signs have been completed as part of an Eagle Scout project. The Board expressed their appreciation to Landon Simecek for raising over $4,000 to cover the cost of the pavers and installing them as well.

Police Department Report. None.

Committee Reports. None.

Public Discussion. President Eisenberg then opened the meeting up for discussion by the public.

Curtis Grant, resident of 9115 Bentley Lane, recently constructed a masonry mailbox that matches his house and post light and is 24 inches from the edge of the road. Prior to its completion, he received a letter that it has to be removed because it is prohibited per Section 715 of the Village Code. He pointed out that there are two masonry mailboxes on Bentley Lane and that prior to constructing the mailbox, he called to inquire if a permit was needed for a mailbox and was told no. He did not clarify that he was constructing a masonry mailbox nor did staff ask.
President Eisenberg explained that in 2013, the village passed an ordinance prohibiting masonry mailboxes for safety reasons, including potential damage to snowplows. In addition, the village’s damage mailbox reimbursement policy is only $35 or installation of a standard mailbox if the mailbox is struck by a snowplow.

Trustees McMahon, Popelka and Simonson were in favor of allowing the masonry mailbox so long as reflectors are put on it.

Trustee Lee questioned if it is published anywhere that masonry mailboxes are prohibited. Staff replied the Village Code is published on the website. He suggested that the village either changes the ordinance to allow masonry mailboxes or get the word out that masonry mailboxes are prohibited. He did not support selective enforcement of village ordinances.

Trustee Mazzanti understood the safety aspect of the matter and agreed to have the Public Works Committee look into it further at its October meeting.

Trustee Letzter opined that if the village is going to allow masonry mailboxes it needs to change its ordinance.

After much discussion, it was the consensus of the board to grant a variance for a masonry mailbox for the Grants at its next meeting and to require reflectors.

Blenn Bell, frequent fisherman at Hatchery Park, reported on vandalism that has occurred at Hatchery Park and presented a sign that was taken off a post and found in the weeds. He encouraged the passing of an ordinance prohibiting the use of minnows and that only catch and release fishing is allowed so that these rules can be enforced. Trustee McMahon agreed and will look into this matter further.

Mark Cecchi, resident of 1106 Wilmot Farms Drive and President of the Stone Creek Crossing HOA, read a prepared statement regarding the agenda item for 1502 and 1506 Wilmot Farms Drive. He stated the HOA has denied the Wagenaar’s application for a 4 car detached garage on their property because it violates many of the subdivision’s covenants. The HOA is willing to allow some deviations, to work with them and to discuss options available to them. He asked the board not to approve the agenda item because it will force the HOA to file a lawsuit against homeowners to prevent the construction of the detached garage.

Jerome Churchill, resident of 9007 Carol Lane, hoped the board would work with the HOA on the enforcement of their covenants.

Vincent Desecki, resident of 9201 Daniel Lane, voiced concern with setting a precedent by approving the agenda item that would allow for the construction of the detached garage and not enforcing the HOA’s covenants because it will lead to other homeowners following suit and the HOA cannot afford to litigate all these issues.
Kristine Olbie, resident of 9211 Carol Lane, stated every homeowner is made aware and given a set of covenants when they purchase a home in the neighborhood. She did not support construction of the detached garage.

Craig Studer, resident of 9105 Jeffery Court, hoped the two parties can work together on this matter.

William Smith, resident of 9703 Hunters Lane, sought assistance with his neighbor’s loud muffler that wakes him up every Tuesday and Thursday morning at 4:15 am. Sgt. Kresen stated the police department is well aware of the situation and have warned the offender of the issue and the next time a ticket will be issued. The police department will follow up on the matter.

Consent Agenda. None.

Unfinished Business. None.

New Business.
Consideration of a Covenant, Agreement and Deed Restriction for 1502 Wilmot Farms Drive and 1506 Wilmot Farms Drive. Michael Wagenaar resident of 1506 Wilmot Farms clarified that he is only constructing a 20 ft. x 30 ft. detached garage not a 4 car garage on the vacant lot next to his home that he recently purchased. He stated he did reach out to the HOA prior to purchasing the vacant lot but did not hear back from Mr. Cecchi. He noted aesthetic changes have been to the garage at the request of the village to match his home. The detached garage would be located amongst the existing landscaping and he will add more landscaping so it can’t be seen when driving west on Wilmot Farms Drive.

In response to an inquiry, Mr. Wagenaar stated he did consider moving the garage closer to the lot line but doing so would encroach on the 10 ft. side yard setback. He also looked into moving his septic field and tank to accommodate the garage on his property and would have pursued this further if he knew the HOA would have worked with him.

Attorney Puma explained the village could require Mr. Wagenaar to consolidate the two lots, which according to a land surveyor would cost $2,500 and take up to 6 months to plat, or record a deed restriction that the two lots be transferred, conveyed, assigned or sold together so that they are always under the same or common ownership. Attorney Puma stated that the side yard setback distance still applies even with the passage of the deed restriction unless a variance is sought to reduce the side yard setback.

Attorney Puma further advised that the village is obligated to enforce its ordinances and if someone submits a building permit application which complies with the ordinances, it has to issue a building permit. He added the village does not enforce a subdivision’s covenants as that is a private issue between the homeowner and the HOA.

Trustee McMahon stated the Zoning Ordinance prohibits a detached garage on a lot without a principal building and expressed concern that by allowing this it would require a change to the Zoning Ordinance
and open this up in the entire village. He did not support the approval of the deed restriction because it is appeasing one homeowner and affects many.

Kevin Hessenthaler, resident and part of the HOA Board, stated he would be willing to work with Mr. Wagenaar on this matter.

President Eisenberg concluded the discussion that he didn’t believe that the board supported the approval of the deed restriction but would consider a Plat of Consolidation to combine the two lots so that he can apply for a building permit to construct the detached garage.


Consideration of an Ordinance adopting the Complete Streets Policy. The adoption of the Complete Streets Policy would only effect main arterial streets and not subdivision roads. Trustee Lee moved, seconded by Trustee Mazzanti to approve the Ordinance as presented. Roll call vote: Ayes: Lee, Letzter, Mazzanti, McMahon, Popelka and Simonson – 6. Nays: None. Motion carried.

Other Business. None.

There being no further business, Trustee Simonson moved, seconded by Trustee Popelka to adjourn the meeting at 6:56 p.m. On voice vote, the motion carried.

Respectfully Submitted,

[Signature]

Sandi Rusher, Village Clerk