

**REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES,
THE VILLAGE OF McCULLOM LAKE,
4811 W. ORCHARD DRIVE
McCULLOM LAKE, IL 60050**

August 27, 2019

All Village Board meetings will be tape recorded.

President Shepit called the meeting to order at 7:00 P.M.

Pledge of Allegiance

Roll Call: By the Village Clerk, Sherri L. Messina

Present: President Shepit, Attorney Shaw, Trustees Fritz, Given, Matthesius, Walter.

Absent: Trustee Bogacz, Trustee Mazurek

Minutes: Trustee Matthesius made a motion to approve the minutes; seconded by Trustee Fritz. Voice vote: Fritz, Given, Matthesius, Walter=ayes. All in favor, motion carried.

Annual Treasurers Report: Treasurer Brandt stated that there is an uncollectable account that needs to be written off in the last fiscal year for 4901 Maple Hill Drive for \$4127.50 and a new account has been started as of May 2018 and is current. Trustee Matthesius made a motion to accept the Annual Treasurers Report; seconded by Trustee Walter. Voice vote: Fritz, Given, Matthesius, Walter=ayes. All in favor, motion carried. Attorney Shaw told Treasurer Brandt to go ahead and write off the account but to send him the resident information and he will give it to one of his attorney's to try and track the person down, no promises on being able to find him but he can try.

Bills: Trustee Matthesius made a motion to pay the bills; seconded by Trustee Given. Voice vote: Fritz, Given, Matthesius, Walter=ayes. All in favor, motion carried.

Roads: Trustee Walter noticed that Nicor was down at Gate 7. Deputy Clerk Prehn stated that they had received an email about being in the area. President Shepit replied that, that was about smart meters but they were down at Gate 1. Bill Cross mentioned that they were digging at the first house on McCullom Lake Road. Trustee Walter also noticed that trees were trimmed at the end of Parkview and West End. There is also a piece of machinery equipment broke down up by the park. President Shepit replied that, that was the machine being

used to break down that birm and she was sure that they would not be leaving it there but if they do she will talk to them.

Parks & Beach: Trustee Given mentioned that the Garden Club approached her and is looking to do some work on Zender Park and they wanted to know what their budget is. They stated that there were ordinance violation tickets going into a fund for them and they wanted to know how much was in there for them to use. President Shepit asked what is it that they want to do up there. Trustee Given replied that there is weeding to be done and they would like to purchase some plants for there but they wanted to know what was in their budget. Trustee Matthesius stated that there is no budget set aside for them. President Shepit commented that the last time Drieske's donated money and the Village put in about \$200.00. Trustee Given stated that they were putting something together for her. President Shepit replied to have them put something together to present to the board. Trustee Walter stated that there is a bad tree in the park and Trustee Matthesius replied that President Shepit has been trying to contact Onan to replace that tree. President Shepit answered that she has called and emailed them and they have not responded but she will call them again.

Communication: President Shepit received a letter from the Kiwanis Club of McHenry looking for donations for their Peanut Day Fund Raiser. The Village has not made any donations to this club in the past.

Audience: Scott Wieck has a proposal for a variance to build a garage on one of his 4 lots that he would like to hand to the board and he would like the board if they could to vote on it today without going to the Building Commission for the variance because it is such a slight variance. Attorney Shaw stated that he was welcome to pass it out but he can tell him legally we can't take action on it for two (2) reasons. One (1) it is not formerly on the agenda and more importantly... Mr. Wieck then asked if a motion could be made to add it to the next's meeting's agenda. Attorney Shaw stated he could but the board could not take action on it until it's gone through a public hearing. Mr. Wieck asked why that is. Attorney Shaw replied because zoning changes requires a public hearing. Mr. Wieck stated but zoning changes requires your vote for that. Attorney Shaw replied that is but after there is a public hearing. Mr. Wieck stated that he filled out all the forms that Attorney Shaw gave him officially and he has the approval of anybody that is within 200 feet of his property and they all knew he was going to be at the meeting tonight proposing this and obviously none of them showed up except Marilyn but that she probably did not show up for this reason. He would like to know what he can do next and he doesn't understand why the board can't rule and first of all he doesn't understand why there is an issue. The Ordinance is written for a single lot 50 by 125, his lot is actually 100 by 250 which two (2) lots if basically you break it back down into four (4) are more than

enough to put that building on that parcel it's not that he is building a building too large on that property. Attorney Shaw stated he agreed and it has less to do with his proposal, less to do with the construction itself and more to do with the fact that the zoning ordinance as currently written only allows one (1) accessory structure and that accessory structure is limited in size. So this board does not have the legal authority or the ability to waive administratively the strict requirements and grant what would be referred to as the administrative variation without a public hearing without going through the Zoning Board that is State law I mean that's not even local Ordinance that's State law so our hands are tied and even if this board wanted to act tonight my advice to them would be not to because that decision they make tonight could be easily overturned by anyone who was not happy with the decision and that includes the neighbor it includes anybody and it could happen now or it could happen two (2) years from now so unfortunately there is a process. President Shepit stated that there have been projects before that were not always followed through with and then after the fact it would be brought up that maybe there should have been a variance so moving forward this board is just trying to do it correctly. Trustee Matthesius: this is a pole barn? Mr. Weick, it is not a pole barn it is a metal building which is completely different. He can show her the engineer drawing which has already been approved by the Building Inspector. Trustee Walter: What kind of siding is it? Mr. Wieck: aluminum. So the next step is to set up a meeting with... Attorney Shaw: When we spoke last Attorney Shaw wanted to get that petition in hand to him as fast as he could so Mr. Wieck could get that ball rolling. Mr. Wieck: The petition is finished and notarized. Attorney Shaw: The next step will be to prepare a legal notice, that will get published there has to be a Zoning board hearing set up, he can submit his petition and we'll give you the next steps and then they can get the notice published. Mr. Wieck would then do the registered letters to surrounding property owners and then we'll make sure we are complying with every step. Attorney Shaw: will make a note on the petition to allow two accessory structures so that it will cover all of the variance and Mr. Wieck can just initial it while he is here. Clerk Messina wanted Mr. Wieck to know that this doesn't come to the board like this, it never has it always goes through the Zoning board first, then the Zoning board brings it to this board with their recommendation, then this board votes on it. Mr. Wieck understands he was just hoping to circumvent that by trying to get it approved today. Mr. Wieck thanked everyone for their help.

Cindy has been working on a project for the last two (2) years. In June of 2017 today's youth had be engaging in self-harming. So she started advocating to get programs and resources available because McHenry County didn't have any. So the County picked it up and they have come up with three (3) programs. The first program is an extensive outpatient program, the second program is a self harming support group for teens and also for parents and the third program is for the schools where teachers will be trained in a variety of mental health issues so that they can help and intervene and help with any child going through this

and it will be added to the schools curriculum and they are out educating the community as well. S.C.A.R.S. Support, Compassion, Awareness, Recovery, Self-love. This is an amazing accomplishment and the board let Cindy know what a great job she did and is doing.

Old Business: Amend Ordinance for Tow Fees from \$400.00 to \$500.00 – Trustee Matthesius made a motion Amending Ordinance #417 and Section 7-22 of the Code of Ordinances of the Village of McCullom Lake to raise the fee; seconded by Trustee Given. Voice vote: Fritz, Given, Matthesius, Walter=ayes. All in favor, motion carried.

New Business: Annual Treasurers Report was moved up under Treasurers Report and was voted and passed.

Discussion: Trustee Fritz mentioned that the board should be aware that there have been quite a few break-ins into homes and cars. President Shepit will make sure our Police department is aware of this.
Also the annual picnic was a huge success!

Trustee Matthesius made a motion to adjourn the meeting at 7:31 P.M.; seconded by Trustee Fritz. Voice vote: Fritz, Given, Matthesius, Walter=ayes. All in favor, motion carried.

The next board meeting will be September 10, 2019 at 7:00 P.M. at the Village Hall.

Marilyn Shepit
Village President

Sherri L. Messina
Village Clerk