

Village of Lily Lake

Approved Minutes of the Regular Meeting of the Board of Trustees
Monday, October 22, 2018

Call to Order

President Overstreet called the Board of Trustees meeting to order at 7:05 p.m. with the Pledge of Allegiance.

Roll Call

Present – President Rick Overstreet, Trustee Pam Conn, Trustee Mary Damisch, Trustee Tim Dell, Trustee Chris Vaughn, and Trustee Craig Walsh

Absent – Trustee Janet Marlovits

Also Present – Jesse Heffernan (Village Clerk), Alex McTavish (Village Attorney), Steve Zahn (Village Plan Commission Chair), Erik Hoofnagle (Village Public Works Director)

Public Present – Mr. Dan Turner, Mr. Bill French, Mrs. Mae Strobel, Mr. and Mrs. Pollak

Adoption of the Agenda

Motion by Pam Conn, seconded by Tim Dell to adopt the October 22, 2018 agenda as presented. *Voice vote, motion passed unanimously.*

Approval of the Regular Board Meeting Minutes.

Motion by Chris Vaughn, seconded by Tim Dell to accept the minutes of the September 24, 2018 Regular Board Meeting as presented. *Voice vote, motion passed unanimously.*

Guests and Public Comment

Mrs. Pollak voiced her and her husband's continued opposition to the proposed Sunvest Solar Garden Special Use application. She stated the views of a "commercial-based use" upon entering Lily Lake amid the agricultural and residential area, if the solar gardens are approved, will not mix.

Ordinance 2018-10 Amending the Zoning Ordinance (6N066 Route 47, Maple Park SVC SG LL1 and LL2)

Motion by Mary Damisch, seconded by Tim Dell to approve Ordinance 2018-10. President Overstreet opened the discussion by recapping previous meetings addressing the applications. The Plan Commission has reviewed the applications over multiple meetings and gave a recommendation to approve both applications conditional to the relocation of LL2 array to the southwest of the Turner Parcel (behind Turner residence, adjacent to the Campton Township Highway Dept. buildings and close to Lily Lake Grade School). The Public Hearing Officer gave his recommendation with many contingencies and the Village Engineer gave their approval with the recommendation of moving the LL1 array west to allow for future commercial development along Rt 47 and requiring additional information upon an official building application. At the Public Hearing, Plan Commission meetings, Public Works meeting and past Board meetings, Mr. and Mrs. Pollak continue to voice their opposition, while the Cemetery Committee offered a neutral stand. The Public Works Committee gave a recommendation to oppose both applications since there was no benefit to the community or its residents to have the proposed solar gardens. The negative impact to the existing residence, no financial impact benefiting the village residents, no road improvement, use of potential commercial land and view of the garden as one enters the Village provided evidence to oppose. President Overstreet then reviewed the proposed Ordinance which addressed certain restraints and plans to be in place if approved.

Trustee Damisch clarified the length of the leases as 25 years with 5 year extension for each solar garden. Trustee Dell noted fencing requirements in the Ordinance. Trustee Damisch asked if the new array location (LL2) was given to the grade school and highway department for review, noting the requirement in the Ordinance of placement to avoid glare. Will the children in the school tower be affected? Bill French responded that the panels have a non-glare surface and therefore should not affect either entity. Trustee Damisch voiced concerns about LL1 Array along Rt. 47 – presentation upon entering the Village will change to an Industrial view; not meeting the current Land Use Plan (sense of space). Trustee Conn noted the possible deterrent to future development of homes if they are looking at a solar field in that location. Trustee Damisch noted prime future commercial land will be used up by the solar garden for 25+ years and the expansion of LL1 array will negatively impact the existing home on Reed Rd. Solar gardens offer no advantage to the Village or its residents. She also called out EEI's recommendation to keep a corridor along Rt. 47 open for future

Village of Lily Lake

Approved Minutes of the Regular Meeting of the Board of Trustees
Monday, October 22, 2018

development. Trustee Conn continued to stress the deterrent factor of the Solar Gardens to future development. Trustee Conn asked about the benefit to the town of Burlington with their approved gardens; they will receive roughly \$1200 per array annually as confirmed by Mr. French. President Overstreet recapped that the Village of Lily Lake will receive no tax and there is no benefit associated with this approval to the Village. Trustee Walsh asked about potential liability to the Village if approved. Attorney McTavish said there is no liability to the Village; this is on private property with a decommissioning plan in place with provisions in the proposed Ordinance. Trustee Damisch reviewed part of the proposed Ordinance covering decommissioning and bond requirements. Trustee Damisch then made a motion to amend the Ordinance 2018-10 to address each application as independent Ordinances; LL1 and LL2, seconded by Trustee Conn. *Voice vote, passed unanimously.* President Overstreet addressed the split and asked the Board to recognize LL1 and LL2 as a separate approval vote. Trustee Damisch commented that a future model of (solar) land use would be helpful moving forward. Trustee Conn would like to include a financial element in that model.

Roll call vote on 2018-10 (LL1- Array directly on Rt 47 and Reed Rd), Conn (N), Damisch (N), Dell (Abstain), Vaughn (Abstain), Walsh (N); motion fails.

Roll call vote on 2018-11 (LL2- Array behind Turner residence, SW corner), Conn (N), Damisch (Y), Dell (Y), Vaughn (Y), Walsh (N); motion passes.

Resolution 2018-22 Approving the Number of Liquor Licenses in the Village

Motion by Pam Conn, seconded by Chris Vaughn to approve Resolution 2018-22. President Overstreet reviewed the Liquor Commission meetings with the gas station owner. He is requesting another D 'Pour License' for his end unit (east) of the building to create an upscale gaming VIP lounge. He will start with a D license, then may ask to increase to a full bar with extended hours of operation. Trustee Damisch who serves on the Liquor Commission also reviewed the meetings with the owner. She reported a new lounge will add machines, not move the current ones. Trustee Conn asked if he has addressed parking; he has not. Trustee Damisch asked about existing licenses, Village needs to set limit per applied for and issued licenses. Currently there are 2 licenses issued and approved: one D and one B. No further comment. *Roll Call vote, motion passed unanimously.*

Resolution 2018-23 Approving Alarm Detection Upgrade Proposal

Motion by Chris Vaughn, seconded by Pam Conn to approve Resolution 2018-23. President Overstreet opened discussion about the proposed upgrade to the 15 year old system and the benefits of a second burglar panel to the east entrance door. Steve Zahn noted a one-time additional cost to the wireless system to aid this upgrade at \$288.00. Motion to amend the amount not to exceed to \$2100.00 made by Pam Conn, seconded by Tim Dell *Voice vote, passed unanimously.* No further comment. *Roll Call vote, motion passed unanimously.*

Resolution 2018-24 Approving Engineering Enterprises, Inc. Fee Proposals

Motion by Pam Conn, seconded by Mary Damisch to approve Resolution 2018-24. President Overstreet briefly discussed the fee increase proposal and the Clerk explained the hourly rate notation due to some applicants abusing the 2nd, 3rd, and continuing revision sessions. Fees charged are recouped by the applicant. No further comment. *Roll Call vote, motion passed unanimously.*

Resolution 2018-25 Approving Deposit Collection for Permit Applications

Motion by Mary Damisch, seconded by Chris Vaughn to approve Resolution 2018-25. Clerk explained that the Village currently does not collect up-front for the building application side of permits. Building Inspections vary depending on the size and disciplines in the structure. Deposits will be applied to the total permit fee, once determined. No further comment. *Roll Call vote, motion passed unanimously.*

Resolution 2018-26 Authorizing the Renewal, Dues, and Premium Payment to IMLRMA

Motion by Pam Conn, seconded by Tim Dell to approve Resolution 2018-26. Annual renewal and membership covering Village, Park, and members. No further comment. *Roll Call vote, motion passed unanimously.*

Village of Lily Lake

Approved Minutes of the Regular Meeting of the Board of Trustees
Monday, October 22, 2018

Resolution 2018-27 Terminating the License to Tim Metz for the Mowing of the 5 Acre Field

Motion by Chris Vaughn, seconded by Mary Damisch to approve Resolution 2018-27. President Overstreet reviewed the past issuance and termination of licenses to avoid confusion of who is to mow. Each year in early spring (March) the Village will issue a license to mow. Next year the village may consider a bid since there are at least 3 interested parties who seek to pull hay from the field.

No further comment. *Roll Call vote, motion passed unanimously.*

Approval of Monthly Bills

Motion by Pam Conn, seconded by Tm Dell to approve the Monthly Bills for September-October 2018. Clerk noted the Comcast bills will be paid monthly on the Visa and will be tracked through the Visa statement. This will eliminate the need to have the Clerk pay in person to avoid late fees, overlapping billing cycles, clerk's time to adjust the fees and mileage charges. No further comment. *Roll Call vote, motion passed unanimously.*

Old Business

None

New Business

Appointment of Plan Commission Members:

The last 18 months has shown no interest to the vacancy on the Plan Commission, now there are 3-4 interested parties. Letter from Lisa Garbacz handed to the President tonight, but she is not present. Mr. Stiegletz submitted his letter of intent and attended the last Plan Commission meeting, but is not able to attend tonight. Mrs. And Mr. Pollak both have expressed interest in serving on the Plan Commission as well. Trustee Dell has agreed to step down in order to allow for the Plan Commission to fill all vacancies and not have a Board Trustee on the Commission. This will allow for 2 openings of which Mr. Zahn has agreed to recommend Mrs. Pollak and Mr. Stieglitz. Steve Zahn acknowledged Mrs. Garbacz's letter of intent, but it was received late. Motion to appoint Cheryl Pollak to Ziad Awad's position, *Voice vote, and motion passed unanimously.* Motion to appoint David Stieglitz to Tim Dell's position, *Voice vote, Trustee Damisch abstained, all others approved, motion passed.* Brief discussion regarding Mr. Stieglitz and his profession.

Trustee Damisch asked about the tabled prior Ordinance to reduce the number of Plan Commission members. She asked if the number could be increased. One other person would be required along with Lisa Garbacz in order to keep the number of Commissioners even and the Chair the tie-breaking vote. Consider for next meeting.

Adjournment

Motion by Tim Dell, seconded by Pam Conn to adjourn at 7:54 p.m.

No further comment. *Voice vote, motion passed unanimously.*

Respectfully submitted by Jesse Heffernan, Village Clerk