



MINUTES

Village Board Meeting
Tuesday, October 16, 2018

Cary Village Hall
655 Village Hall Drive
Cary, IL 60013

Mark Kownick, Mayor

I. Call to Order

This meeting was called to order at 6:00 p.m. by Mayor Kownick.

II. Roll Call

Present: Mayor Kownick and Trustees Covelli, Weinhammer, Betz, Kraus, McAlpine and Cosler

Absent: None

Others present included Village Administrator Rife, Community Development Director Simmons, Police Chief Finlon, Assistant Public Works Director Walsh, Management Analyst Sage, Village Attorney Uhler and members of the audience per the sign-in sheet.

III. Pledge of Allegiance

Mayor Kownick led in the recitation of the Pledge of Allegiance.

IV. Open Forum

There being no comments from the public, Mayor Kownick closed Open Forum at 6:01 p.m.

V. Mayor's Report

Mayor Kownick proclaimed October 23-31, 2018 as National Red Ribbon Week.

Mayor Kownick proclaimed October 24, 2018 as World Polio Day.

VI. Trustee Reports

None.

VII. Consent Agenda

1. Consider for Approval the Warrant Dated October 16, 2018
2. Consider for Approval Minutes of the October 2, 2018 Village Board Meeting
3. Consider for Approval Minutes of the October 2, 2018 Committee of the Whole Meeting
4. Consider for Approval a Resolution to Approve Certain Closed Session Meeting Minutes Not for Release (R18-10-02)

5. Consider for Approval an Ordinance Granting a Conditional Use for a Solar Energy System for the Property Located at 540 Ridgewood Drive (O18-10-01)
6. Consider for Approval an Ordinance Granting Certain Text Amendments to the Village of Cary Zoning Ordinance to Add an Associate Member to the Board of Zoning, Planning and Appeals

Motion: *Trustee McAlpine moved, seconded by Trustee Kraus, to approve Consent Agenda Items #2 – #5.*

Ayes: *Weinhammer, Cosler, McAlpine, Betz, Covelli, Kraus*

Nays: *None*

Abstain: *None*

Motion Carried

VIII. Items for Separate Action

1. Consider for Approval the Warrant Dated October 16, 2018 (Consent Agenda Item #1)

Trustee Cosler recused himself and left the Board Room at 6:05 p.m.

Motion: *Trustee McAlpine moved, seconded by Trustee Betz to discuss the Warrant dated October 16, 2018.*

Discussion

Trustee McAlpine stated there is an invoice for legal services on the Warrant from approximately 6 months ago that was not approved to be paid by when it first came before the Board. Trustee McAlpine stated this invoice should be paid.

Ayes: *Kraus, McAlpine, Weinhammer, Covelli, Betz*

Nays: *None*

Abstain: *None*

Motion Carried

Motion: *Trustee McAlpine moved, seconded by Trustee Betz to approve the Warrant dated October 16, 2018.*

Ayes: *Kraus, McAlpine, Weinhammer, Covelli, Betz*

Nays: *None*

Abstain: *None*

Motion Carried

Trustee Cosler returned to the Board Room at 6:09 p.m.

2. Consider for Approval an Ordinance Granting Certain Text Amendments to the Village of Cary Zoning Ordinance to Add an Associate Member to the Board of Zoning, Planning and Appeals (Consent Agenda Item #6)

Motion: *Trustee McAlpine moved, seconded by Trustee Betz to approve an ordinance granting certain text amendments to the Village of Cary Zoning Ordinance to add an Associate Member to the Board of Zoning, Planning and Appeals.*

Discussion

Director Simmons provided an overview of the proposed text amendment.

Trustee Kraus asked how many members were required to be present for a quorum. Director Simmons stated 4 members must be present.

Trustee Cosler stated he did not support the proposed text amendment because the issues raised regarding attendance and having a quorum could be addressed through other means, such as rescheduling meetings.

Trustee McAlpine stated since the Board of Zoning, Planning and Appeals recommended this amendment and unanimously voted to move this issue forward, the Village Board should seriously consider the issue.

Trustee Covelli asked if the amendment could be modified so that the alternate member would only cast a vote if there was no quorum. Attorney Uhler stated the language of the amendment could be modified in this way.

Motion: *Trustee McAlpine moved, seconded by Trustee Cosler to approve tabling this item until the November 6, 2018 Village Board meeting.*

Ayes: *McAlpine, Betz, Weinhammer, Cosler, Kraus, Covelli*

Nays: *None*

Abstain: *None*

Motion Carried

3. Consider for Approval an Ordinance Granting a Waiver of the Nonconforming Lots Requirement and Variances to Required Front Yard Setback, Side Yard Setback, and Lot Coverage for the Construction of Two Single-Family Homes for the Property Located at 119 Pearl Street (O18-10-02)

Motion: *Trustee McAlpine moved, seconded by Trustee Weinhammer to approve an ordinance granting a waiver of the nonconforming lots requirement and variances to required front yard setback, side yard setback, and lot coverage for the construction of two single-family homes for the property located at 119 Pearl Street.*

Discussion

Director Simmons stated the petitioner was present to answer questions from the Village Board.

Trustee Cosler stated shifting both homes to the west could eliminate the need for a variance regarding side yard setbacks. Ms. Bastidas stated many of the other homes in the neighborhood have driveways that run along the side of the house, on or near the lot line, to a detached garage. Since the homes the petitioners have proposed have attached garages, there is more space between the driveway and the lot line. Mike Graft, MJJ Construction, Barrington, stated the design was created based on market demand and to maintain consistency with other homes in the neighborhood.

Ayes: *Betz, McAlpine, Weinhammer, Kownick*

Nays: *Cosler, Covelli, Kraus*

Abstain: *None*

Motion Carried

4. Consider for Approval an Amendment to the Village Ordinances Regarding Fireworks and Noise Regulations, Sections 2.300.90, 8.28.010 and 9.16.130 of the Village of Cary Code of Ordinances (O18-10-03)

Motion: *Trustee Kraus moved, seconded by Trustee Weinhammer to approve an amendment to the Village ordinances regarding Fireworks and Noise Regulations, Sections 2.300.90, 8.28.010 and 9.16.130 of the Village of Cary Code of Ordinances*

Discussion

None.

Ayes: *Covelli, Betz, Weinhammer, McAlpine, Cosler, Kraus*

Nays: *None*

Abstain: *None*

Motion Carried

5. Consider for Approval an Ordinance Accepting a Warranty Deed for the Transfer of Property from Lafarge Aggregates/Meyer Material to the Village of Cary **(Continued to November 6, 2018)**

Administrator's Report

None.

IX. Department Head Reports

None

XI. Future Agenda Items and Discussion by Village Board

None.

XII. Adjourn

There being no further items to discuss, a MOTION was made to adjourn the meeting at 6:45 p.m.

MOTION: Trustee McAlpine

SECOND: Trustee Kraus

The Voice Vote noted all ayes and the motion carried.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Susan Greene", is written over a horizontal line.

Susan Greene, Deputy Village Clerk