

**REGULAR MEETING OF THE BOARD OF TRUSTEES  
MINUTES  
November 4, 2021**

The regular meeting of the Village Board of Hampshire was called to order by Village President Michael J. Reid, Jr. at 7:00 p.m. in the Village of Hampshire Village Board Room, 234 S. State Street, on Thursday, November 4, 2021.

Roll Call by Village Clerk Vasquez:

Present: Heather Fodor, Aaron Kelly, Toby Koth, Lionel Mott, Laura Pollastrini, and Erik Robinson.

A quorum was established.

In addition, present in-person were Village Manager Jay Hedges, Village Clerk Linda Vasquez, Finance Director Lori Lyons, Assistant to the Village Manager Josh Wray, Village Attorney Mark Schuster, and Police Chief Brian Thompson. Also, present electronically: Tim Paulson – EEI

President Reid led the Pledge of Allegiance.

**MINUTES**

Chief Hermann from the Fire Protection District needed to be added to the list of those present.

Trustee Robinson moved to approve the minutes of October 21, 2021, with the changes as stated.

Seconded by Trustee Fodor  
Motion carried by roll call vote.  
Ayes: Koth, Mott, Pollastrini, Robinson  
Nays: None  
Abstained: Fodor, Kelly  
Absent: None

**PROCLAMATION**

Village President Reid read the proclamation for Zion United Methodist Church's 175<sup>th</sup> anniversary and congratulated them.

**VILLAGE MANAGER'S REPORT**

A Motion to approve for St. Charles of Borromeo School

Village Clerk Vasquez has notified the school they need the correct surety bond, and they plan on getting it as soon as possible.

Trustee Kelly asked if the Village Board had allowed approval for raffles subject to conditions before, which President Reid responded that they had recently.

Trustee Robinson moved to approve Raffle License for St. Charles of Borromeo School pending submittal of the appropriate surety bond.

Seconded by Trustee Pollastrini  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Robinson, Koth, Mott, Pollastrini  
Nays: None  
Absent: None

### Presentation by Da'Brou Construction re: Proposed Romke Rd. Development

President Reid noted that former President Magnussen and Village Manager Hedges met with this group before the last election at the beginning of this project, and the Village Board has received some updates on it, so this is not a new project but rather has been in the works for many months.

Christina Luswick and Peter Da'Brou are partners in Da'Brou Construction. They are purchasing the 40-acre property at the southwest corner of Romke and Route 72 the in June which is part of Tuscany Woods Unit 2 (TW2). They have reached near final agreements with the owners to separate this 40-acre parcel from the TW2 so it can be developed differently. They plan on subdividing the land to have commercial along Route 72, thinking specifically of having three or four commercial parcels that could be developed individually or together if a business wanted to have more than one parcel. For the rear portion of the property, they are planning a nice apartment complex that will be marketed towards young families/individuals not yet ready for a full house as well as older folks scaling down. There are a few options for an interior street to separate the commercial from the residential, which will be worked out as they learn more about the topography once the corn is down. Approximately 6 acres in the southwest part of the parcel is wetland, so there will just be open space and stormwater ponds in that area.

Trustee Fodor said the different apartment complex examples/concepts looked very nice, but she's wondering about how affordable this housing will really be. She and other Board members noted they don't want this to be priced out of what Hampshire residents can afford. Da'Brou has not decided on price yet since they do not know what exactly they are building, but they said there will likely be opportunities for 1-bedroom and possibly studio units that will be more affordable. Da'Brou noted that taller apartment complexes make the units more affordable because they can spread certain fixed costs over more units. The Village Code currently allows for three floors, so that may be something to consider.

### An Ordinance approving a variance of the requirements for setback from alleyway in the R-2 Single Family Residential Zoning District for the proposed garage at 304 Park Street in the Village

Mr. Hedges introduced these three ordinances for variance all regarding one proposed project. The Planning and Zoning Commission took these three questions separately and voted in approval of the first two but against the third.

Planning and Zoning Commission Chairman Bryan Mroch describe the Commission's meeting where the property owner, Mr. Tully, presented a proposal to expand his current garage while also moving it out of the alley since it currently sits about one and one-half (1.5) feet in the alley. Since Mr. Tully is improving the condition and aesthetic of his garage as well as moving it out of the alley in this older part of town where many properties do not follow the current code, the Commission felt they should give Mr. Tully some wiggle room on this project. The Commission was in favor of allowing the variances for the setbacks, but it felt the request for a twenty-three-foot building height was too amorphous in that there was not enough justification for such a tall height. Mr. Tully did include additional drawings and information in the packet for the Village Board as the Planning and Zoning Commission suggested.

The Village Board was comfortable with the setback variance requests, so Mr. Tully walked the Village Board through drawings and described the justification for the building height. He noted that (1) he restores classic cars in his garage as a hobby and uses a car lift, so a taller height is needed, and (2) the twenty-three-foot height is needed to keep a pitch that closely matches the house so that they have the same general aesthetic character. He also presented some shorter heights that could be built, but those would limit the use of his garage for general storage and other work since the loft would be very small. Additionally, a fifteen-foot roof on this structure would require custom framing to hold the snow load.

Trustee Kelly asked if renovation actually causes the code requirements to activate on a

grandfathered structure. Attorney Schuster responded yes in this case because this project is an expansion, and possibly a replacement, rather than simply a remodel/renovation of an existing building that will maintain the same size and use. Trustee Koth asked if the Village Board should require this grandfathered building to move out of the alley since a building inspector back when the garage was built was the person who approved the location in the alley.

Mr. Mroch noted that he believes the questions/concerns about the twenty-three-foot height the Planning and Zoning Commission had have been addressed in Mr. Tully's presentation before the Village Board.

Trustee Pollastrini asked if Mr. Tully had any conversations with his neighbors beyond the required notification. Mr. Tully did speak with every neighbor except the one to the south because that house is currently unoccupied, and all his neighbors were in support.

Trustee Pollastrini asked if anyone would be living in the loft space. Mr. Tully said no; the loft will be used for storage and machining work.

Trustee Pollastrini expressed she still thinks twenty-three feet is just too high with all the other houses so close by. She said it almost looks like the garage is another house on the property – it won't blend well. She said it reminds her of a farm garage a tractor might go in.

Trustee Mott moved to approve Ordinance 21-41: approving a variance of the requirements for setback from alleyway in the R-2 Single Family Residential Zoning District for the proposed garage at 304 Park Street in the Village.

Seconded by Trustee Robinson  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Robinson, Koth, Mott, Pollastrini  
Nays: None  
Absent: None

An Ordinance approving a variance of the requirements for side yard setback from the southerly lot line in the R-2 Single Family Residential Zoning District for the proposed garage at 304 Park Street in the Village

See discussion from previous ordinance.

Trustee Robinson moved to approve Ordinance 21-42: approving a variance of the requirements for side yard setback from the southerly lot line in the R-2 Single Family Residential Zoning District for the proposed garage at 304 Park Street in the Village

Seconded by Trustee Fodor  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott  
Nays: None  
Absent: None

An Ordinance approving a variance of the requirements for maximum height of an accessory structure, in the R-2 Single Family Residential Zoning District for the proposed garage at 304 Park Street in the Village

See discussion from previous ordinance.

President Reid reminded the Board that the ordinance is currently set to allow a height of twenty-three (23) feet.

Trustee Robinson moved to approve Ordinance 21-43; approving a variance of the

requirements for maximum height of an accessory structure, in the R-2 Single Family Residential Zoning District for the proposed garage at 304 Park Street in the Village.

Seconded by Trustee Mott  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Robinson, Koth, Mott  
Nays: Pollastrini  
Absent: None

A Motion to approve payment of \$131,491.16 to Peter Baker & Son Co for the Julie Lane resurfacing project. (Payment withholds 5% or \$7,078.48 retainage)

Village Manager Hedges noted that this project went very smoothly and that it has come in several thousand dollars underbudget.

Trustee Kelly asked why these project payments come before the Village Board separately rather than in the Accounts Payable. Mr. Hedges responded that it is just a matter of practice and not a specific requirement.

Mr. Paulsen from EEI noted there is a typo on the agenda and that the correct payment amount is \$134,491.16.

Trustee Koth moved, to approve payment of \$134,491.16 to Peter Baker & Son Co for the Julie Lane resurfacing project.

Seconded by Trustee Kelly  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott  
Nays: None  
Absent: None

An Ordinance amending the Village Code, Chapter 6: Zoning Regulations to require written notification to certain nearby property owners regarding petitions for zoning relief

The prior Zoning Board of Appeals had a working rule that petitions for special use should include notification to nearby property owners, but that rule was never codified like it is for variances. This ordinance would codify a requirement for the same notification requirements for petitions for any type of zoning relief and would provide standardization for staff and the Planning and Zoning Commission as well as clearer expectations for applicants.

Trustee Pollastrini moved to approve Ordinance 21-44: amending the Village Code, Chapter 6: Zoning Regulations to require written notification to certain nearby property owners regarding petitions for zoning relief.

Seconded by Trustee Fodor  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott  
Nays: None  
Absent: None

An Ordinance amending the Village Code, Chapter 6: Zoning Regulations to add regulations governing a new zoning district, recreational zoning district, in the Village

Mr. Hedges asked for this item to be tabled because the ordinance and supporting documents were omitted from the packet.

Trustee Pollastrini moved to table the Ordinance amending the Village Code, Chapter 6: Zoning Regulations to add regulations governing a new zoning district, recreational zoning

district, in the Village.

Seconded by Trustee Fodor  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott  
Nays: None  
Absent: None

A Resolution determining the request of \$1,210,000 to be levied for the 2021 tax year through real estate taxes for the Village of Hampshire, Kane County, Illinois

Finance Director Lyons briefly explained this step in the process for the levy, but she will make a very thorough presentation at the next step during the public hearing at the Village Board's December 2 meeting. The purpose of this step is to announce the intended levy at least twenty (20) days ahead of actually setting it.

Trustee Kelly wanted to note that this is not a tax increase. This is the annual levy that generally increases each year because more properties with higher tax value have been added to the Village. Every year people see this process happening and think the Village Board is raising property taxes, but that is not what is happening here. The average tax bill should remain about the same depending on how the property is valued by the Township Assessor for the new taxing year.

Trustee Robinson approved Resolution 21-12; determining the request of \$1,210,000 to be levied for the 2021 tax year through real estate taxes for the Village of Hampshire, Kane County, Illinois.

Seconded by Trustee Fodor  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott  
Nays: None  
Absent: None

## **MONTHLY REPORTS**

### Streets Report

Village Manager Hedges walked through the report from Streets Supervisor Dave Starrett. Public Works is getting ready for the winter season, checking the equipment and trucks.

### Building Permits

Asst. to the Village Manager Wray reported the October performance metrics for the building department. A few additional notes were that 7 new home permits have been pulled for Tamms Farm, Stanley has begun work on his property along Allen Rd. for self-storage facilities, and the Village received permit applications for 2 temporary COVID testing sites.

Trustee Robinson appreciates access to testing but is worried about having a bunch of these container-style buildings pop up around the Village. Village Manager Hedges said staff will investigate how the Village can regulate them. Trustee Robinson asked if these COVID testing sites are being funded by government money, and Mr. Hedges described that it seems to be a very competitive business that is state or federally funded.

Trustee Kelly asked if these containers are allowed to be there without having their permits, and Mr. Wray responded that they are not to be operating until they have received their permits and passed their inspections. President Reid noted that they would have come to the Village and gotten their permits first in a perfect world, but the containers got there first, and the Village then stepped-in to ensure everything was done properly according to the code requirements.

## **ACCOUNTS PAYABLE**

### A Motion to approve the November 4, 2021 Accounts Payable to Personnel

Trustee Kelly moved to approve the Accounts Payable for John Huff and Shawna Davis in the sum of \$218.88 paid on or before November 10, 2021.

Seconded by Trustee Robinson  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott  
Nays: None  
Absent: None

### A Motion to approve the November 4, 2021 Regular Accounts Payable

Trustee Robinson asked why the Village is refunding so much for someone's water bill. Finance Director Lyons explained that she moved out but had an autopayment set up that she did not cancel, so she paid several months beyond what she was responsible for.

Trustee Robinson asked about the large payment to IDOT. Mr. Hedges explained that this is 80% of the Village share for the Rt. 72 & State intersection project. Trustee Kelly asked why we are paying 80% of the share now. Ms. Lyons explained that the 80% was due upon contract award per the intergovernmental agreement. Several members of the Board are just frustrated that the Village is paying so much money when work has been set for the spring when we thought it would begin in the fall. The only requirement for the contractor is the completion date, not a start date.

Trustee Pollastrini asked what the sales tax rebate for Siegel's Cabinets is for. Ms. Lyons explained that this was a very vibrant company in Hampshire for many years, but now they only have a sales office here which still entitles Hampshire to receive all the sales tax from the company. The agreement for perpetuity is to rebate 50% of that sales tax to entice the company to keep the sales office open in Hampshire rather than move it to one of its other locations where Hampshire would receive none of the sales tax.

Trustee Robinson moved to approve the Accounts Payable in the sum of \$710,926.78 paid on or before November 10, 2021.

Seconded by Trustee Mott  
Motion carried by roll call vote.  
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott  
Nays: None  
Absent: None

## **COMMITTEE / COMMISSION REPORTS**

- a) Business Development Commission – Trustee Kelly reported a meeting will be held on November 10 at 6:30 p.m. at Village Hall. All are welcome.
- b) Public Relations – Trustee Fodor reported there will be no meeting this month because of Thanksgiving.
- c) Public Works – No report
- d) Budget Committee – Trustee Pollastrini reported we are moving forward with the budget cycle.

## **ANNOUNCEMENTS**

Trustee Koth thanked everyone who participated at our Chili Cook-Off. Utilities Supervisor Mark Montgomery won.

This Saturday is the Holiday on State, and St. Nick will be at the Bassett rescue from 10 am to 4 pm if anyone has free time and would like to help.

We will be putting up our sign for letters to Santa above the water bill slot on November 18. The board members have always written letters back from Santa, so President Reid asked all the trustees to please help if they can.

The Holiday Fest on State Street will be on December 11 from 2:30-4:30 PM and will combine the formerly separate events held by the Library and the Park District along with the parade to follow. State Street between Jackson and Jefferson will be closed.

**\*\*brief power outage\*\***

Trustee Fodor congratulated Hampshire High School cross-country team is going to the state finals. We wish them the best.

Trustee Robinson asked again to please wear your mask and be social distancing. D300 has shown that they will shut down again if the numbers go up, and kids need to be in school.

Trustee Fodor is collecting cooking oils for the D300 Food Pantry. Please see her if you would like to donate or help collect items.

## **ADJOURNMENT**

Trustee Kelly moved to adjourn the Village Board meeting at 8:57 p.m.

Seconded by Trustee Robinson

Motion carried by roll call vote.

Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott, Pollastrini

Nays: None

Absent: None



Linda Vasquez Village Clerk