

**REGULAR MEETING OF THE BOARD OF TRUSTEES
MINUTES
September 21, 2023**

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 Hampshire Middle School gymnasium, 560 S. State Street, on Thursday, September 21, 2023.

Roll call by Deputy Village Clerk Josh Wray:

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

Absent: Lionel Mott (Trustee Mott arrived approximately 9:00 p.m.)

A quorum was established.

In addition, present in-person were Village Manager Jay Hedges, Village Attorney James Vasselli, Police Chief Doug Pann, and Village Engineer Tim Paulson.

President Reid led the Pledge of Allegiance.

MINUTES

Trustee Pollastrini moved to approve the minutes of September 7, 2023.

Seconded by Trustee Robinson

Motion carried by roll call vote.

Ayes: Fodor, Kelly, Koth, Pollastrini, Robinson

Nays: None

Absent: Mott

VILLAGE MANAGER'S REPORT

Discussion and Possible Final Action Regarding Authorization for the Sale of a Surplus 2016 Dodge Charger Police Squad to the DeKalb Police Department for \$10,000

The trustees asked several questions. Trustee Pollastrini commended Chief Pann on working with other departments like this.

Trustee Pollastrini moved to authorize the sale of a surplus 2016 Dodge Charger police squad to the DeKalb Police Department for \$10,000.

Seconded by Trustee Robinson

Motion carried by roll call vote.

Ayes: Kelly, Pollastrini, Robinson

Nays: Koth, Fodor

Absent: Mott

VILLAGE MANAGER'S REPORT

Discussion and Possible Final Action Regarding a Resolution Approving a Final Development Plan for Neighborhoods A-G in the Oakstead Planned Residential Development (Hampshire East, LLC)

Trustee Kelly asked for clarification of the one lot, 227, shown as in the floodplain. Mr. Olsem

from Crown Community Development explained that Crown will have to do a floodplain map amendment and provide compensatory stormwater storage to accommodate the area that is taken out of the floodplain.

Trustee Pollastrini asked for clarification that the middle school shown on the plat is a typo and that it will remain an elementary school. Mr. Olsem confirmed it is a typo.

Trustee Koth moved to approve Resolution No. 23-18: a resolution approving a final development plan for neighborhoods A-G in the Oakstead Planned Residential Development.

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

Discussion and Possible Final Action Regarding an Ordinance Approving an Agreement for Reimbursement of Certain Costs Related to the Construction of a Water Main Connection as Part of the Village Water Supply and Distribution System (Oakstead - Hampshire East, LLC)

Mr. Hedges explained that this agreement is necessary because Crown needs the water line installed to service the first neighborhoods for development, but that water line is Van Vlissingen's obligation, and Van Vlissingen is not ready to develop yet. Crown will instead make the upfront investment for the water line, and Van Vlissingen will be obligated to reimburse the costs upon their development. Mr. Olsem confirmed this agreement has been agreed to by Crown and Van Vlissingen.

Trustee Robinson moved to approve Ordinance No. 23-11: an ordinance approving an agreement for reimbursement of certain costs related to the construction of a water main connection as part of the Village water supply and distribution system.

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

A Public Hearing Regarding an Annexation Agreement for Certain Property of Approximately 276 Acres Located North of I-90, South of US Hwy 20, and on Either Side of Dietrich Rd in Hampshire Township, Kane County, and Coral Township, McHenry County Commonly Known as the Light Property

Trustee Robinson moved to enter the public hearing at 7:18 p.m.

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

A court-reporter's transcript of the public hearing will be on file with the village clerk.

President Reid made opening remarks, and Attorney Vasselli walked the Board through the

legal process of annexation and rezoning, the matters on the agenda, and the terms of the proposed annexation agreement.

Attorney Tom Burney representing the petitioner made introductions for their team and noted the several letters of recommendation from stakeholders in the community. Carrie Hansen of Shoppe Design Associates representing the petitioner provided information on land use factors and conceptual buffering and natural features the development could include to mitigate concerns. Jim Frayn of Manhard Consulting representing the petitioner provided a brief description engineering and stormwater considerations.

The trustees asked several questions for approximately 20 minutes.

Trustee Kelly moved at 8:50 p.m. to recess the hearing until 9:00 p.m.

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

The Board reconvened at 9:03 p.m. Roll call by Deputy Clerk Wray:
Present: Fodor, Kelly, Koth, Pollastrini, Robinson, and Mott
Absent: None

The Board heard public testimony for approximately one hour and ten minutes.

Trustee Kelly moved at 10:11 p.m. to recess the hearing until 10:16 p.m.

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

The Board reconvened at 10:17 p.m. Roll call by Deputy Clerk Wray:
Present: Fodor, Kelly, Koth, Pollastrini, Robinson, and Mott
Absent: None

The Board heard public testimony for approximately one hour and thirty-five minutes.

President Reid announced that, pursuant to law, the Board needs to recess and reconvene after midnight since the date will change. Attorney Vasselli noted the agenda will not change; the same business will continue.

Trustee Kelly moved at 11:53 p.m. to continue the hearing on Friday, September 22, 2023, beginning at 12:05 a.m.

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

The Board reconvened the public hearing regarding an annexation agreement for approximately 278 acres commonly known as the Light property at 12:05 a.m. on Friday, September 22, 2023. Roll call by Deputy Clerk Wray:

Present: Fodor, Kelly, Koth, Pollastrini, Robinson, and Mott

Absent: None

The Board heard public testimony for approximately forty minutes.

Attorney Burney provided rebuttal testimony and closing remarks for approximately five minutes.

The Board asked several questions and discussed the proposal and testimony for approximately ten minutes.

Trustee Robinson moved to close the public hearing and re-enter regular session at 12:56 a.m.

Seconded by Trustee Kelly

Motion carried by roll call vote.

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

Nays: None

Absent: None

Discussion and Possible Final Action Regarding the Proposed Annexation of Approximately 112 Acres of the Light Property Located on the South Side of Dietrich Rd. in Hampshire Township, Kane County (Smrt/Shireland)

Multiple trustees made remarks about having the most local control over the development of this property through annexation and an annexation agreement. There were several questions and discussion about the annexation and the annexation agreement for approximately twenty minutes.

Trustee Fodor gave her thoughts on this matter thoroughly, explaining that no one can control growth, but we can harness it and ensure it is balanced with the needs and goals of the Village. She noted that this type of development provides a much-needed diversification of the tax base that does not stress public services. While she admitted the Village does not have all the information that will come with end-users, she trusts the excellent officials put in place to vet the process once they come back for final approval. However, she does still have concerns about the development, especially the effects on Hope Reins which should be addressed before final approval.

Trustee Pollastrini moved to approve Ordinance No. 23-12: an ordinance annexing approximately 112 acres of the Light property located on the south side of Dietrich Rd. in Hampshire Township, Kane County.

Seconded by Trustee Fodor

Motion carried by roll call vote.

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

Nays: None

Absent: None

Discussion and Possible Final Action Regarding the Proposed Annexation of Approximately 164 Acres of the Light Property Located on the North Side of Dietrich Rd. in Hampshire Township, Kane County, and Coral Township, McHenry County (Ludwig)

Trustee Mott moved to approve Ordinance No. 23-13: an ordinance annexing approximately 164 Acres of the Light property located on the north side of Dietrich Rd. in Hampshire Township, Kane County, and Coral Township, McHenry County.

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

Discussion and Possible Final Action Regarding the Approval of an Annexation Agreement Governing the Proposed Annexation of Approximately 164 Acres Located on the North Side of Dietrich Rd. in Hampshire Township, Kane County, and Coral Township, McHenry County and 112 Acres Located on the South Side of Dietrich Rd. in Hampshire Township, Kane County

The trustees asked a few questions. Trustee Fodor noted that the Village will lose its best tool for local control without the annexation agreement.

Trustee Koth moved to approve Ordinance No. 23-14: an ordinance approving an annexation agreement governing the proposed annexation of approximately 164 acres located on the north side of Dietrich Rd. in Hampshire Township, Kane County, and Coral Township, McHenry County and 112 acres located on the south side of Dietrich Rd. in Hampshire Township, Kane County.

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

Discussion and Possible Final Action Regarding an Ordinance Rezoning Approximately 112 Acres of the Light Property Located on the South Side of Dietrich Rd. in Hampshire Township, Kane County, to the O-M Office and Restricted Manufacturing Zoning District (Smrt/Shireland)

Trustee Kelly stated he hopes everyone in the room understands that approving this rezoning does not guarantee final approval of specific users.

Trustee Pollastrini moved to approve Ordinance No. 23-15: an ordinance rezoning approximately 112 acres of the Light property located on the south side of Dietrich Rd. in Hampshire Township, Kane County, to the O-M Office and Restricted Manufacturing Zoning District.

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

Discussion and Possible Final Action Regarding an Ordinance Regarding a Special Use for the Property Identified in Agenda Item 5(h) to Allow the Following: outdoor storage of property, building materials sales and storage; cartage and express facilities; electrical, lighting and

wiring equipment; food manufacture, packaging, and processing; ground mounted solar energy systems; and planned developments

Attorney Vasselli reminded the trustees that an affirmative vote on this ordinance will be a vote to deny the special uses in concurrence with the Planning and Zoning Commission's recommendation.

Trustee Kelly moved to approve Ordinance No. 23-16: an ordinance denying a special use for the property identified in agenda item 5(h) to allow the requested uses.

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

Discussion and Possible Final Action Regarding an Ordinance Rezoning Approximately 164 Acres of the Light Property Located on the North Side of Dietrich Rd in Hampshire Township, Kane County, and Coral Township, McHenry County, to the O-M Office and Restricted Manufacturing Zoning District (Ludwig)

Trustee Koth moved to approve Ordinance No. 23-17: an ordinance rezoning approximately 164 acres of the Light property located on the north side of Dietrich Rd in Hampshire Township, Kane County, and Coral Township, McHenry County, to the O-M Office and Restricted Manufacturing Zoning District.

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

Discussion and Possible Final Action Regarding Ordinance Regarding a Special Use for the Property Identified in Agenda Item 5(j) to Allow the Following: outdoor storage of property, building materials sales and storage; cartage and express facilities; electrical, lighting and wiring equipment; food manufacture, packaging, and processing; ground mounted solar energy systems; and planned developments

Trustee Robinson moved to approve Ordinance No. 23-18: an ordinance denying a special use for the property identified in agenda item 5(j) to allow the requested uses.

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

ACCOUNTS PAYABLE

A Motion to Approve the September 21, 2023 Regular Accounts Payable

Trustee Pollastrini noted much of the payables are transition fees being transferred to other taxing bodies, which is not true Village expenditure.

Trustee Koth moved to approve the Accounts Payable in the sum of \$668,393.92 to be paid on or before September 27, 2023.

Seconded by Trustee Robinson

Motion carried by roll call vote.

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

Nays: None

Absent: None

ANNOUNCEMENTS

There were no announcements.

PUBLIC COMMENTS

President Reid called all names signed-up for public comments, and none approached to speak.

ADJOURNMENT

Trustee Kelly moved to adjourn the Village Board meeting at 1:41 a.m.

Seconded by Trustee Robinson

Motion carried by voice vote.


Josh Wray, Deputy Village Clerk