

REGULAR MEETING OF THE BOARD OF TRUSTEES
MINUTES
June 16, 2022

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, June 16, 2022.

Roll call by President Reid:

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

Absent: none

A quorum was established.

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

Village President led the Pledge of Allegiance.

PUBLIC COMMENTS

Bonnie Engel: Ms. Engel spoke on behalf of the Hampshire Township Historical Society. She gave an update on membership and activity, including a note that membership has grown to 33 members since the effort to revive the society began about a year ago. Their membership goal is 50. They had 6 events last year, and they are planning to have 9 more. She announced the next event, Swing and Sway with Velda Mae, on Thursday, June 23 at the Township Building. Ms. Engel also noted the Society still has a great need for a place to rent or buy that would be a better space for records storage and possibly for hosting events.

MINUTES

Trustee Koth moved to approve the meeting minutes of June 2, 2022.

Seconded by Trustee Robinson

Motion carried by roll call vote.

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

Nays: None

RECOGNITION

Chief Thompson noted that Police Officer Dan Paradies has rejoined the Hampshire Police Department as a school resource officer and has been doing a wonderful job reading books, singing with the kids, and being involved however possible. President Reid recognized Officer Paradies for the great work he has done as an SRO, which was expressed in a very warm and gracious letter from the principal of Hampshire Elementary School. Trustee Robinson added that his daughter at Hampshire Elementary has often come home to talk about how they saw the police officer at school today, and she always has such a positive attitude about it.

APPOINTMEMNTS

President Reid requested the reappointment of George Brust to the Board of Police Commissioners, noting Mr. Brust's knowledge and years of service to the Commission. He also noted that Chairperson Maureen McGreevy also recommends this reappointment.

Trustee Mott moved to approve the appointment of George Brust to a three-year term on the Board of Police Commissioners.

Seconded by Trustee Pollastrini

Motion carried by roll call vote.

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

Nays: None

VILLAGE MANAGER'S REPORT

A Motion to Award a Façade Improvement Grant for 199 S State St (Rose Garden building)

Trustee Kelly first explained that he will be abstaining on all façade grant votes at the Village Board level from now on because he feels that his vote is included in the BDC recommendation and that his duty at the Village Board level is to represent that recommendation. He then noted the BDC met last week to discuss this project at length. There were several different options considered, which included multiple iterations of cost estimates based on adding more brick to the project (which was \$42,000 more) or more stone just on the corner of the building (which was over \$10,000 more), and the BDC decided neither of those options would be worth the added costs. Therefore, the BDC ended up recommending the original proposal at the cost quoted by the lower of two bids.

BDC Chairman Ryan Krajecki added that BDC Commissioner Bill Swalwell has worked very closely with the owners on this project for several weeks and appreciates his effort. Chairman Krajecki also added that this is a building has been a cornerstone building for the façade program that the BDC has wanted to work with since the program's inception.

Commissioner Swalwell noted that the building owner has been wonderful to work with and very open to ideas and suggestions. He described one element that was added from the building owner's original plan which is the restoration of the top of the façade that has been missing for many years now. He also had examples of the masonry materials to be used for the Board to view. Mr. Swalwell note that the building owner intends to have the majority or all of the work done by the close of the Streetscape project.

Trustee Koth asked if the BDC discussed the fact that this grant and the next grant on the agenda will take the façade program 41% overbudget in this fiscal year. Trustee Kelly responded yes, but the idea at the BDC meeting was that they should review and make recommendations on the merits of the project and leave the budget considerations to the Village Board since staff had presented the possibility of additional funding. President Reid agreed that there was discussion of a hard budget cap during the passage of the faced program in the first year, but that \$100,000 budget cap was reduced for two years, and we may have the ability to go overbudget in this fiscal year based on what information staff has tonight. Mr. Hedges explained that the Village has approximately \$200,000 of uncommitted General Fund funds from the ARPA funding received.

Trustee Koth asked if the Board is going to stop grants after these or if they will keep going

even though the program is already overbudget. Trustee Kelly said the BDC and Beautification Committee will take the Board's direction on that matter based on the discussion tonight. Trustee Koth is concerned about passing these two grants and then saying no to a future grant applicant after having already gone overbudget.

President Reid noted that this may be the perfect time to go overbudget and fund all the projects the Village can while the Streetscape and Rt. 72 construction projects are happening. The Village shorted the program for two years because it didn't have the funds, but we do have the ability this year to go overbudget to, in a way, make up for that short.

Trustee Koth said he believes the Village has to accept future applications in this fiscal year if the Board decides to go overbudget tonight. He also asked if the BDC considers whether the improvements being funded in these grants address code violations. Trustee Kelly responded that the grants have at least once before been only for code violation correction, but that is usually not the focus. Chairman Krajecki noted that the façade work requires permitting, so that would tie code compliance to the grant.

Trustee Fodor asked if the façade grants require that the entire building be brought up to code. Trustee Kelly noted this program is only concerned with the façade, so code issues inside would not be addressed by this funding. Trustee Fodor also asked what the Village's role will be in ensuring these buildings that receive grants are maintained properly. President Reid responded that the standard code enforcement process would apply for maintenance issues.

Trustee Fodor asked when the property taxes are assessed after the project improvements so the Village starts to see a return on its investment. Mr. Hedges responded that an assessment is entirely up to the Township Assessor's Office. Trustee Koth said an assessment will happen within a year.

Trustee Fodor asked what the budget limit will be now. President Reid responded that is open for discussion; his thoughts were that the Board make up for the \$50,000 "short" from two of the prior years, and any additional funding given this year should reduce the program budget next year.

Trustee Robinson asked how many other businesses there are that could apply for a façade grant. Chairman Krajecki said there are a few left in the façade program's geographic area.

Mr. Hedges suggested that the Board review these grants on their merits and not limit itself regarding future grant applications. Trustee Koth asked for clarification about funding availability. Mr. Hedges responded that there is approximately \$200,000 of uncommitted funding the Board could apply to the façade program.

Trustee Pollastrini noted that these grants and this discussion over more funding is coming only two months after approving the budget, and she would rather that the conversation of additional funding have been brought up during the budget process. Increasing the budget 41% does not sit well with her. Trustee Kelly noted that the Village was not aware of the scope or potential costs of these projects during the budget preparation, so it is very difficult to determine a hard budget when the Board does not know how many or how extensive of projects will come in. Trustee Pollastrini suggested a per project cap so that one project does not consume such a large portion of the funding in one year.

Trustee Koth moved to award a façade improvement grant for 199 S State St at 75% of project

costs up to \$63,669.00.

Seconded by Trustee Robinson
Motion carried by roll call vote.
Ayes: Mott, Koth, Fodor, Robinson
Nays: Pollastrini
Abstain: Kelly

A Motion to Award a Façade Improvement Grant for 199 Maple Pl (Block's)

Trustee Kelly described the project scope and the BDC's recommendation. He also noted that the owners will also be resurfacing their parking lot separate from this grant.

President Reid asked if the façade program includes a limitation of 50% funding for businesses not located on State Street. Chairman Krajecki responded that provision was included in the original guidelines, which he was in favor of, but the program has grown out of that in the past years. Trustee Kelly noted that the BDC recommended 75% funding on this project.

Trustee Pollastrini said she still cannot vote to approve spending that was not budgeted without a better explanation. She supports Block's and their renovation efforts, but her view is that there is no funding left in the program as of now.

Trustee Fodor noted that this conversation becomes very difficult when the trustees do not know where the additional funding is specifically coming from. Trustee Kelly noted that his original introduction included the comment that there was additional funding available, but he understands that Mr. Hedges noted that, in the future, staff will ask the Board for a motion to amend the budget with better details on where the additional funds will be coming from. Trustee Kelly noted that it would probably be a good idea to include the budget line item for all future project proposals, whether they be facade grants, public works projects, etc.

Trustee Pollastrini added that additional funding may be better used in other ways than on more façade program funding, such as covering the Streetscape overruns.

Trustee Koth moved to award a façade improvement grant for 199 Maple Pl at 75% of project costs up to \$20,321.25.

Seconded by Trustee Robinson
Motion carried by roll call vote.
Ayes: Mott, Koth, Fodor, Robinson
Nays: Pollastrini
Abstain: Kelly

A Motion Approving Three Variances to the Subdivision Requirements for the Hampshire 90 Logistics Park

Mr. Hedges explained that the three variances being sought are not a concern for staff. First, the longer cul-de-sac is usually an issue for snow removal since there is limited area to put the snow, but that is not a concern here since there will only be a few industrial tenants as opposed to several houses, so there are fewer driveways and more yard area for the snow to be placed off-street. Second, the change from sidewalks on both sides of the road to only one side, which is not a concern given the limited users that will be walking in this industrial park. Third, the

reduction in street right-of-way is a reduction in the parkway space and not road width. The infrastructure that is normally placed in the right-of-way will be placed in an easement to allow for maintenance.

Trustee Kelly asked what the need for the lesser right-of-way. Ken Franzeses from the applicant's team explained that the space under easement rather than public right-of-way allows that land to be sold as a part of the parcel and will be used as part of the green area requirements when buildings are constructed. Trustee Mott note that the easement area will also be taxable unlike a public right-of-way. President Reid noted that this is really no different from the utility easement in his backyard that he cannot build on but is part of his property.

Trustee Robinson moved to approve the three variances to the subdivision requirements for the Hampshire 90 Logistics Park.

Seconded by Trustee Pollastrini

Trustee Kelly asked if the Board has approved any other reductions of right-of-way for an industrial or commercial property. Mr. Paulsen noted that the industrial park across US 20 only has one sidewalk on Flannigan, but he is not sure of the right-of-way.

Motion carried by roll call vote.

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

Nays: None

An Ordinance Rezoning the Property at 148 Washington Ave. from the B-1 Central Business District to the B-3 Service Business District

Mr. Wray explained that the owners of this property desire to have a contractor/construction office on the first floor of the building, which requires B-3 zoning. They intend to rent out space on the first floor for additional businesses, and they intend to continue to use the second floor as a residential unit. Planning and Zoning Commission Chairman Bryan Mroch noted that no neighbors or other members of the public spoke at the public hearing on this matter.

Trustee Kelly asked if the neighbors that were notified are required to respond. Mr. Hedges responded that the notices were sent as required, but the neighbors are not required to respond, and no responses were received.

Trustee Pollastrini's biggest concern with this project is in the next agenda item related to stormwater runoff after the accessory structure and driveway are constructed, especially since this a mixed-use area of commercial and residential properties. Trustee Kelly asked if EEI will look at stormwater effects of this project. Mr. Paulsen responded that EEI has not yet reviewed this project, but they generally review all commercial projects for the requirements under the stormwater ordinance. Mr. Hedges added that this project will still require a building permit if the rezoning and variance are passed, so issues related to stormwater and other construction concerns will be addressed then.

Trustee Kelly moved to approve Ordinance 22-13: An Ordinance Amending the Zoning Classification of the Property at 148 East Washington Avenue in the Village from B-1 Central Business District to B-3 Service Business District.

Seconded by Trustee Robinson

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

An Ordinance Granting a Variance to the Side Yard Setback Requirement for an Accessory Building at 148 Washington Ave.

Trustee Robinson moved to approve Ordinance 22-14: An Ordinance Granting a Variance in the B-3 Service Business Zoning District to Allow for Reduction of the Side Yard Setback to Not Less than Five Feet.

Seconded by Trustee Mott
Motion carried by roll call vote.
Ayes: Kelly, Mott, Robinson, Reid
Nays: Fodor, Pollastrini, Koth

An Ordinance Granting a Variance to the Community Graphics Regulations to Allow Additional Signage at Road Ranger

Mr. Hedges explained that Road Ranger is updating its signs, and they are seeking more and somewhat larger signs than are currently permitted.

Trustee Kelly noted that the Board recently passed an amendment related to signs in the truck stop area and asked if that applies to this situation. Mr. Wray explained that the Board did amend the code related to the highway identification signs, which are the very tall and large signs that are unique to this area, but there was no change to the more standard signage regulations at that time. Staff will be bringing another text amendment to the Planning and Zoning Commission soon that will address this type of signage.

Trustee Robinson moved to approve Ordinance 22-15: An Ordinance Granting a General Variation of the Community Graphics Requirements for the Property at 19N681 US Highway 20 in the Village.

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

A Motion to Authorize a Third Payment of \$72,845.55 to Kane County Excavating for the Connection Water Main Project (\$474,104.79 total to date)

Mr. Hedges noted that the project is on schedule, and staff has been receiving daily updates on progress.

Trustee Robinson moved to authorize a third payment of \$72,845.55 to Kane County Excavating for the connection water main project.

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

A Motion to Authorize a Second Payment of \$11,528.25 to IHC Construction for the Rt. 72 Water Main Replacement Project (\$92,496.75 total to date)

Trustee Koth asked what happened after the contractor left the b-box exposed overnight that froze. Mr. Hedges said they had to correct the issue at their expense, which they did.

Trustee Mott moved to authorize a second payment of \$11,528.25 to IHC Construction for the Rt. 72 water main replacement project.

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

MONTHLY REPORTS

May Police Incidents Report

Chief Thompson noted there was nothing out of the ordinary.

Trustee Pollastrini asked if Chief Thompson could comment at all on the arrest made by Kane County Sheriff's Office. Chief Thompson said the Hampshire Police Department was not involved in that incident on I-90.

May Financial Report

Ms. Lyons noted that income tax receipts are much higher than budget and higher than the IML projection.

Trustee Kelly asked if the new ERP system will give staff the ability to include seasonality in reporting. Ms. Lyons noted that she has built some seasonality in this report, but she does not believe the new ERP will include any automatic seasonality adjustments.

May Engineering Report

Trustee Robinson asked if the street surface on State Street will be asphalt or concrete in the Streetscape project. Mr. Hedges responded that the festival block between Jefferson and Washington will be concrete, and the intersections will be asphalt.

Trustee Kelly asked if the strikes are affecting any of the projects in the Village. Mr. Hedges responded that the strikes are not a concern for the Village at this point. However, he noted that it would become a problem if the strikes were to extend to the highway equipment operators.

ACCOUNTS PAYABLE

A Motion to approve the June 2, 2022 Accounts Payable to Personnel

Trustee Kelly moved to approve the Accounts Payable to personnel in the sum of \$469.91 paid on or before June 22, 2022.

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

A Motion to approve the June 2, 2022 Regular Accounts Payable

Trustee Pollastrini asked if the Village has started the mosquito abatement spraying. Trustee Koth said they will spray before the 4th of July.

Trustee Pollastrini asked what the payment to Paramount Fence was for. Ms. Lyons said this is the first payment for the fence that will be erected between the Village's new parking area and the railroad. The remainder of the balance will be paid upon completion.

Trustee Kelly asked what the permit overpayment item was for. Ms. Lyons explained that the permit fee was miscalculated by SAFEbuilt on the TRZ Storage project, so this reimbursement is to rectify that overpayment.

Trustee Robinson moved to approve the regular Accounts Payable in the sum of \$846,933.27 paid on or before June 22, 2022.

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

COMMITTEE / COMMISSION REPORTS

- a) Business Development Commission - Trustee Kelly thanked the Board for its consideration of the two grants tonight. He expects another façade grant application to be reviewed by the BDC at its July meeting.

Mr. Hedges gave a brief update on commercial developments and prospects, including a new Italian eatery on North State Street and new leases for the future mall west of Casey's on Rt. 72.

President Reid thanked the members of the BDC and the Beautification Subcommittee for attending tonight.

- b) Public Relations - Trustee Fodor noted that the Committee discussed the newsletter at their previous meeting. She also announce the next meeting for July 14.
- c) Public Works - No report.
- d) Budget Committee - No report.

NEW BUSINESS

A Discussion on Gun Violence

Trustee Robinson explained that he requested a discussion about gun violence in light of the recent event in Uvalde, TX. As a teacher, he is constantly concerned about a potential incident during school or during special activities with students, and this incident really hurt for him. He would like to see the Village Board take some action in response. While he knows the Village does not have much authority in this policy area, but he believes the Village Board can at least take a stance and do something.

President Reid noted that staff has advised the state statute is very clear that the Village cannot restrict gun ownership, but the Village Board can still pass a non-binding resolution in support of opposition of something. He too was always wary of these incidents while serving a school employee.

Trustee Fodor said that the trustees can always push our state elected officials for real change as the state-level, and she would like to see a resolution from the Village Board calling for changes. She invited anyone to sign-in as a visitor to her classroom to sit and watch and then talk to her students about what these events do to them.

President Reid added that this conversation should not be construed as anything negative towards the schools or the law enforcement agencies in the area.

Trustee Robinson note that this is not just a government problem or just a gun problem. It involves mental health, bullying, parenting, social media, etc. He said the Village plays a part even if it is a small part of simply taking a stance.

President Reid asked the Board how it would like to proceed.

Trustee Kelly noted that he likes to think about root cause, so his thoughts surround asking what the Village can do to provide the young people with programs and places to have conversations that might help prevent horrible events like Uvalde.

President Reid said he and the trustees have talked a lot about working better and more often with other elected officials from the other entities in town, so maybe this is an opportunity to work with them on a program.

Trustee Robinson noted that he is not looking to take away people's guns. He believes in preserving everyone's constitutional rights, but this violence has gone way too far, so something needs to be done.

Trustee Pollastrini suggested that the Village could lead opening a dialogue with other entities and the public about mental health and other issues. She also cautioned that the perception could very well be that that the trustees want to take away people's guns despite Trustee Robinson's previously comments, so the Village should be very careful about how it uses terms or introduces these topics.

Trustee Robinson agrees, but he thinks we are past the point of just talking. He believes we are past the point of debating the 2nd Amendment; we should instead be talking about actions we can take to help the problems.

President Reid suggested that everyone put serious thought into what they want the Village to do on this subject that is within its power and bring that back to the next meeting.

Trustee Pollastrini noted that there many of these potential incidents that are prevented by law enforcement and schools paying attention to potential threats. Obviously, they do not prevent 100% of them, but speaking up about suspicions absolutely help prevent incidents, so she suggested an informational campaign about what to look for and how to report.

Trustee Koth asked if there are currently any programs for teenagers. President Reid responded there is very little outside of the school district activities. Trustee Koth noted that is the age group that causes most of the vandalism and other problems in town because they have nothing to do. Trustee Kelly said that would be an example of where the Village could come together with the other entities and organizations to take some action.

Other

President Reid said a gentleman from a solar company got ahold of him to complain that the Village does not allow for door-to-door soliciting. He suggested some sort of permit or other means to allow it, but President Reid is personally against it, so he just wanted to say that calling the mayor to ask for permission to knock on doors will not get you anywhere. The consensus was to continue to prohibit soliciting.

President Reid has received several questions, including someone that asked if they could have quail which the ordinance does not allow. He said that the biggest concern right now among some of the residents is the screening requirement, noting that there has been some confusion about what screening means. Staff is developing a clearer interpretation taking into account potential issues with ventilation. President Reid also noted that this is a pilot program, and there is a process to changes that may come in the future after some time with the current regulations. A person cannot simply come to a meeting and get a vote on a change that night. The Village is also not stopping licensure or permitting for any reason right now.

Trustee Kelly asked if the Village could reach out to the owners of the mall on Rt. 72 to see if the Village could help have the COVID testing container removed. Mr. Hedges said that staff is engaged with that property owner on several issues right now, and that will be brought up.

ANNOUNCEMENTS

Trustee Pollastrini reminded everyone to vote on June 28.

ADJOURNMENT

Trustee Fodor moved to adjourn the Village Board meeting at 9:31 p.m.

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


Josh Wray, Deputy Village Clerk