



**VILLAGE OF MACHESNEY PARK**  
**Journal of Proceedings ~ Regular Board Meeting**  
**Monday, April 1, 2024**

The meeting was called to order at 6:00 p.m. by Mayor Johnson.

- I. Invocation was given by Pastor Corey Williams, Park City Church.
- II. Pledge of Allegiance led by Trustee Stromberg.
- III. Roll Call and Declaration of Quorum
  - Present: Mayor Steve Johnson, Trustees Joe Seipts, Jodi Stromberg, James Kidd, Aaron Wilson, Terri Bailey, and Julie Boggie
  - Also Present: Deputy Clerk Penny Miller  
Village Attorney Tom Green  
Village Administrator James Richter II  
Treasurer Deb Alms  
Finance & HR Director Mike Childers  
Village Engineer Chris Dopkins  
Director of Public Works Mitch Hilden  
Community Development and Building Coordinator Izzy Mandujano  
Public Safety Supervisor Deputy Chief Anthony Miceli  
Management Analyst Dylan Moffitt
- IV. The Journal of Proceedings for the Regular Board Meeting from March 18, 2024 was approved per typewritten copies submitted by the Deputy Clerk on a motion by Trustee Wilson and seconded by Trustee Kidd. Motion approved on voice vote.
- V. Treasurer Deb Alms presented the Treasurer's Report as of March 25, 2024, which reflects the total of all funds to be \$37,672,919.95. A motion was made by Trustee Wilson to accept the Treasurer's Report and seconded by Trustee Bailey. Motion approved. On roll call: 7 ayes (Trustees Seipts, Stromberg, Kidd, Wilson, Bailey, Boggie, and Mayor Johnson)
- VI. Communications: Mayor Johnson presented a donation check to Pam Osbourne from Keep Northern Illinois Beautiful and to Chip Stoner from Carlson Boys and Girls Club.
- VII. Warrant: Trustee Wilson presented the warrant in the amount of \$195,857.31 and moved for its passage; seconded by Trustee Seipts. Motion approved. 7 ayes (Trustees Seipts, Stromberg, Kidd, Wilson, Bailey, Boggie, and Mayor Johnson)
- VIII. Administrative Reports
  1. Mayor Johnson reported the following:

- He asked everyone to stand for a moment of silence for the victims of last week's violence in the area.
- He entertained a motion to appoint Neil Rote to the Planning & Economic Development Committee. Motion by Trustee Seipts and seconded by Trustee Kidd. Motion approved. 7 ayes (Trustees Seipts, Stromberg, Kidd, Wilson, Bailey, Boggie and Mayor Johnson)
- He reminded everyone to shop locally.

2. Attorney Green had no report.

3. Village Administrator James Richter II had no report.

4. Finance & HR Director Mike Childers had no report.

5. Director of Public Works Mitch Hilden had no report.

6. Village Engineer Chris Dopkins had no report.

7. Public Safety Supervisor Deputy Chief Anthony Miceli had no report.

#### IX. Committee and Trustee Reports

1. District #1 - Trustee Seipts, Planning & Economic Development Chair, reported that the Planning & Economic Development Committee met this evening. Five ordinances will go to the Board on April 15 with positive recommendations.
2. District #2 - Trustee Stromberg, Planning & Economic Development Vice-Chair, had no report.
3. District #3 - Trustee Kidd, Public Improvement & Safety Vice-Chair, thanked Mayor Johnson for taking a call from Charles Marsden.
4. District #4 - Trustee Wilson, Administration & Finance Chair, reported that the Administration & Finance Committee met this evening. Two resolutions will be going to the Board on April 15, both with positive recommendations.
5. District #5, Trustee Bailey, Public Improvement & Safety Chair, had no report.
6. District #6, Trustee Boggie, Administration & Finance Vice-Chair, had no report.

#### X. Consent Agenda

Mayor Johnson noted that the next item is the Consent Agenda. He asked Staff to introduce all items to be considered on the Consent Agenda. Village Administrator James Richter II presented the items under Consent Agenda as follows:

1. Ordinance 12-24, Approving an Increase in the Number of Class B liquor Licenses and Approving a Class B Liquor License for 633 Harlem Rd. (First Reading)
2. Ordinance 17-24, Special Use Permit for Self-Storage in the General Industrial (IG) District, 9949 N. Alpine Rd. (Final Reading)

3. Ordinance 18-24, Variance from the Building Materials Industrial Design Standard, 9949 N. Alpine Rd. (Final Reading)
4. Ordinance 19-24, Variance from Solid Fencing Requirement for a Self-Storage Use, 9949 N. Alpine Rd. (Final Reading)
5. Ordinance 20-24, Adopt Official Zoning Map for the Village of Machesney Park (Final Reading)
6. Ordinance 26-24, Authorize Budget Amendments FY2023-2024 (First Reading)
7. Ordinance 27-24, Adopt Annual Budget FY2024-2025 (First Reading)
8. Resolution 06-R-24, Variance for Driveway Setback at 644 Ramona Terrace
9. Resolution 08-R-24, Approving a Master Services Agreement with Illinois Fiber Resources Group
10. Resolution 09-R-24, Authorize Operating Transfers FY2023-2024
11. Resolution 10-R-24, Authorize Settlement of Interfund Balances 2023-2024
12. Resolution 11-R-24, Village Mowing Services
13. Resolution 12-R-24, Village Flood Property Services

Mayor Johnson asked if there were any items to be removed from the Consent Agenda to be considered separately. Mayor Johnson asked for a motion to approve the Consent Agenda. Motion made by Trustee Seipts and seconded by Trustee Boggie. Motion approved. On roll call: 7 ayes (Trustees Seipts, Stromberg, Kidd, Wilson, Bailey, Boggie, and Mayor Johnson)

XI. Unfinished Business: none

XII. New Business

Community Development and Building Coordinator Izzy Mandujano presented Ordinance 08-24, Ordinance 09-24, and Ordinance 10-24. While inspecting a report of chickens being kept at 620 Harlem, it was discovered that three of the four accessory structures on this lot were unpermitted and/or non-conforming. The zoning code states that: no more than three accessory structures are allowed at the residential property, the area of the accessory structures cannot exceed the area of the footprint of the home, and accessory structures must be built with appropriate setbacks, for the structure in this case, 6 feet. And the chicken run was placed with a 0-foot setback. The property owner is applying for variances to keep the four accessory structures exceed the number permitted, with a total area of 1280 square feet, exceeding the area of the home by 499 square feet, and maintaining the chicken run – dog run with a zero-foot setback. The three ordinance address each of these. Ordinance 08-24, is the variance to allow all four accessory structures, staff is recommending denial, there is no hardship or unusual circumstance that would create a need for four detached accessory structures. There is a variance to allow more accessory structure area as well. No one from the public attended the Planning & Zoning Commission to speak for or against the request. A letter was emailed to Village staff from an adjacent property owner in support of the applicants right to keep all the structures on the property. The applicant testified that a permit was applied for and issued, however Village staff has been unable to find the supporting documentation. The Planning & Zoning Commission voted 0-7, to not recommend approval, of Ordinance 08-24, and at the Planning & Economic Development Committee, the committee voted 0-5, with one absent to not recommend approval. Ordinance 09-24, is the variance to allow the area of accessory structure to exceed the footprint of the home, staff is recommending approval with conditions.

1. 1,068 square feet of accessory building area is allowed which permits the two garages, the shed and dog run must be removed.

2. A building permit must be applied for and issued for the larger garage
3. A driveway permit must be applied for and issued for driveway access to the larger garage in the rear of the property.

The Planning and Zoning Commission voted 7-0 to recommend approval with the conditions, and the Planning and Economic Development Committee voted 5-0 to recommend approval as well. Ordinance 10-24 is the variance to allow the dog run to stay at a 0-foot setback. Staff is recommending denial to align with a recommendation for ordinance 09-24. Which would require the dog/chicken run to be removed. The Planning & Zoning Commission voted 0-7, to not recommend approval, of Ordinance 10-24, and at the Planning & Economic Development Committee, the committee voted 0-5, with one absent to not recommend ordinance. Additionally, because two of the variances did not receive a positive recommendation from the Planning & Zoning Commission, they cannot be granted, unless 4 of the 6 Village trustees only vote to approve them.

1. Ordinance 08-24, Variance from the Regulation that Prohibits More Than Three Accessory Structures, 620 Harlem Rd. (First Reading). Motion made by Trustee Wilson and seconded by Trustee Bailey to approve Ordinance 08-24. Motion failed. On roll call: 5 nays (Trustees Seipts, Stromberg, Wilson, Boggie, and Mayor Johnson) 2 ayes (Trustees Kidd and Bailey)
2. Ordinance 09-24, Variance from Accessory Building Size Regulations, 620 Harlem Rd. (First Reading). Motion made by Trustee Wilson and seconded by Trustee Stromberg to approve Ordinance 09-24. Trustee Bailey made a motion to remove items 2 and 3 from the conditions on the ordinance. Motion approved. On roll call: 5 ayes (Trustees Kidd, Wilson, Bailey, Boggie, and Mayor Johnson) 2 nays (Trustees Seipts and Stromberg)
3. Ordinance 10-24, Variance from Side Setback Requirement for an Accessory Structure, 620 Harlem Rd. (First Reading). Motion made by Trustee Bailey and seconded by Trustee Kidd to approve Ordinance 10-24. Motion failed. On roll call: 5 nays (Trustees Seipts, Stromberg, Wilson, Boggie, and Mayor Johnson) 2 ayes (Trustees Kidd and Bailey)

Community Development and Building Coordinator Izzy Mandujano presented Ordinance 13-24, 14-24, 15-24, and 16-24. These four ordinances all relate to a garage being built on the 9900 block of Queen Oaks Drive. There was an existing small garage located on the subject property. There was no principal structure and it was located closer to the front property line because of the improvements and dedication of Queen Oaks in 2014. It was allowed to remain. Initially the owner inquired about replacing the garage, but after staff explained that any substantial improvements to the structure at this location could not be done without variances and other permits, he decided to only apply to replace the roof. The applicant was advised by staff and on the permit for the roof that no other changes could be made, without talking to staff. The owner did demolish the garage utilizing one wall from the existing structure, because of the damaged rotting boards. The new garage that is under construction is non-compliant with the Village's regulations for several reasons. Because the structure is in the floodplain, it must be elevated to be flood protected, it is an accessory structure without a principal structure, it is larger than the 1000 square foot permitted, and the structure does not meet setback from the front property line. The variances address each of these concerns. Ordinance 13-24 is a variance to allow substantial improvement in the 100-year floodplain without complying with flood protection requirements. These requirements are in place to protect the residents from damage to their structures. These requirements were reviewed by FEMA, and they are part of requirements the village needs to meet in order to participate in the National Flood insurance program. Not abiding by our own requirements could affect the village's eligibility in the NFIP program. Staff is recommending that this variance not be approved. At the Planning & Zoning Commission meeting, several neighbors

testified that they would have no problem with the structure as it was built. The applicant testified that he did the repairs because of the rotted boards. The Planning & Zoning Commission voted 0-6, not recommending approval of Ordinance 13-24. The Planning & Economic Development Committee voted 0-4, not recommending approval. Ordinance 14-24 is a variance to allow an accessory structure where there is no principal structure. There was an accessory structure before without a house and requiring a house within the floodplain would be contradictory to the protective measure we take. Staff is recommending approval of this variance. The Planning & Zoning Commission voted 6-0, to approve this variance and the Planning & Economic Development Committee voted 4-0 to recommend approval also. Ordinance 15-24 is a variance from accessory building size regulations. The size of the accessory structure is 1064 square feet and the size requirement is 1000. Staff does not oppose this variance and recommend approval with conditions: that the variance allow only the proposed 28x38 structure – no additional structures shall be allowed on the property and that vehicles and equipment stored at the property shall be regularly stored inside the garage rather than on the lawn. The Planning & Zoning Commission voted 6-0 to approve the variance with conditions and the Planning & Economic Development Committee voted 4-0, to recommend approval as well. Ordinance 16-24 is the variance from the front setback requirements, the variance would allow a zero-foot setback, the required would be 30 feet. The previous accessory structure was much smaller and with the increase size there is concern it may be more intrusive, there is also a fire hydrant nearby and the entrance of the garage is short, it may result in obstruction and vehicles in the ROW. Staff is recommending that the setback be complied with here, not recommending approval. The Planning & Zoning Commission voted 0-6, not recommending approval. The Planning & Economic Development Committee voted 0-4 not recommending approval as well. Again, because two of the variances did not receive a positive recommendation from the Planning & Zoning Commission, they cannot be granted unless 4 of the 6 village trustees only vote to approve them.

4. Ordinance 13-24, Variance to Allow a “Substantial Improvement” in the 100-Year Floodplain Without Complying with Flood Protection Requirements, 99XX Queen Oaks Dr. (First Reading). Motion by Trustee Bailey and seconded by Trustee Wilson to approve Ordinance 13-24. Motion failed. On roll call: 5 nays (Trustees Seipts, Stromberg, Wilson, Boggie, and Mayor Johnson) 2 ayes (Trustees Kidd and Bailey)
5. Ordinance 14-24, Variance to Allow an Accessory Structure Where There is No Principal Structure, 99XX Queen Oaks Dr. (First Reading). Motion by Trustee Bailey and seconded by Trustee Kidd to approve Ordinance 14-24. Motion approved. On roll call: 7 ayes (Trustees Seipts, Stromberg, Kidd, Wilson, Bailey, Boggie, and Mayor Johnson)
6. Ordinance 15-24, Variance from Accessory Building Size Regulations, 99XX Queen Oaks Dr. (First Reading). Motion by Trustee Stromberg and seconded by Trustee Kidd to approve Ordinance 15-24. Motion approved. On roll call: 7 ayes (Trustees Seipts, Stromberg, Kidd, Wilson, Bailey, Boggie, and Mayor Johnson)
7. Ordinance 16-24, Variance from Front Setback Requirement, 99XX Queen Oaks Dr. (First Reading). Motion by Trustee Bailey and seconded by Trustee Stromberg to approve Ordinance 16-24. Motion failed. On roll call: 5 nays (Trustees Seipts, Stromberg, Wilson, Boggie, and Mayor Johnson) 2 ayes (Trustees Kidd and Bailey)

XIII. Public Comment: none

- XIV. Closed Session: The Board moved into executive session at 6:31 p.m. under section 5 ILCS 120/2(c)(1) Annual Performance Evaluation of Village Administrator and returned to open session at 6:50 p.m.

Mayor Johnson called the opening meeting to order at 6:50 p.m.

Present: Mayor Steve Johnson, Trustees Seipts, Stromberg, Kidd, Wilson, Bailey, and Boggie. Also present: Finance & HR Director Mike Childers and Attorney Tom Green.

Attorney Green noted that other than discussion of the performance evaluation, there was no action taken during the closed session and all information discussed in closed session is confidential.

- XV. Motion to adjourn was made by Trustee Stromberg and seconded by Trustee Seipts. Motion approved by voice vote. Meeting adjourned 6:50 p.m.

Approved:

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Penny L. Miller, Deputy Clerk