

Members Present

Mr. Stauffenberg, Mr. Olthoff, Mr. Tripp, Mr. Bertrand, Ms. Hertzberger, Mr. James, Mr. Washington and Mr. Scholl

Members Absent

Mr. Martin

In Attendance

Mrs. Lee, Mr. Whitten, Mr. Liehr, Brian Billingsley, Eric Sadler, Delbert Skimmerhorn, Donna Shehane, John Bevis, Brenda Gorski, Ken Nelson, Mike Watson, Keith Runyon and Joe Yurgine.

1. Call to Order

The meeting was called to order by the Chairman, Mr. Stauffenberg at 9:00 a.m. Quorum present.

2. Public Comment

Keith Runyon spoke regarding the recycling plan.

Joe Yurgine spoke in objection to the final plat approval of River Haven subdivision.

3. Approval of Minutes

A motion was made by Mr. James and seconded by Mr. Washington to approve the minutes of the September 20, 2004 meeting. Motion carried.

4. Subdivision

River Haven, 3rd Addition- Final Plat

Mr. Billingsley stated, "This is the final plat for the third addition to River Haven. The developer is Jeannie Burton. The preliminary plat with the construction plans were approved by this committee in July. In your packets you will find a letter of credit through Century Bank in the amount of \$265,000.00 that will cover the costs of the unfinished improvements of the third addition. The developer submitted covenants and stated that they will match the covenants of Riverside Country Estates."

A motion to table this with the concerns to be addressed that Mr. Yurgine brought before us was made by Mr. Tripp.

A motion to approve the final plat of River Haven was made by Mr. James and seconded by Mr. Washington. Motion carried. (Mr. Tripp opposed.)

5. Zoning

ZBA Case 04-10

Mr. Billingsley stated, "This case is a rezoning from R1 residential to C2 General Commercial on a 2.3 acre parcel land situated in the Village of Irwin. The parcel is owned by Rodney and JoCarol Emling. The existing land uses surrounding the site are agriculture, commercial and residential. The County's Comprehensive Plan recommends residential use for the site. Two objectors were present at the hearing and the Mayor of Irwin was in attendance but did not state his position on the rezoning. The Zoning Board of Appeals concurred with the findings of facts submitted by the petitioners and recommends that the case be approved by a vote of 6 ayes to 0 nays.

A motion to approve ZBA Case 04-10 was made by Mr. Bertrand and seconded by Mr. Washington.

Mrs. Lee stated, "Due to County litigation this needs to go into executive session for discussion."

A motion to go into executive session was made by Mrs. Lee and seconded by Mr. Scholl.

Mrs. Lee stated that she will withdrawal her motion to go into executive session and Mr. Scholl will withdrawal his second.

A motion to suspend the rules and move this to the end of the agenda was made by Mrs. Lee and Mr. Scholl. Motion carried.

A motion to approve the rezoning with the following conditions: the abandoned cars be taken off the property, the gas tank and the surrounding soil be remediate, that the Emlings cease and desist their operation and that this will not go to the County Board until the property has been inspected was made by Mrs. Lee and seconded by Mr. Olthoff. Motion carried.

Mr. James stated that we are trying to solve problems that the Court cannot solve.

ZBA Case 04-13

Mr. Billingsley stated, "This is a request for lot-width variance of property situated in Section 16 of Rockville Township. The variance has been requested by the Rockville Township Board and the property owner is Richard Parker. The township is requesting a variance of 101 feet. There were no objectors present at the hearing and the Zoning Board of Appeals concurred with the findings of fact and recommends that this case be approved by a vote of 6 ayes and 0 nays."

A motion to approve this was made by Mr. Scholl and seconded by Mr. Washington. Motion carried.

6. Solid Waste & Environmental

America Recycles Day

Ms. Shehane stated that November 15th is America Recycles Day this year. She is going to be promoting a Waste Free Lunch Day at all of the public schools and nonpublic schools in the County. The parents are going to be asked that when they are packing their child's lunch to use reusable containers. Ms. Shehane passed around a brochure regarding Waste Free Lunch Day.

Ms. Shehane stated that she will be coming back to the next PZA with two resolutions for recycling for the committee to consider. She also wanted to comment that one of the public comments was regarding a recycling amendment that has been acted upon. She wanted to clarify that there has been no recycling amendment brought to PZA as of yet. The Solid Waste Subcommittee is discussing such an idea and when it is ready they will present it to PZA for consideration.

Mr. James wanted to know if she has approached the schools about the Waste Free Lunch Day. Ms. Shehane stated that it varies school to school. Some of the schools are going to participate.

Pembroke Township Tipping Fee Grant

Ms. Shehane stated, "The ADHOC Committee did meet on this issue last Monday and it was decided that there was some preliminary information that needs to be submitted by the applicant by October 4. So, they are waiting on that information. There was also a motion to amend the intergovernmental agreement. I imagine that it will be brought to PZA again when that is completed."

6. Planning

Quality of Life Grant- Kankakee Valley Youth Symphony

Mr. Sadler stated, "Back in May the symphony applied for grant funds to establish a young musician's academy. Their proposal was for \$10,000.00 and the funds were going to be used to subsidize the instructors' salaries. A subcommittee of Mr. Martin, Mr. James and Mr. Scholl met in August to review outstanding applications. Their recommendation at the time was to request a modification from the symphony for funds in the amount of \$2,500.00 and that the funds be used for needy Kankakee County children. The funds are also to be used towards the rental of equipment. Last week we received an addendum from the symphony and they have complied with the request of the subcommittee."

A motion to approve the Quality of Life Grant for the Kankakee Valley Youth Symphony was made by Mrs. Lee and seconded by Mr. Washington. Motion carried by a roll call vote of 9 ayes and 0 nays.

7. Other

None

8. Executive Session- 5 ILCS 120/7- Review Executive Session Minutes

A motion to go into executive session was made by Mr. Scholl and seconded by Mr. Olthoff. Motion carried by a roll call vote of 9 ayes and 0 nays.

A motion to come out of executive session was made by Mrs. Lee and seconded by Mr. Olthoff. Motion carried by a roll call vote of 9 ayes and 0 nays.

A motion to keep the executive session minutes for January 21, 2004 confidential since the legal matters have not been concluded was made by Mrs. Lee and seconded by Mr. James. Motion carried by a voice vote.

9. Other

None.

10. Old/New Business

Ms. Gorski stated, "Our office received a request, since it was directed at our office but it really was not appropriate for our office to deal with, I gave copies to Mr. Kruse and Mr. Van Mill. Basically, it's from Attorney Tony Brasel that requests that the Knowles pond be brought up again before the County Board at its next meeting. It was not brought up at the September meeting and I advised Mr. Brasel of that in writing just as a courtesy in response. Subsequent to that, in order to preserve his time, he did file a Summons in Administrative Review, Case number 04-MR-860. That is pending for Administrative Review; I have requested copies of the entire record from ZBA and PZA as well as the County Board. In the meantime we are proceeding with defense of the lawsuit. "

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11. Adjournment

A motion was made by Mr. James and seconded by Mr. Washington to adjourn the meeting at 10:24 a.m. Motion carried.

James Stauffenberg, Chairman

Stephanie Gresham
Executive Coordinator