



VILLAGE OF RIVERSIDE  
BOARD OF TRUSTEES REGULAR MEETING

Minutes

*I. Call to Order:* The Regular Meeting of the Village of Riverside Board of Trustees was held on Thursday, March 17, 2022. President Ballerine called the meeting to order at 7:00 p.m.

*II. Pledge of Allegiance*

*III. Roll Call* Present: President Ballerine  
Trustee Pollock  
Trustee Marsh-Ozga  
Trustee Gallegos  
Trustee Hannon  
Trustee Evans  
Trustee Claucherty

Absent: None

Also Present: Village Manager Frances  
Village Attorney Marris  
Village Clerk Sowl

Also in attendance: Assistant Village Manager Monroe, Village Planner Francisco Jimenez, Public Works Director Dan Tabb and Parks and Recreation Director Ron Malchiodi

*IV. President's Report*

*(This is an opportunity for the Village President to report on matters of interest or concern to the Village.*

A. A Proclamation Honoring Riverside Cub Scout Pack 24

Trustee Claucherty thanked Cub Scout Pack 24 for their continued service to the Riverside community and recited the proclamation. A framed copy of the proclamation was then gifted to the Cub Scout Pack.

*V. Manager's Report*

*(This is an opportunity for the Village Manager to report on matters of interest or concern to the Village.)*

Village Manager Frances provided the Board with information on two items:

- 1) The Economic Development Commission, at their meeting on March 10, expressed support in waiving fees for outdoor café permits. Frances stated she would be bringing back a code update to reflect the fee change at the next Board meeting as long as the Board was interested.
- 2) Staff ~~noted that has asked~~ the Board will need to provide for additional feedback on information on the projects that were outlined for the allocation of the Green Spaces grant, if the Board is interested in accomplishing the projects in 2022. Frances stated that Public Works Director Tabb will begin working on the Selborne Road Reconstruction bid specs, so if the Board plans to incorporate ~~those projects e grant~~ into that process it will need to be discussed at an upcoming meeting.

**VI. Resident Comments – Non-Agenda Items**

*(This is an opportunity for members of the audience to speak about matters that are not included on this agenda. Residents may speak to matters on the agenda as those items are brought up and they are recognized by the Village President.)*

Jen Pacourek, Treasurer of the Riverside Public Library, asked the community to fill out the Library's~~their~~ survey, which closes on March 31. The survey, organized by the Library's Long-Range Strategic Planning Committee, aims to canvas Riverside residents about what they are looking for from the Library in the next 3 to 5 years.

**VII. Consent Agenda**

*(Matters on the Consent Agenda will be considered by a single motion and vote, because they have been fully considered by the Board at a previous meeting, or have been determined to be of a routine nature. Any member of the Board of Trustees may request that an item be moved from the Consent Agenda to Pending or New Business for separate consideration.)*

- A. Approve Voucher List of Bills March 17, 2022
- B. Approve Village Board of Trustees Regular Meeting Minutes March 3, 2022
- C. Review and File Public Works and Finance February 2022 Monthly Report
- D. Review and File Community Development Annual Report
- E. Review and File Planning & Zoning Commission Regular Meeting Minutes November 22, 2021 and December 20, 2021
- F. Review and File Preservation Commission Regular Meeting Minutes December 9, 2021
- G. Review and File Historical Commission Regular Meeting Minutes January 24, 2022
- H. Review and File Landscape Advisory Commission Regular Meeting Minutes January 4, 2022 and February 8, 2022
- I. Review and File Planning and Zoning Commission Special Meeting Minutes January 5, 2022
- J. Review and File Planning and Zoning Commission Regular Meeting Minutes January 26, 2022

- K. Review and File Riverside TV Commission Regular Meeting Minutes January 10, 2022
  - L. Review and File Economic Development Commission Special Meeting Minutes May 18, 2021
  - M. Review and File Economic Development Commission Regular Meeting Minutes November 11, 2021
  - N. Motion to Approve a Special Event Application for the Riverside Parks and Recreation Department Easter Egg Hunt to be held on April 9, 2022
  - O. A Motion to Approve the Special Event Application for the Hauser 8<sup>th</sup> Grade Dance to be held on May 31, 2022
  - P. A Motion to Approve a Special Event Application for the Riverside Public Library’s “Salsa and Salsa” party to be held on June 3, 2022
  - Q. A Motion to Approve a Special Event Application for the Riverside Parks and Recreation Department Riverside Ride to be held on June 4, 2022
  - R. A Motion to Approve a Special Event Application for the Riverside Parks and Recreation Department Fishing Derby to be held on June 4, 2022
- President Ballerine asked if any of the Trustees needed an item to be removed from the Consent Agenda for discussion.

Village Manager Frances noted there were some corrections made to the Board’s Regular Meeting Minutes from March 3, 2022. Trustee Marsh-Ozga asked pointed out a mistake on page 6 and asked for “Indian Head Park” to be changed to “Indian Gardens.” There was consensus to make these changes.

President Ballerine called for a motion and second to approve the Consent Agenda.  
**Trustee Gallegos a motion** to approve the consent agenda. **Trustee Marsh-Ozga seconded the motion.**  
 AYES: Trustee Pollock, Marsh-Ozga, Gallegos, Hannon, Evans and Claucherty  
 NAYES: None.  
**Motion passed.**

President Ballerine recognized the Community Development Department’s annual report, stating that, in his time in the Village, he has never seen a report so detailed from the department.

**VIII. *Department, Board and Commission Reports***

*(This is an opportunity for Commissioners and Board Members to update the public and the members of the Village Board regarding items of interest or concern to the Village.)*

- A. Village Forester Report – Mike Collins  
 Village Forester Mike Collins thanked all Riverside landscape volunteers for their hard work and dedication in recent years. Collins provided ~~a~~ special recognitions~~shout-out~~ to Carolyn Huson, who has completed over 2,950 volunteer hours since 2010. Collins also recognized the Frederick Law Olmsted Society, specifically Holly Machina and Cindy Kellogg of the Landscape Committee, who

were integral in crafting over 160 Landscape Workdays within the Village.

Forester Collins then provided the Board with a Forestry update, going over the following items:

- 1) Cyclic Tree Trimming Program
- 2) Tree Removals (95 trees removed in 2021, 100 tree annual average)
- 3) Reforestation Efforts
- 4) Restoration Efforts
- 5) Swan Pond Update
  - a. Collins made specific mention of the ecological burn that was conducted on the morning of March 18, which will control invasive species.

President Ballerine thanked Carolyn and all landscape volunteers for their hard work and dedication, stating that the Village will donate a park bench for the Olmsted Overlook project in celebration of Frederick Law Olmsted's 200<sup>th</sup> birthday.

B. Parks and Recreation Update – Ron Malchiodi

Parks and Recreation Director Ron Malchiodi stated that, while the Department successfully navigated the pandemic by modifying events and creating new ones, they are happy to get back to their traditional offerings. Malchiodi made mention of the following upcoming events:

- The Egg Hunt will take place on April 9<sup>th</sup>
- Riverside Ride will take place on June 4<sup>th</sup>
- Fishing Derby will take place on June 4<sup>th</sup>

Malchiodi stated that the Department is looking to add events this year as well as increase sponsorships in order to offer larger-scale events for the community.

***IX. Pending Business***

*(This agenda item includes discussion and/or action on matters previously presented to the Board of Trustees.)*

A. An Ordinance Approving a variation for construction of a fence on a corner lot and street yard at 40 Kimbark Road – PZ22-01- Schiemann

Village Planner Francisco Jimenez provided the Board with an overview of Mr. Schiemann's variation request. At the February 17, 2022, Village Board meeting, the Board remanded a proposed fence variation at 40 Kimbark Road back to the Planning and Zoning Commission for consideration of a revised proposal. The revised proposal shortens the height of the proposed fence from six feet (6') to four feet (4') and pushes the fence back from the property line to project five feet (5') off of the house. The revised proposal also proposed a fence that was a minimum of 50% open as opposed to a privacy fence. The Planning and Zoning Commission reviewed the application at their February 28, 2022 meeting and recommended

approval of the revised variation proposal to allow a fence on a corner lot and street yard, with a vote of 3-2.

Trustee Pollock stated he would like to see conditions added to the ordinance that specifically state that the fence would comply with the elevation that the petitioner submitted to the Planning and Zoning Commission and an exhibit that shows the location of that fence extending five feet from the house and enclosing the rear yard. Pollock added that he is not comfortable changing anything from the Planning and Zoning Commission recommendation.

Assistant Village Manager Monroe provided background from the February 28<sup>th</sup> Planning and Zoning Commission Meeting, stating there was no conversation by Commissioners on the type of fence. Monroe stated that Petitioner Schiemann had come to staff after the meeting with a recommendation for the 50 percent open metal fence at a four foot (4') height. Schiemann then came back to staff again, saying it would be hard to source the material; he then opted for a different type of fencing that would adhere to the Village Code.

Trustees Marsh-Ozga and Pollock agreed that, at the Board's February 17<sup>th</sup> meeting, the Board required the Planning and Zoning Commission to consider elevation requirements at their February 28<sup>th</sup> meeting, which would show the design materials of the fence. According to the materials from the Planning and Zoning Commission meeting, this item was not considered.

President Ballerine asked the Village Attorney how many Village Trustees would be needed to approve the variation request. Village Attorney Marrs stated that, according to the Illinois Municipal Code, 4 members of the Planning and Zoning Commission are needed to recommend any variation. The Planning and Zoning Commission only received 3 votes, therefore, it would not be considered a recommendation to approve the variation request at 40 Kimbark Road. As a result, 4 Village Trustees would need to vote for the variance request in order for approval.

Trustee Marsh-Ozga stated that she was uncomfortable with the Board's decision from the February 17<sup>th</sup> meeting in substituting the conclusion that Forest is a busy street with the Planning and Zoning Commission's recommendation to deny the variance request (which occurred at the January 26 meeting). Marsh-Ozga stated that the only thing that has changed since the Board remanded the variation request back to the Planning and Zoning Commission at their February 17<sup>th</sup> meeting are the parameters of the design; it is not the underlying the hardship. Marsh-Ozga stated there were no new facts brought into evidence at the February 28<sup>th</sup> meeting of the Planning and Zoning Commission. Marsh-Ozga stated that she was mainly concerned with a precedent being set, whereby anybody who lives on a corner lot, straight section of street, and arguably busy street may be allowed to build a fence in their street yard too. Trustee Hannon disagreed with Marsh-Ozga, stating that

the Planning and Zoning Commission found 3 unique findings that made the variation request a hardship: the position of the side door, the lack of a back door and the volume of traffic on business of the street. Hannon stated that the Commission served its purpose and that Board is not to do their own fact finding. President Ballerine added that the Village did have a traffic study done (2017), which presents that Forest Avenue gets over 8,900 cars traveling on it per day and that the corner of Kimbark where the petitioner lives is the Village's fourth largest accident area.

President Ballerine called for a motion and second to approve the Ordinance Approving a variation for construction of a fence on a corner lot and street yard at 40 Kimbark Road – PZ22-01- Schiemann.

Trustee Hannon mades a motion to approve the variation ~~the consent agenda~~.  
Trustee Claucherty seconded the motion.

AYES: Gallegos, Hannon and Claucherty

NAYES: Pollock, Marsh-Ozga and Evans

**Motion failed.**

**X. *New Business***

*(This agenda item includes discussion and/or action on matters not previously presented to the Board of Trustees.)*

- A. An Ordinance Approving a variation for construction of a deck five feet (5') from grade and to allow an existing non-conforming deck to be enlarged at 490 Uvedale Road – PZ22-02- Lubeck

Village Planner Francisco Jimenez provided the Board with an overview of the Lubeck's variation request at 490 Uvedale Road. The property owners, Martin and Deborah Lubeck, submitted an application for the property located at 490 Uvedale Road. The petitioners are seeking to rebuild and enlarge their current deck that is located in the rear of the house. The existing deck is five feet (5') from grade and current ordinance 10-7-3(D)(2) does not allow a deck above four feet (4') in height, from grade. The nonconforming deck is also prohibited from being enlarged as Section 10-10-4(C) prohibits a nonconforming structure from being enlarged. The petitioners are seeking to rebuild and enlarge their deck and have the expansion match the height of the existing deck. Jimenez stated that the proposed project will extend the deck by 238 square feet and will match the existing deck at a height of five feet (5') from grade. The petitioners are seeking these variations to accommodate a hot tub and to be able to access their basement from an existing door that is beneath the current deck. The ordinance states that nonconforming structures cannot be enlarged and decks have a maximum height of four feet (4') from grade. The proposed deck would not encroach into any required setbacks and would not be visible from the street. The impervious surface percentage would also not be affected as this property is a double lot.

Trustee Pollock stated that, in 2016, the Village amended the standards for granting variations, which lowered the bar to obtain a variation. The Village added language stating that, as evidence of a hardship, the presence or condition of an existing structure or building is relevant.

President Ballerine called for a motion and second to approve the Planning and Zoning Commission's recommendation to approve the variation.

**Trustee Gallegos a motion to approve the variation~~consent agenda~~. Trustee Evans seconded the motion.**

AYES: Pollock, Marsh-Ozga, Gallegos, Hannon, Evans and Claucherty

NAYES: None

**Motion passed.**

*XI. Trustee Reports and Communications*

*(This is an opportunity for Trustees to inform residents of events or items of special interest.)*

~~XII. — Adjournment~~

XII.

With nothing further to discuss in open session, President Ballerine called for a motion and second to adjourn to Executive Session to discuss the items outlined in Agenda Item XIII. He noted that no final action would be taken in Executive Session and the Board would not reconvene.

Trustee Gallegos made a motion to adjourn to executive session. Trustee Marsh-Ozga seconded the motion.

AYES: Trustee Marsh-Ozga, Gallegos, Hannon, Evans, Claucherty and Pollock.

NAYS: None.

President Ballerine declared the meeting adjourned at 8:02 p.m.

*XIII. Executive Session*

~~A. To discuss the setting of a price for sale or lease of village property (5 ILCS 120/2(c)(6))~~

A.

A.B. To discuss collective negotiating matters ~~To discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body (5 ILCS 120/2(c)(1))~~