

**VILLAGE OF ROCKTON**  
**BOARD OF TRUSTEES MEETING MINUTES**

**July 19, 2022**

Mayor Peterson called the meeting to order at 7:01 pm.

Present were: Mayor Peterson, Mr. Baumgartner, Mr. Danielson, Mrs. Honkamp, Ms. May, Mr. Seever, Mr. York and Atty. Szeto

Staff present: Dan Barber, Tricia Diduch and Chief Hollinger

**APPROVAL OF MINUTES**

Motion by Mr. York, second by Mr. Seever, to waive the reading of the July 5, 2022 Village Board meeting minutes. All ayes. Motion approved 6-0.

Motion by Mr. York, second by Mrs. Honkamp, to approve the July 5, 2022 Village Board meeting minutes. All ayes. Motion approved 6-0.

**AMENDMENTS TO THE AGENDA**

Ms. May stated that she would like to amend the amount (not to exceed \$203,000) for Item #1 under herself.

Motion by Mr. Seever to approve the amendments to the agenda, second by Mrs. Honkamp. All ayes. Motion approved 6-0.

**PUBLIC COMMENT**

Dave Winters, resident at 13807 Mary Drive, congratulated the two sergeants that were being promoted this evening. Mr. Winters also commented that he was in support of the fence variation for his neighbor on Byrnes Drive that is up for approval this evening. Mr. Winters stated that Mr. Nickels is trying to do this the right way by applying for a variance where many of the other neighbors who have fences haven't done this legally. Mr. Winters stated that he would like the Village Board to listen to and approve the fence variation.

Drake Nickels, resident at 537 Byrnes, stated that he is applying for a fence variance to allow for a 6 foot privacy fence on his property. Mr. Nickels provided a packet to the Village Board to review and explained his reasoning for wanting the fence on his property. Mr. Nickels also stated that the line of sight for vehicles to safely stop coming around the curve would remain within safe limits.

Lee Carrigan, resident at 555 Byrnes Drive, said that he lives west of Mr. Nickels and supports him in putting up a 6 foot fence on his property. Mr. Carrigan added that Mr. Nickels' property is very nice and well-maintained in the subdivision.

Judi Crane-Truman, resident at 521 N. Prairie Street, addressed the Village Board in reference to the pre-annexation of 3634 Freeport Road. Ms. Crane-Truman stated that the Village is currently landlocked with Roscoe and South Beloit and that the Village can only grow to the west. Ms. Crane-Truman said that the Village doesn't know what will happen in 20 years, but that they need to think about annexing in that direction and start collecting property heading west.

Rick Truman Jr., resident at 3634 Freeport Road, spoke to the Village Board about the pre-annexation of his property. Mr. Truman stated that the home has been in the family for many years and that he is looking for help with the pre-annexation so that he would be able to construct a garage on the property. Mr. Truman also explained the circumstances of the property including the issue with the lot lines.

Clayton Simonson, resident at 3197 Alyce Drive, addressed the Village Board about the pre-annexation on Freeport Road. Mr. Simonson stated that he just wanted the pre-annexation done properly and that there would need to be a construction permit for what Mr. Truman would like to do. Mr. Simonson added that he felt bad about how Mr. Truman's property was platted, but that this needs to be done the right way.

**MAYOR PETERSON**

The Village Clerk swore in Sergeant Jason Newell and Sergeant Ben Heintz. Chief Hollinger spoke about

Sergeant Newell and Sergeant Heintz and congratulated them on their promotions.

## **VILLAGE ATTORNEY**

None.

## **ZONING**

Mayor Peterson opened the public hearing in regards to the pre-annexation of 3634 Freeport Road at 7:25 pm. Mr. Truman spoke about the pre-annexation and wanted to clarify why he was wanting to pre-annex the property. Ms. Crane-Truman stated that Mr. Truman is her nephew and said that he has been honest in the reasons he would like the pre-annexation of his property. Ms. Crane-Truman commented again that the Village doesn't know what will happen in 20 years and encouraged the Village Board to pre-annex the property. Hearing no further comments, Mayor Peterson closed the public hearing at 7:33 pm.

Motion by Ms. May to approve Ordinance 2022-15: Approval of a Fence Height Variation for 537 Byrnes Drive, second by Mr. Seever. Ms. Diduch stated that the Planning Commission recommended the approval of the variance with a vote of 4-2 while the Zoning Board of Appeals (ZBA) did not recommend the approval of the variance with a vote of 0-4. Ms. Diduch said that the Village Code needs to be changed or the Village needs to address the other fences that are not in compliance with the Village Code throughout the Village. Ms. May agreed that the Village needs to be consistent with what they allow and not allow. Mr. York commented that the petitioner's corner lot is different than most others so he understands why he would want the fence variation. Atty. Szeto stated that from a procedural standpoint, the Village Board would need to make a findings of facts and articulate the seven factors/criteria that warrants deviating from the Village Code. Ms. Diduch commented that she would need the Village Board to be very clear about the seven factor/criteria because this would be setting a future precedence for the Village. The Village Board started discussing the seven factors/criteria and realized that they couldn't be met. Ms. Diduch also offered two alternatives for Mr. Nickels where he would remain in compliance with the Village Code. Mr. Danielson suggested that the Village look into possibly changing the Village Code for corner lots. Ms. May suggested that the Village Engineer may want to look at this as well. Ms. Diduch stated that if the Village Board wants to change the Village Code regarding this that it could take several months to do this. Ms. May rescinded her motion to approve Ordinance 2022-15 and Mr. Seever rescinded his second to the motion. Motion by Mr. Baumgartner to table the approval of Ordinance 2022-15 regarding the fence height variation, second by Mr. Seever. All ayes. Motion approved 6-0.

Motion by Mr. York to approve Ordinance 2022-16: Approval of a Pre-Annexation Agreement for 3634 Freeport Rd., second by Mrs. Honkamp. Atty. Szeto explained the difference between an annexation versus a pre-annexation to the Village Board. Atty. Szeto added that a pre-annexation agreement is good for 20 years. Roll call. All ayes. Motion approved 6-0.

Motion by Mr. Seever to approve Ordinance 2022-17: Approval of a Map Amendment to the RE Rural Estate District for 3634 Freeport Rd., second by Ms. May. Roll call. All ayes. Motion approved 6-0.

## **PUBLIC SAFETY AND LEGAL – MR. YORK**

Mr. York shared the Rockton Police Department activity summary from July 1<sup>st</sup> – 15<sup>th</sup> with the Village Board.

Motion by Mr. York to approve Resolution 2022-120: A Resolution of the Village of Rockton, Illinois Authorizing the Village to Approve an Intergovernmental Agreement Forming a Major Crash Assistance Team to Assist Member Law Enforcement Agencies in Winnebago and Boone Counties, second by Mr. Danielson. Roll call. All ayes. Motion approved 6-0.

Motion by Mr. York to approve Resolution 2022-121: A Resolution of the Village of Rockton, Illinois Approving an Intergovernmental Agreement with the Illinois State Police for the Village to Join the Violent Crime Intelligence Task Force, second by Mr. Danielson. Roll all. All ayes. Motion approved 6-0.

## **ADMINISTRATION – MR. BAUMGARTNER**

None.

**BUDGET & WATER, SEWER, AND GARBAGE – MS. MAY**

Motion by Ms. May to approve the low bid from N-TRAK Group for the Aspland watermain, Dewey sanitary and valve & hydrant replacement project at a cost not to exceed \$203,000, second by Mrs. Honkamp. Roll call. All ayes. Motion approved 6-0.

Motion by Ms. May to approve the purchase requisition for Standard Equipment for nozzles and a hydro handle for the jet truck in the amount of \$9,507, second by Mr. Seever. Roll call. All ayes. Motion approved 6-0.

**COMMUNITY DEVELOPMENT – MR. DANIELSON**

Motion by Mr. Danielson to approve the downtown Rockton branding agreement with We Are Neighbor at a cost of \$4,500, second by Mr. York. All ayes. Motion approved 6-0.

Motion by Mr. Danielson to approve the Rockton website agreement with Internet Marketing Experience at a cost of \$5,695, second by Mr. Seever. Roll call. All ayes. Motion approved 6-0.

**BUILDINGS AND PARKS – MRS. HONKAMP**

Motion by Mrs. Honkamp to approve the special events application for the Rockton Lion’s Club “Last Roar Car Show” to be held on Sunday, October 2<sup>nd</sup> from 8am – 4 pm in Settlers Park, second by Mr. Seever. Roll call. All ayes. Motion approved 6-0.

**STREETS AND WALKS – MR. SEEVER**

Motion by Mr. Seever to approve the special events application for the “Hononegah High School 100<sup>th</sup> Birthday” to be held on Friday, September 23<sup>rd</sup> from 6 – 10 pm at HHS, second by Mrs. Honkamp. Roll call. All ayes. Motion approved 6-0.

Motion by Mr. Seever to approve Ordinance 2022-18: An Ordinance Amending Chapter 54 (Stormwater) of the Code of Ordinances of the Village of Rockton, Winnebago County, Illinois Regarding Watercourse Protection, second by Ms. May. Roll call. All ayes. Motion approved 6-0.

**EXECUTIVE SESSION**

None.

**ACTION ON ITEMS ARISING OUT OF EXECUTIVE SESSION**

None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

Ms. Diduch stated that Ms. Crane-Truman would like to invite everyone to Jill Rae Finally Art this Saturday from 1-4 pm to hear more about how the Hononegah statue will be created by the artist.

**PAYMENT OF BILLS**

Motion by Mr. York, second by Mr. Seever, to pay bills in the amount of \$299,150.37. Roll call. All ayes. Motion approved 6-0.

**ADJOURN**

Hearing no further business, motion by Mr. Seever, second by Ms. May, to adjourn at 8:27 pm. All ayes. Motion approved 6 -0.

Respectfully submitted,

Christina Stewart  
Village Clerk