



VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

VILLAGE BOARD OF TRUSTEES

Wednesday, May 08, 2024 - 7:00 PM

200 N. Hill Street, Poplar Grove, IL 61065

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF PHONE PARTICIPATION (Roll Call)

APPROVAL OF AGENDA (Voice Vote)

APPROVAL OF MINUTES (Voice Vote)

- [1.](#) Motion to approve Special Board of Trustees meeting from April 4, 2024.
- [2.](#) Motion to approve Special Board Meeting minutes from April 10, 2024.
- [3.](#) Motion to approve Board of Trustee Meeting minutes from April 10, 2024.

PUBLIC COMMENT *Public Comment is encouraged. The Village Board will receive comments from the public, pursuant to State Statutes. Comments will be limited to five minutes on topics relating to the Village of Poplar Grove. Be further advised that matters brought up at this time may be referred to the appropriate committee or individual for further discussion or consideration.*

UNFINISHED BUSINESS

- [4.](#) Motion to reconvene discussion and approve **Ordinance 2024-04** An Ordinance of the Village of Poplar Grove, Illinois amending the Village's Code of Ordinances to allow for use of shipping containers in certain zoning districts.

NEW BUSINESS

5. Presentation of annual President's Report.
6. Presentation of written objection (veto) of Motion approving Annual Lauterbach and Amen Audit Engagement Agreement.
- [7.](#) Motion to discuss/approve **Resolution 2024-11** A Resolution of the Village of Poplar Grove, Illinois, authorizing the Village President to execute a settlement agreement with U.S. Bank Trust Association, as Trustee for LB Cabana Series IV Trust and Angie Wait Real Estate, LLC, for the property located at 103 East Street, Poplar Grove, Illinois.

8. Motion to discuss Petting Zoo for Neighbors Night.
9. Motion to discuss and possible action for BS&A update and Community Development and Purchase Order program purchase.
10. Motion to discuss Veterans Park.
11. Motion to discuss Forensic Audit.
12. Motion to discuss and appoint Melodie Jensen as Trustee to fill the vacancy of Kristi Richardson to Poplar Grove Village Board.

EXECUTIVE SESSION

13. Motion to go into executive session pursuant to 5 ILCS 120/2(c) (1) Personnel - The appointment, employment compensation, discipline, performance, or dismissal of specific employees of the public body, or legal counsel for the public body.

ADJOURNMENT (Voice Vote)

KJ 05/03/2024



VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

Item 1.

SPECIAL VILLAGE BOARD OF TRUSTEES

Thursday, April 04, 2024 - 6:00 PM

200 N. Hill Street, Poplar Grove, IL 61065

CALL TO ORDER

President Sattler called the meeting to order at 6 pm.

ROLL CALL

PRESENT

Admin Chairman Owen Costanza

Trustee Jeff Goings

Trustee Dan Cheek

Trustee Betsy Straw

Trustee Austin Davies

Attorney Aaron Szeto

Deputy Clerk Katie Jaster

Accounting and Billing Clerk Barb Resch appeared at 6:30 pm

PLEDGE OF ALLEGIANCE

APPROVAL OF PHONE PARTICIPATION (Roll Call)

None.

APPROVAL OF AGENDA (Voice Vote)

Motion made by Admin Chairman Costanza, Seconded by Trustee Goings.

Motion made by Admin Chairman Costanza to amend the agenda with taking out sections A through G, Seconded by Trustee Cheek.

Discussion about taking subsection A through G out amongst the Trustees and President.

Motion made by Admin Chairman Costanza withdrawing his amendment to the agenda by taking out sections A through G, Seconded by Trustee Cheek.

Motion made by Trustee Davies to remove minutes and move to a future meeting, Seconded by Admin Chairman Costanza.

Voting Yea: Admin Chairman Costanza, Trustee Goings, Trustee Cheek, Trustee Straw, Trustee Davies

Approving agenda as amended.

Voting Yea: Admin Chairman Costanza, Trustee Goings, Trustee Cheek, Trustee Straw, Trustee Davies

APPROVAL OF MINUTES (Voice Vote)

1. Motion to approve Board of Trustees meeting from February 14, 2024.
2. Motion to approve Board of Trustee meeting minutes from the February 21, 2024 meeting.
3. Motion to approve Salary Workshop minutes from February 27, 2024.

PUBLIC COMMENT *Public Comment is encouraged. The Village Board will receive comments from the public, pursuant to State Statutes. Comments will be limited to five minutes on topics relating to the Village of Poplar Grove. Be further advised that matters brought up at this time may be referred to the appropriate committee or individual for further discussion or consideration.*

None.

NEW BUSINESS

4. Motion to discuss purchasing policies and procedures.
 Motion made by Admin Chairman Costanza, Seconded by Trustee Cheek.
 Attorney Szeto opened the discussion with a summary of what the current Village Ordinance states for purchasing.
 The Trustees and Village President discussed various topics on what they would like to see brought forward for the new purchasing policy and procedure Ordinance:
 - * Treasurer Report - They would like monthly reporting showing money in and money out. This should also include a balance forward report each month showing what the actual amount paid was for the previous month. In addition to, each month also including an expenses overall report showing where the Village is at on the fiscal year budget.
 - * Petty Cash - Further discussion about potentially lowering the petty cash amount set by Ordinance.
 - * Purchases under \$2,500 - Discussion on defining the purchasing goods and services for department heads and authorization for said purchases.
 - * Travel Reimbursement - Discussion on taking section of the Village Code of Ordinances 1-6J-1 out and moving the section to Chapter Ten (10) Purchasing Procedures. Discussion also included increasing the travel, meal, and lodging expenses.
 - * Donations - Discussion on how they would like to see a separate account for donations only. This account would show what came in and what went out for donation uses only.
 - * Credit Card Sub Accounts - Marathon Fleet Cards discussion on how can it be tracked per vehicle and equipment.
 - * Master Card Discussion - Discussion on what type of card the Board would like to see the Village have.
 - * Fuel Discussion - Discussion about how Public Works could track the gas used for mowers and other equipment. A potential use of fuel tank at the shop or a fleet card specific for equipment only that could be logged.
 - * Tool Inventory Reporting - Discussion on the Board would potentially would like to see a tool inventory report quarterly. Trustee Goings will work with David on this subject.

ADJOURNMENT (Voice Vote)

Motion made by Admin Chairman Costanza, Seconded by Trustee Goings.
Motion approved by voice vote.
Adjournment at 7:41 pm.

KJ 04/08/2024



VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

VILLAGE BOARD OF TRUSTEES

Wednesday, April 10, 2024 - 6:30 PM

200 N. Hill Street, Poplar Grove, IL 61065

CALL TO ORDER

The Meeting was called to order at 6:32 pm by President Don Sattler

ROLL CALL

PRESENT

- President Don Sattler
- Admin Chairman Owen Costanza
- Trustee Jeff Goings
- Trustee Dan Cheek
- Trustee Betsy Straw
- Trustee Austin Davies
- Clerk Karri Miller
- Attorney Dave Kurlinkus

PLEDGE OF ALLEGIANCE

APPROVAL OF PHONE PARTICIPATION (Roll Call)

NO Phone Participation

APPROVAL OF AGENDA (Voice Vote)

Motion made by Trustee Goings, Seconded by Admin Chairman Costanza. Motion passed by voice vote.

PUBLIC COMMENT *Public Comment is encouraged. The Village Board will receive comments from the public, pursuant to State Statutes. Comments will be limited to five minutes on topics relating to the Village of Poplar Grove. Be further advised that matters brought up at this time may be referred to the appropriate committee or individual for further discussion or consideration.*

No public comment

NEW BUSINESS

1. Hearing for possible revocation or suspension of tobacco retailers license or other penalties for J & D Oil, Inc.
Hearing open 6:34 pm.
Attorney Dave Kurlinkus went over the of the agreement. Attorney Kurlinkus stated that J&D Oil agreed to agreed to all sti pluankis
2. Motion to discuss/approve stipulation for J & D Oil, Inc.
Motion made by Trustee Goings, Seconded by Trustee Cheek.
Voting Yea: Admin Chairman Costanza, Trustee Goings, Trustee Cheek, Trustee Straw, Trustee Davies

ADJOURNMENT (Voice Vote)

Motion made by Trustee Goings, Seconded by Admin Chairman Costanza. Motion passed by voice vote.

the meeting adjourned at 6:40 pm



VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

VILLAGE BOARD OF TRUSTEES

Wednesday, April 10, 2024 - 7:00 PM

200 N. Hill Street, Poplar Grove, IL 61065

CALL TO ORDER

The meeting was called to order at 7:03 pm President Don Sattler

ROLL CALL

PRESENT

President Don Sattler

Admin Chairman Owen Costanza

Trustee Jeff Goings

Trustee Dan Cheek

Trustee Betsy Straw

Trustee Austin Davies

Clerk Karri Miller

Attorney Dave Kurlinkus

Public Works Director David Howe

PLEDGE OF ALLEGIANCE

APPROVAL OF PHONE PARTICIPATION (Roll Call)

No Phone Participation

APPROVAL OF AGENDA (Voice Vote)

Motion made by Admin Chairman Costanza, Seconded by Finance Chairman Goings. Motion passed by voice vote.

Motion made by Trustee Davies, Seconded by Trustee Straw to postpone items 6-9 to April 17.

Motion passed by voice vote.

APPROVAL OF MINUTES (Voice Vote)

1. Motion to approve Board of Trustees meeting minutes from February 14, 2024.

Motion made by Finance Chairman Goings, Seconded by Trustee Cheek.

Voting Yea: Admin Chairman Costanza, Finance Chairman Goings, Trustee Cheek, Trustee Straw, Trustee Davies

Motion made by Trustee Davies, Seconded by Trustee Straw to change Trustee Goings voting NO on item 9 and to change the wording on Owen Costanza's Public comment to read in "Owen Costanza's opinion".

Voting Yea: Admin Chairman Costanza, Finance Chairman Goings, Trustee Cheek, Trustee Straw, Trustee Davies

Trustee Davies would like to see less opinion on the minutes and more summary.

2. Motion to approve Board of Trustee meeting minutes from the February 21, 2024 meeting.

Motion made by Admin Chairman Costanza, Seconded by Trustee Cheek.

Voting Yea: Trustee Cheek, Trustee Straw, Trustee Davies

Voting Nay: Admin Chairman Costanza, Finance Chairman Goings

Motion made by Trustee Davies, Seconded by Trustee Straw to add more Discussion to items 10 and 11.

Voting Yea: Trustee Cheek, Trustee Straw, Trustee Davies

Voting Nay: Admin Chairman Costanza, Finance Chairman Goings

Trustee Davis would like to see more summary on the minutes.

3. Motion to approve Salary Workshop minutes from February 27, 2024.

Motion made by Admin Chairman Costanza, Seconded by Trustee Cheek.

Voting Yea: Trustee Cheek, Trustee Straw, Trustee Davies

Voting Nay: Admin Chairman Costanza, Finance Chairman Goings

Motion made by Trustee Davies, Seconded by Trustee Straw to add more discussion to the minutes.

Voting Yea: Trustee Cheek, Trustee Straw, Trustee Davies

Voting Nay: Admin Chairman Costanza, Finance Chairman Goings

President Sattler, Trustee Straw, and Trustee Davies feel like the minutes need more summary.

4. Motion to approve Purchase Policy Workshop minutes from March 5, 2024.

Motion made by Admin Chairmen Costanza, Seconded by Trustee Straw.

Voting Yea: Admin Chairman Costanza, Finance Chairman Goings, Trustee Cheek

Voting Nay: Trustee Straw, Trustee Davies

Motion made by Trustee Davies, Seconded by Trustee Straw to add more discussion.

Voting Yea: Trustee Straw, Trustee Davies

Voting Nay: Admin Chairman Costanza

Voting Abstaining: Finance Chairman Goings, Trustee Cheek

President Sattler feels like the minutes did not reflect what happened. Trustee Goings suggested that President Sattler write up a summary of the meeting.

5. Motion to approve Board of Trustee Meeting minutes from March 13, 2024.

Motion made by Admin Chairman Costanza, Seconded by Finance Chairman Goings.

Voting Yea: Admin Chairman Costanza, Finance Chairman Goings, Trustee Cheek

Voting Nay: Trustee Straw, Trustee Davies

Motion made by Trustee Davies, Seconded by Trustee Straw to add more discussion on items 12 and 3 and amend items 8 and 9 to change the wording.

Voting Yea: Trustee Straw, Trustee Davies

Voting Nay: Admin Chairmen Costanza, Finance Chairmen Goings, Trustee Cheek

Trustee Davies feels the minutes do not have enough detail on them and would like them changed.

PUBLIC COMMENT *Public Comment is encouraged. The Village Board will receive comments from the public, pursuant to State Statutes. Comments will be limited to five minutes on topics relating to the Village of Poplar Grove. Be further advised that matters brought up at this time may be referred to the appropriate committee or individual for further discussion or consideration.*

David Allgood - stated he warns the board to be very careful about putting too much detail on the minutes.

DEPARTMENT REPORTS

- 6. Treasurer Report, Carina Boyd
Moved to April 17, 2024 meeting

NEW BUSINESS

- 7. Motion to discuss/approve to approve check disbursement for payments scheduled to be paid prior to April 30, 2024, in the amount of \$770,770.42 in AP checks, \$17,487.41 in insurance expense checks, \$24,544.53 EFTS, and Payroll with estimates included \$64,599.47 for a grand total of \$877,401.83.
Moved to April 17, 2024 meeting
- 8. Motion to discuss/approve Petting Zoo for Neighbors Night.
Moved to April 17, 2024 meeting
- 9. Motion to discuss/approve Budget Amendment Ordinance.
Moved to April 17, 2024 meeting
- 10. Motion to discuss/approve **Resolution 2024-07** A Resolution of the Village of Poplar Grove, Illinois authorizing Jeff Goings as chairperson of the Finance and Public Works Committee to perform necessary Village banking functions.
Motion made by Admin Chairmen Costanza, Seconded by Trustee Cheek.
Voting Yea: Admin Chairmen Costanza, Finance Chairmen Goings, Trustee Cheek, Trustee Straw
Voting Nay: Trustee Davies
Trustee Davies does not see why the Village needs another signer.

- Clerk Miller explained that it is helpful to have 4 signers in case of emergency.
11. Motion to discuss/approve **Resolution 2024-08** A Resolution of the Village of Poplar Grove, Illinois to approve and authorize the purchase of material and hardware necessary to stock the Public Works Department inventory in the amount of \$3,894.29. Motion made by Trustee Cheek, Seconded by Admin Chairmen Costanza. Voting Yea: Admin Chairmen Costanza, Finance Chairmen Goings, Trustee Cheek, Trustee Straw, Trustee Davies

PWD Howe explained that because Fast Help shut down there is no where locally to get stock. This would allow the Village to keep stock and is an expansion of what the Village currently has.

12. Motion to discuss/approve Melodie Jensen as Trustee to fill vacancy of Kristi Richardson to Poplar Grove Village Board. Motion made by Finance Chairmen Goings, Seconded by Admin Chairmen Costanza to postpone to May 8th. Voting Yea: Admin Chairmen Costanza, Finance Chairmen Goings, Trustee Cheek Voting Nay: Trustee Straw, Trustee Davies Trustee Goings stated that since Melodie was not at the meeting, he would like to reach out to her and ask a couple of questions.

EXECUTIVE SESSION

13. Motion to go into executive session pursuant to 5 ILCS 120/2(c)(11) Pending Litigation when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent and executive session 5 ILCS 120/2(c) (1) Personnel - The appointment, employment compensation, discipline, performance, or dismissal of specific employees of the public body, or legal counsel for the public body.

Motion made by Admin Chairman Costanza, Seconded by Trustee Cheek. Voting Yea: Admin Chairman Costanza, Finance Chairman Goings, Trustee Cheek, Trustee Straw, Trustee Davies

The Board of Trustees went into executive session at 8:28 pm

Motion made by Admin Chairman Costanza, Seconded by Trustee Davies to come back into open session.

Voting Yea: Admin Chairman Costanza, Trustee Cheek, Trustee Straw, Trustee Davies

The Board of Trustees came out of executive session at 9:32 pm

PRESENT

Admin Chairman Owen Costanza

Trustee Dan Cheek

Trustee Betsy Straw
Trustee Austin Davies
Clerk Karri Miller
Attorney Dave Kurlinkus
ABSENT

Finance Chairman Jeff Goings

Attorney Dave Kurlinkus asked for a point of order and stated that since the RFP for the forensic audit was closed and no bids were received that Presidents Sattler's bids were not proper and should not be approved.

ADJOURNMENT (Voice Vote)

Motion made by Trustee Cheek, Seconded by Admin Chairmen Costanza. Motion passed by voice vote.

The meeting adjourned at 9:34 pm.

ORDINANCE 2024-04

AN ORDINANCE OF THE VILLAGE OF POPLAR GROVE, ILLINOIS AMENDING THE VILLAGE’S CODE OF ORDINANCES TO ALLOW FOR USE OF SHIPPING CONTAINERS IN CERTAIN ZONING DISTRICTS

WHEREAS, the Village of Poplar Grove, Illinois (“Village”) has adopted a Code of Ordinances (“Village Code”); and

WHEREAS, the Village Board of Trustees desires to consider allowing the use of shipping containers in specific zoning districts and in accordance with certain regulations; and

WHEREAS, the Village now desires to amend Chapter 2 (Rules and Definitions) of Title 8 (Zoning), to provide a definition of shipping containers; and

WHEREAS, the Village now desires to amend Chapter 6 (Land Use Districts and Permitted Use) of Title 8 (Zoning), to allow for the use of shipping containers in specific zoning districts as set forth herein; and

WHEREAS, the Village desires to further amend Chapter 7 (Zoning Districts and Land Use Regulations) of Title 8 (Zoning) to add a new Section 13 regulating the use of shipping containers in specific zoning districts as set forth herein; and

WHEREAS, the Village has determined that such amendment is in the best interest of the Village and its citizens.

NOW THEREFORE, be it ordained by the President and Board of Trustees for the Village of Poplar Grove, Illinois, as follows.

1. The above-recitals are incorporated herein and made a part hereof.
2. That Section 8-2-3 of the Village Code providing for “Definitions” is amended to add a definition of the term “Shipping Container” which shall read as follows: (deletions identified by strikethroughs and additions by bold and underline):

“Shipping Container”. A unit originally used or designed to store goods or other merchandise during shipping or hauling by a vehicle, including but not limited to rail cars of any kind, truck trailers, or multi-modal shipping containers or similar structures and are typically constructed of metal and or steel. Shipping Containers shall be considered an accessory structure.

3. That Title 8, Chapter 7 of the Village Code is hereby amended to include a new Section 13 governing “Shipping Containers” and which new section shall read as follows (deletions identified by strikethroughs and additions by bold and underline):

“8-7-13: Shipping Containers:

A. Applicability. Shipping Containers are allowed as a permanent accessory structure in the Agricultural (A1), General Business (GB), Central Business (CB), Light Industrial (LI) and Heavy Industrial (HI) zoning districts, subject to adherence to the below standards and conditions:

- 1. Special Use Permit. A special use permit shall be obtained prior to any Shipping Container being permitted to be located or utilized on any property.**
- 2. The location of a Shipping Container shall conform to the following setback requirements:**

<u>Agricultural District</u>	<u>50 ft. (front)</u>	<u>10 ft. (side)</u>	<u>15 ft. (rear)</u>
<u>General Business District</u>	<u>15 ft. (front)</u>	<u>10 ft. (side)</u>	<u>15 ft. (rear)</u>
<u>Central Business District</u>	<u>15 ft. (front)</u>	<u>10 ft. (side)</u>	<u>15 ft. (rear)</u>
<u>Light Industrial District</u>	<u>30 ft. (front)</u>	<u>10 ft. (side)</u>	<u>15 ft. (rear)</u>
<u>Heavy Industrial District</u>	<u>30 ft. (front)</u>	<u>10 ft. (side)</u>	<u>15 ft. (rear)</u>

No Shipping Container shall be located within any easement area.

- 3. The maximum number of Shipping Containers on any site shall be as follows:**

<u>Agricultural District</u>	<u>5 Containers</u>
<u>General Business District</u>	<u>1 Container</u>
<u>Central Business District</u>	<u>1 Container</u>
<u>Light Industrial District</u>	<u>1 Container/acre, max. of 3 total</u>
<u>Heavy Industrial District</u>	<u>1 Container/acre, max. of 3 total</u>

- 4. Shipping Containers shall not exceed eight (8) feet in width, sixty (60) feet in length and ten (10) feet in height. Stacking of Shipping Containers is not permitted.**
- 5. Shipping Containers shall be placed on a level surface of asphalt or concrete.**

Exception: Shipping Containers used exclusively for the purpose of storage (i.e. no human occupancy) shall be allowed to be placed on a bed of compacted gravel no less than twelve (12) inches thick subject to compliance with the following:

- a. The gravel base shall be level to avoid settlement,**
- b. The area adjacent to the Shipping Container shall be graded to ensure water will runoff away from the Shipping Container,**

c. The excavation for the gravel base shall be removed to a clay base or similar for a suitable base.

6. Use of a Shipping Container must be related to the primary use or business located on the property upon which the Shipping Container is located. The contents of a Shipping Container shall be disclosed to the Village.

7. If a Shipping Container is used for the cold storage of items related to the primary use or business located on the property, the Shipping Container must be located in the rear yard of the property. If the use of a Shipping Container involves human occupancy related to the primary use or business located on the property, then the Shipping Container may be located in the front or side yard of the property. Any Shipping Container involving human occupancy shall conform with any and all applicable law, rules and regulations, including, but not limited to conformance with any laws, rules, and regulations regarding human occupancy and obtaining any and all applicable permits and licenses.

8. Shipping Containers must be maintained in a good condition and must be painted to match or be harmonious with the principal structure on the property. Shipping Containers shall be maintained in a rust-free condition.

9. The Village reserves the right to require screening and/or buffering of a Shipping Container.

10. Violators of any of the regulations in this Section shall be subject to a fine of not less than \$100 nor more than \$500, at the discretion of the Village. Each day that a violation exists shall constitute a separate offense.”

B. Notwithstanding the foregoing, the Village may allow for the use of Shipping Containers on Village owned property and such use shall not be subject to the requirements of this Section with the exception that such Shipping Containers shall 1) be placed on a level surface of asphalt or concrete; and 2) be maintained in a good condition and must be painted to match or be harmonious with the principal structure on the property and shall be maintained in a rust-free condition.

4. That Section 8-6-2(c)(2) of the Village Code regarding the list of allowable accessory uses by special use permit in the Agricultural/Rural District (A1) is hereby amended to add the use of shipping containers to read as follows (deletions identified by strikethroughs and additions by bold and underline):

2. Permitted by Special Use:

Detached Guest House

Employee Living Quarters

In-family Suites

Migrant Labor Camp

Private Clubhouse

Cemetery Related Activities

Mini WECS

Shipping Containers

5. That Section 8-6-9(c)(2) of the Village Code regarding the list of allowable accessory uses by special use permit in the General Business District (GB) is hereby amended to add the use of shipping containers to read as follows (deletions identified by strikethroughs and additions by bold and underline):

2. Permitted by Special Use:

Private Recreational Facility

Cemetery Related Activities

Accessory Apartment

Private Clubhouse

Beer Garden

Stadiums/Grandstands

Mini WECS

Outdoor Storage Accessory to Self-Service Storage Facilities

Shipping Containers

6. That Section 8-6-10(c)(2) of the Village Code regarding the list of allowable accessory uses by special use permit in the Central Business District (CB) is hereby amended to add the use of shipping containers to read as follows (deletions identified by strikethroughs and additions by bold and underline):

2. Permitted by Special Use:

Private Recreational Facility

Accessory Apartment

Private Clubhouse

Beer Garden

Stadiums/Grandstands

Mini WECS

Shipping Containers

7. That Section 8-6-11(c)(2) of the Village Code regarding the list of allowable accessory uses by special use permit in the Light Industrial District (LI) is hereby amended to add the use of shipping containers to read as follows (deletions identified by strikethroughs and additions by bold and underline):

2. Permitted by Special Use:

Private Recreational Facility

Cemetery Related Activities

Private Clubhouse

Beer Garden

Stadiums/Grandstands

Mini WECS

Shipping Containers

8. That Section 8-6-12(c)(2) of the Village Code regarding the list of allowable accessory uses by special use permit in the Heavy Industrial District (HI) is hereby amended to add the use of shipping containers to read as follows (deletions identified by strikethroughs and additions by bold and underline):

2. Permitted by Special Use:

Private Recreational Facility

Stadiums/Grandstands

Mini WECS

Shipping Containers

9. Except as amended in this Ordinance, all other provisions and terms of Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

10. This Ordinance shall be in full force and effect from after its passage, approval, and publication in pamphlet form as provided by law.

PASSED UPON MOTION BY _____

SECONDED BY _____

BY ROLL CALL VOTE THIS _____ DAY OF _____, 2024

AS FOLLOWS:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT, ABSTAIN, OTHER _____

APPROVED _____, 2024

ATTEST:

CLERK

PRESIDENT

RESOLUTION NUMBER: 2024-11

**A RESOLUTION OF THE VILLAGE OF POPLAR GROVE, ILLINOIS,
AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE
A SETTLEMENT AGREEMENT WITH U.S. BANK TRUST ASSOCIATION, AS
TRUSTEE FOR LB CABANA SERIES IV TRUST AND ANGIE WAIT REAL ESTATE,
LLC, FOR THE PROPERTY LOCATED AT 103 EAST STREET, POPLAR GROVE,
ILLINOIS.**

WHEREAS, the Village of Poplar Grove, Illinois (“Village”) is an Illinois Municipal Corporation and is currently involved in litigation with U.S. Bank Trust Association, as Trustee for LB Cabana Series IV Trust and Angie Wait Real Estate, LLC, (“Defendants”) relating to the Village’s administrative hearings; and

WHEREAS, the Village commenced an Administrative Hearing action in which the Village alleged that Defendants’ property located at 103 East Street, Poplar Grove, Illinois (the “Property”) violated the Village’s Code of Ordinances; and

WHEREAS, on August 17, 2023, after an administrative hearing, a Finding, Decision and Order entered against Defendants for a fine in the amount of Thirty-four Thousand Eight Hundred and No/100 Dollars (\$34,800.00), and Village costs of Five Hundred Dollars and No/100 (\$500.00) for a total penalty amount of Thirty-five Thousand Three Hundred and No/100 Dollars (\$35,300.00) for various violations of the Poplar Grove Code of Ordinances; and

WHEREAS, thereafter, on September 25, 2023, a Memorandum of Judgment for Thirty-five Thousand Three Hundred and No/100 Dollars (\$35,300.00) was recorded against the Property and U.S. Bank Trust Association, as Trustee for LB Cabana Series IV Trust, in the Boone County Recorder’s Office; and

WHEREAS, thereafter, Angie Wait Real Estate, LLC, purchased the Property from U.S. Bank Trust Association, as Trustee for LB Cabana Series IV Trust; and

WHEREAS, the fines and costs recorded on the Property were not paid or waived; and

WHEREAS, the Village filed a Petition for Judgment on the Findings, Decision and Order of the administrative hearing officer as case number 2024-GC-1 in the Circuit Court for the Seventeenth Judicial Circuit, Boone County, Illinois; and

WHEREAS, the Village and Defendants desires to enter into the Settlement Agreement in compromise of the amounts owed to the Village, a copy of which Settlement Agreement is attached hereto as Exhibit A and incorporated herein; and

WHEREAS, the Village has determined that entering into the Settlement Agreement is in the best interest of the Village and its citizens.

NOW THEREFORE, BE IT RESOLVED by the Village President and Village Board of the Village of Cherry Valley, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. The Village hereby accepts and approves the Settlement Agreement, attached hereto as Exhibit A and incorporated herein, or one in substantially similar form.
3. The Village President and the Village Clerk are hereby authorized to execute, and attest said Settlement Agreement and any other documents necessary to effectuate the same.

PASSED UPON MOTION BY _____

SECONDED BY _____

BY ROLL CALL VOTE THIS _____ DAY OF _____, 2024

AS FOLLOWS:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT, ABSTAIN, OTHER _____

APPROVED _____, 2024

VILLAGE PRESIDENT

ATTEST:

VILLAGE CLERK

EXHIBIT A- SETTLEMENT AGREEMENT

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT (“Settlement Agreement”) is made and entered into this ____ day of May, 2024, by and among the VILLAGE OF POPLAR GROVE, an Illinois Municipal Corporation (“Village”), and U.S. BANK TRUST NATIONAL ASSOCIATION, as Trustee for LB Cabana Series IV Trust, (“U.S. Bank”) and ANGIE WAIT REAL ESTATE, LLC. (“Wait”), collectively referred to herein as the “Defendants.”

WITNESSETH

WHEREAS, the Village of Poplar Grove filed a petition in the Circuit Court of the 17th Judicial Circuit, Boone County, Illinois, in which the Village sought to enforce an order entered by the Village’s administrative hearing officer’s finding violations of the Village’s Code of Ordinances and imposing fines relating to the residence located at 103 East Street in Poplar Grove, Illinois (“Property”) which was formerly owned by the Defendant U.S. Bank and was subsequently sold to, and is currently owned by, Defendant Wait. Village filed and recorded a *lis pendens* and a Memorandum of Judgment on the Property prior to the sale to Defendant Wait.

WHEREAS, the Village and Defendants desire and intend to resolve the differences between them by this Settlement Agreement.

NOW THEREFORE, in exchange for the mutual promises and covenants provided for in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by and between the parties, Village of Poplar Grove, Illinois and Defendants U.S. Bank and Wait, agree to the following:

1. The recital paragraphs above are incorporated herein and made a part of this Settlement Agreement.
2. Within ten (10) business days of execution by the parties of this Settlement Agreement, Defendant agree to pay the Village a total of \$20,000.00 (the “Settlement Amount”) in compromise of the fines claimed by the Village and to reimburse the Village for its costs associated with enforcing its Code of Ordinances and for having to file the Petition for Judgment on the Findings, Decision and Order in case number 2024-GC-1. The Settlement Amount will be apportioned as follows: 1) \$15,000 to be paid on behalf of Defendant U.S. Bank; and \$5,000 to be paid on behalf of Defendant Wait.
3. Upon execution of this Settlement Agreement and payment of the amount set forth in Paragraph 2 above, the Village shall cause the currently pending litigation entitled, Village of Poplar Grove, (“Plaintiff”) vs. U.S. BANK TRUST NATIONAL ASSOCIATION, as Trustee for LB Cabana Series IV Trust, (“U.S. Bank”) and ANGIE WAIT REAL ESTATE, LLC. (“Wait”) (“Defendants”) case number 2024-GC-1, which is pending in the Circuit Court of the 17th Judicial Circuit, Boone County, Illinois, to be dismissed with prejudice as to all claims raised in the Petition but shall not excuse any violations of the Village’s Code of Ordinances, even if the violations are in the same nature of violations contained in the Petition, which exist at or after (but not before) the time of the execution of this Agreement.

With the exception of the payment to be made by the Defendants set forth in Paragraph 2 above, this matter will be dismissed without further costs being assessed against either Defendant, with the Court retaining jurisdiction to enforce this Settlement Agreement.

- 4. The parties agree and represent that no promises or agreements not herein expressed have been made between the parties, and that this Settlement Agreement contains the entire agreement between the parties hereto, and that the terms of this Settlement Agreement are contractual in nature, and not a mere recital.
- 5. The undersigned declare and agree that the settlement of existing claims by, between or among the parties is a compromise and is in full accord and satisfaction of disputed claims and is not to be construed or used as an admission of any liability whatsoever by or on behalf of any of the parties.
- 6. The dismissal of the pending action shall in no way be construed as having any collateral estoppel, res judicata, or law of the case effect which would prevent in any way the Village from enforcing the terms of the Settlement Agreement. In addition, the Village shall in no way be prohibited from bringing suit alleging new violations of the Village Code of Ordinances or property standards violations existing at or after (but not before) the time of the execution of this Settlement Agreement.
- 7. This Settlement Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of Illinois. In the event of litigation between the parties arising out of or related to the performance or non-performance of any obligation of any party to this Settlement Agreement, the prevailing Party shall be entitled to recover its reasonable attorneys' fees and costs incurred. This document can be signed in counterparts and facsimile or copies of the signatures shall be treated as original signatures.

Signed and sealed by me on May ____, 2024.

Village of Poplar Grove, Illinois

By: _____
Its Authorized Representative

U.S. Bank Trust National Association, as Trustee for LB Cabana Series IV Trust

By: _____
Its Authorized Representative

Angie Wait Real Estate, LLC.

By: _____
Its Authorized Representative

April 7, 2024

To: Poplar Grove President Don Sattler and Village Board

Re: Open village board position

Dear President Sattler and Trustees,

I have been a resident of Poplar Grove for the past 15 years and a resident of Boone County for 40 years. I believe Poplar Grove is a great community to live in and want to help to make sure it remains so for residents living here. I believe in fiscal accountability, public safety, quality education for our children and maintaining and improving Poplar Grove's overall quality of life.

I am semi-retired, currently working part time as a pharmacy technician. My prior work experience includes:

- 18 years for an HMO medical group as customer/administrative services specialist providing customer service assistance for members.
- I was employed for 14 years with Exxon Mobil, 7 years as site manager at an Illinois Tollway location managing staff and responsible for all day-to-day operations.

I would work towards common goals with common sense that ensures we continue to provide residents a wonderful place to live and raise a family. I would enjoy working with others towards building a better future for Poplar Grove residents.

I am honest, hard-working, experienced and care about our community and ask that you consider my letter of interest and qualifications for appointment to the vacant office of Village Board Trustee in Poplar Grove.

Sincerely,

Melodie Jensen
14000 Primrose Pl.
Poplar Grove, IL