

November 8, 2005 Public Hearing Meeting

**November 8, 2005 Public Hearing on an Application for a Special Use Permit Meeting  
Minutes – 6:30 p.m.**

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Ted Mueller at 6:30 p.m.

Clerk Kathy Metzler took roll call. The following Officials were present: Mayor Ted Mueller, Trustees Walkington, Stilz III, Genender, Bonds, Stilz II and Gottsacker

Also present were: Village Clerk Kathy Metzler, Treasurer Kelly Hensley, Deputy Clerk Debbie Zwicker, EMA Coordinator Mark Gottsacker, and Village Attorney Adam Simon, Building Official Russ Kraly, Public Works Supervisor Jeff Gately and

Absent: Police Commander Mike Robinson

**Establishment of quorum**

**Agenda Approval**

Trustee Walkington motioned to approve the Public Hearing Agenda; seconded by Trustee Genender.

Roll Call:

Ayes: Trustees Walkington, Stilz III, Genender, Bonds, Stilz II and Gottsacker

Motion carried.

**See attached court reporters transcript.**

**Overview of purpose, process and procedure for public hearing:**

Attorney Adam Simon explained the reason for the public hearing is to hear an application for a special use permit filed by J & L Oil, Inc.

**Notice requirements review**

Clerk Kathy Metzler reviewed all the notice requirements and is in compliance. The Public Notice was published in the Daily Herald on October 22. Certified and registered letters were mailed out on October 21 and the sign was posted in front of 16 W. Belvidere Road on October 28th.

Oath of office for anyone who plans to testify

Clerk Kathy Metzler swore in those who planned on testifying.

**Presentation of Petitioners Testimony**

**Presentation of Villages Testimony**

**Testimony of any interested party**

**Response of Petitioner**

**Findings: Fact and Recommendation for Special Use**

See attached court reporters transcript for all of the above testimonies etc.

Discussion took place

Trustee Bonds motioned to continue the public hearing until our December meeting; seconded by Trustee Walkington for discussion.

Discussion took place.

Trustees Walkington and Stilz II both feel that we have enough information to come to a decision tonight.

Roll Call:

Ayes: Trustee Bonds

Nays: Trustees Walkington, Stilz III, Genender, Stilz II and Gottsacker.

The motion was rejected. We will vote on this tonight.

Trustee Stilz II motioned to close the record; seconded by Trustee Gottsacker.

Roll Call:

Ayes: Trustees Walkington, Stilz III, Genender, Bonds, Stilz II and Gottsacker

Motion carried.

Trustee Stilz II motion not to approve the Special Use Permit; seconded by Trustee Gottsacker.

Attorney Simon clarified aye in response to the question is to vote against the application.

Roll Call:

Ayes: Trustees Walkington, Genender, Stilz II and Gottsacker

Abstain: Trustees Stilz III, Bonds

Motion Carried.

Trustee Stilz II motioned to adjourn the Public Hearing for November 8th, 2005 ; seconded the motion by Trustee Gottsacker.

All in favor say aye, motion carried.

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**The November 8, 2005 Public Hearing on an Application for a Special Use Permit Meeting  
adjourned at 8:14 p.m.**

Kathy Metzler, RMC, CMC  
Village Clerk