

**AGENDA  
REGULAR MEETING OF  
THE PRESIDENT AND THE BOARD OF TRUSTEES**

**THE VILLAGE OF WAYNE  
5N430 Railroad Street  
Wayne, Illinois 60184**

**Tuesday, June 18, 2024  
7:30pm**

**Link to Join Webinar**

**<https://us06web.zoom.us/j/85036473381>**

**I. Pledge of Allegiance**

**II. Call to Order - Roll Call**

**III. Public Comment - (please limit your comments to three minutes)**

*The Public Comment section is intended to give the public an opportunity to present a comment or opinion to the Board of Trustees. It is not intended to be a time for questions and answers or debate on political issues. Discussion between speakers and other members of the audience will not be permitted. For questions please email members of the Board directly and a Board member or staff will respond directly. Public Comment should be limited to this portion of the agenda and the public should not interrupt the Board during the remainder of the meeting. Should a member of the public become disruptive or interrupt another speaker they will be warned once, and if the disruption continues, removed from the meeting.*

**IV. Reports of Boards, Commissions, Staff, and Action Items**

- A. Plan Commission**
- B. Zoning Board of Appeals**
- C. Engineering**
- D. Park Commission**

**V. Consent Agenda**

- A. Minutes June 6, 2024 – Open Sessions**

**VI. Items Removed from Consent Agenda**

**VII. Ordinances and Resolutions**

- A. Ord. 24-05; Approving Request for Enforcement of IL Motor Vehicle Code on Private Roads**
- B. Res. 24-R-05; Approving License Agreement w/ Rich & Donna White, 5N175 Powis Road**

**VIII. Reports of Officers and Action Items**

- A. Clerk's Report – Patti Engstrom**
- B. Treasurer's Report – Howard Levine**
- C. President's Report – Eileen Phipps**
- D. Village Attorney's Report – Mickey, Wilson, Weiler, Renzi, Lenert & Julien, P.C.**

- IX. Appointments – Village Commissions and Committees – President Phipps**
- X. Reports of Trustees and Action Items**
  - A. Public Safety – Pete Connolly**
  - B. Public Works – Mike Dimitroff**
  - C. Finance – Pete Connolly**
  - D. Administration – Emily Miller**
  - E. Development/Historic and Rural Preservation – Ed Hull**
  - F. Building & Zoning – Gary Figurski**
  - G. Parks – Emily Miller**
  - H. Technology – Guy Bevente**
- XI. Closed Session**
  - A. Pending, Imminent or Probable Litigation – Open Meetings Act, 5 ILCS 120/2 (c) (11)  
Open Meetings Act, 5 ILCS 120/2 (c) (1)B**
  - B. Appointment, Employment and Compensation of Village Employees–Open Meetings Act,  
5 ILCS 120/2 (c)(1)**
  - C. Purchase or Lease of Real Property – Open Meetings Act, 5 ILCS 120/2 (c) (6)**
  - D. The Setting of a Price for Sale or Lease of Village Property, 5 ILCS 120/2 (c) (6)**
  - E. Security Procedures, Personnel, Equipment in Response to Threat of Potential  
Danger to Employees, Staff, Public or Public Property, 5 ILCS 120/2 (c) (8)**
  - F. Discussion of Closed Minutes for Purposes of Approval or Semi-Annual Review,  
5 ILCS 120/2 (c) (21)**
  - G. The Selection of a Person to Fill Public Office, 5 ILCS 120/2 (c) (3)**
- XII. Old Business**
- XIII. New Business and Action Items**
- XIV. Adjournment**

*In lieu of making a comment in person, a member of the public may submit a written comment by email no later than noon on the day preceding the day of the meeting to [clerk@villageofwayne.org](mailto:clerk@villageofwayne.org) and it will be read at the meeting. Written comments should be limited to 450 words or less and, when read, are subject to the three minute time limit for public comment.*

*Note: Any person who has a disability requiring a reasonable accommodation to participate in this meeting should contact ADA Compliance Officer Mon-Thurs 8:00am–12:00pm Village of Wayne, 5N430 Railroad Street, P.O. Box 532, Wayne, IL 60184, or call (630) 584-3090. Requests for a qualified interpreter require five (5) working days' advance notice.*

**VILLAGE OF WAYNE  
DUPAGE AND KANE COUNTIES, ILLINOIS**

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**ORDINANCE NO. 24-05**

**AN ORDINANCE APPROVING A REQUEST FOR ENFORCEMENT OF  
THE ILLINOIS MOTOR VEHICLE CODE ON PRIVATE ROADS**

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**ADOPTED BY THE PRESIDENT AND  
BOARD OF TRUSTEES OF THE  
VILLAGE OF WAYNE  
DUPAGE AND KANE COUNTIES, ILLINOIS**

**THIS \_\_\_\_ DAY OF JUNE, 2024**

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**PUBLISHED by authority of the  
President and Board of Trustees  
of the Village of Wayne, DuPage  
and Kane Counties, Illinois  
this \_\_\_\_ day of June, 2024**

**VILLAGE OF WAYNE  
DUPAGE AND KANE COUNTIES, ILLINOIS**

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**ORDINANCE NO. 24-05**

**AN ORDINANCE APPROVING A REQUEST FOR ENFORCEMENT OF  
THE ILLINOIS MOTOR VEHICLE CODE ON PRIVATE ROADS**

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**WHEREAS**, the Village of Wayne (“Village”) is a non-home rule municipal corporation duly organized and existing under the laws of the State of Illinois; and

**WHEREAS**, Section 11-209.1 of the Illinois Motor Vehicle Code [625 ILCS 5/11-209.1] provides that any person representing a residential development containing a minimum of 10 single family residences may file a written request with a local authority requesting its law enforcement agency to enforce the provisions of the Illinois Motor Vehicle Code on all private streets wherein such property is located and which are used by the owners or the public for the purposes of vehicular traffic; and

**WHEREAS**, The Road Committee, representing the residences located on the private roads of Surrey, Sulky, and Hub located in the Village, and consisting of more than 10 single family residences, has filed a written request dated May 29, 2024 with the Village pursuant to Section 11-209.1 of the Illinois Motor Vehicle Code requesting the Village Police Department to enforce the provisions of the Illinois Motor Vehicle Code on said private roads; and

**WHEREAS**, the Board of Trustees of the Village believes that the approval of said request is in the best interest of the public safety of the residents of the Village and desires to approve the same;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Wayne, DuPage and Kane Counties, Illinois, as follows:

**SECTION ONE: RECITALS**

The recitals to this Ordinance are true, material, adopted and incorporated herein as Section 1 of this Ordinance.

**SECTION TWO: ENFORCEMENT OF ILLINOIS MOTOR VEHICLE CODE.**

The written request of The Road Committee, dated May 29, 2024, is hereby approved and the Village Police Department be and hereby is authorized to enforce the Illinois Motor Vehicle Code on the private roads of Surrey, Sulky, and Hub located within the corporate limits of the Village, all as provided in Section 11-209.1 of the Illinois Motor Vehicle Code.

**SECTION THREE: General Provisions**

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

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

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF JUNE, 2024

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Eileen Phipps, President

Attest: \_\_\_\_\_  
Patricia Engstrom, Village Clerk



**MICKEY, WILSON, WEILER,  
RENZI, LENERT & JULIEN, P.C.**

*Providing Solutions and Results for Our Clients*

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**To: Eileen Phipps, President  
Board of Trustees  
Chief Roberts**

**From: Peter K. Wilson, Jr.**

**Date: June 7, 2024**

**Re: Police Enforcement on Private Roads**

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The Village received a written request dated May 29, 2024, pursuant to Section 11-209.1 of the Illinois Motor Vehicle Code, from The Road Committee. The Committee represents the residents on Surrey, Sulky, and Hub, being private roads in the Village. The Committee has requested the Village to enforce the provisions of the Illinois Motor Vehicle Code on those private roads.

Section 11-209.1 authorizes the Village to take such action when a written request is received from a person representing an area with not less than 10 single family residences. The attached draft Ordinance authorizes such in the event you wish to approve the request. In the event the Committee rescinds its request the Village would repeal any adopted enabling ordinance the same to be effective the next January 1.

**VILLAGE OF WAYNE  
DUPAGE AND KANE COUNTIES, ILLINOIS**

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**RESOLUTION NO. 24-R-05**

**A RESOLUTION APPROVING A LICENSE AGREEMENT  
WITH RICH AND DONNA WHITE**

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**ADOPTED BY THE PRESIDENT AND  
BOARD OF TRUSTEES OF THE  
VILLAGE OF WAYNE  
DUPAGE AND KANE COUNTIES, ILLINOIS**

**THIS \_\_\_ DAY OF JUNE, 2024**

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**PUBLISHED by authority of the  
President and Board of Trustees  
of the Village of Wayne, DuPage  
and Kane Counties, Illinois  
this \_\_\_\_\_ day of June, 2024**

**VILLAGE OF WAYNE  
DUPAGE AND KANE COUNTIES, ILLINOIS**

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**RESOLUTION 24-R-05**

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**A RESOLUTION APPROVING A LICENSE AGREEMENT  
WITH RICH AND DONNA WHITE**

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**WHEREAS**, Rich and Donna White have requested permission to replace and install a fence on and along a Village right-of-way which borders property owned by them, such property commonly known as 5N175 Powis Road; and

**WHEREAS**, the Village is willing to grant such permission by means of a License Agreement;

**NOW, THEREFORE BE IT RESOLVED** by the President and Board of Trustees of the Village of Wayne, DuPage and Kane Counties, Illinois, that the License Agreement for Fence Encroachment, by and between the Village and Rich and Donna White, a copy of which is attached hereto as Exhibit "A," is hereby approved.

**BE IT FURTHER RESOLVED** that the Village President is authorized to sign and the Village Clerk is authorized to attest to such Agreement.

**BE IT FURTHER RESOLVED** that the Village Clerk is hereby authorized and directed to send executed duplicate originals of the attached Agreement to Rich and Donna White, 5N175 Powis Road, Wayne, Illinois.

PASSED AND APPROVED THIS \_\_\_\_ DAY OF JUNE, 2024.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

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Eileen Phipps, President

ATTEST:

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Patricia Engstrom, Village Clerk



**LICENSE AGREEMENT  
FOR FENCE ENCROACHMENT**

This Agreement is made as of the \_\_\_ day of June, 2024 between the Village of Wayne, an Illinois municipal corporation, (“Village”) and Rich and Donna White (“Whites”).

**WHEREAS**, White are the owners of a certain parcel of land described as follows:

LOT 20 IN PETERSONS SUDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 2, 1949 AS DOCUMENT 563695 AND RE-RECORDED AS DOCUMENT 578840 IN DUPAGE COUNTY, ILLINOIS;

commonly known as 5N175 Powis Road, Wayne, Illinois (“Subject Property”); and

**WHEREAS**, the Village has a right-of-way along Powis Road and Peterson Drive adjacent to the Subject Property; and

**WHEREAS**, the Whites wish to replace, install, and maintain an existing fence ("Fence") on and along their property boundaries as shown on Exhibit A, attached hereto and by reference incorporated herein, which would, in part, encroach on the Village’s right-of-way; and

**WHEREAS**, the Whites have requested that the Village grant permission in the form of a license to permit the installation and maintenance of the Fence on the Village's right-of-way; and

**WHEREAS**, the Village is willing to grant such a license provided the Whites undertake certain obligations and make certain promises with respect thereto.

NOW THEREFORE, it is agreed as follows:

1. Incorporation of Preambles. The preambles to this License Agreement are a material part hereof and are incorporated herein.
2. Admission of No Right. The Whites acknowledge the existence of the Village's right-of-way and that the Fence may remain thereon only as long as this License Agreement remains in effect.

3. License to Use. The Village hereby grants a license to the Whites to use that portion of the Village's right-of-way for the sole purpose of installing and maintaining the Fence thereon as long as this License Agreement shall remain in effect.
4. Term. This License Agreement shall be in effect for four (4) years from the date hereof. Whites may request bi-annual renewals of this License Agreement. Any such request(s) shall be made not less than sixty (60) days prior to the termination of the current License Agreement. The Village may in its sole discretion, grant, if at all, such renewal(s) subject to such terms and conditions as it shall determine.
5. Consideration. In consideration of the foregoing, the Whites will, in every year during the continuance of this License Agreement, pay to the Village the sum of one dollar (\$1.00) if demanded, as acknowledgment that the use of the Village's right-of-way is under this Agreement and not otherwise.
6. Termination. The Village may in its sole discretion, terminate this License Agreement upon sixty (60) days written notice to the Whites. Upon Termination of this License Agreement or any renewals thereof, the Whites shall immediately remove the Fence and restore the right-of-way to equal or better the condition than existed prior to the Fence installation. If the Whites shall fail or refuse to do so, the Village may remove and dispose of same as it sees fit, at the expense of the Whites. Notwithstanding any provision hereof this License Agreement shall automatically and immediately terminate upon any transfer of title to the Subject Property.
7. Notices. Any notice permitted or required under this License Agreement shall be given in writing and delivered in person or by certified mail, return receipt requested, to the parties at the addresses set forth below, or to such other address or person provided notice thereof is given in accordance with this paragraph.

If to Village: Village Clerk  
5N430 Railroad Street  
Wayne, IL 60184

If to Whites: Rich and Donna White  
5N175 Powis Road  
Wayne, IL 60184

All notices shall be effective upon being deposited in the U.S. mail, or, in the case of personal delivery, upon actual receipt.

8. Maintenance of Fence. During the term of this License Agreement, the Whites shall maintain the Fence in good repair and in conformance with all applicable laws, ordinances, and regulations; and upon the Whites failure or refusal to do so, this License Agreement shall immediately cease and determine.

Signed this \_\_\_\_\_ day of June, 2024.

Village of Wayne

By: \_\_\_\_\_  
Eileen Phipps, Village President

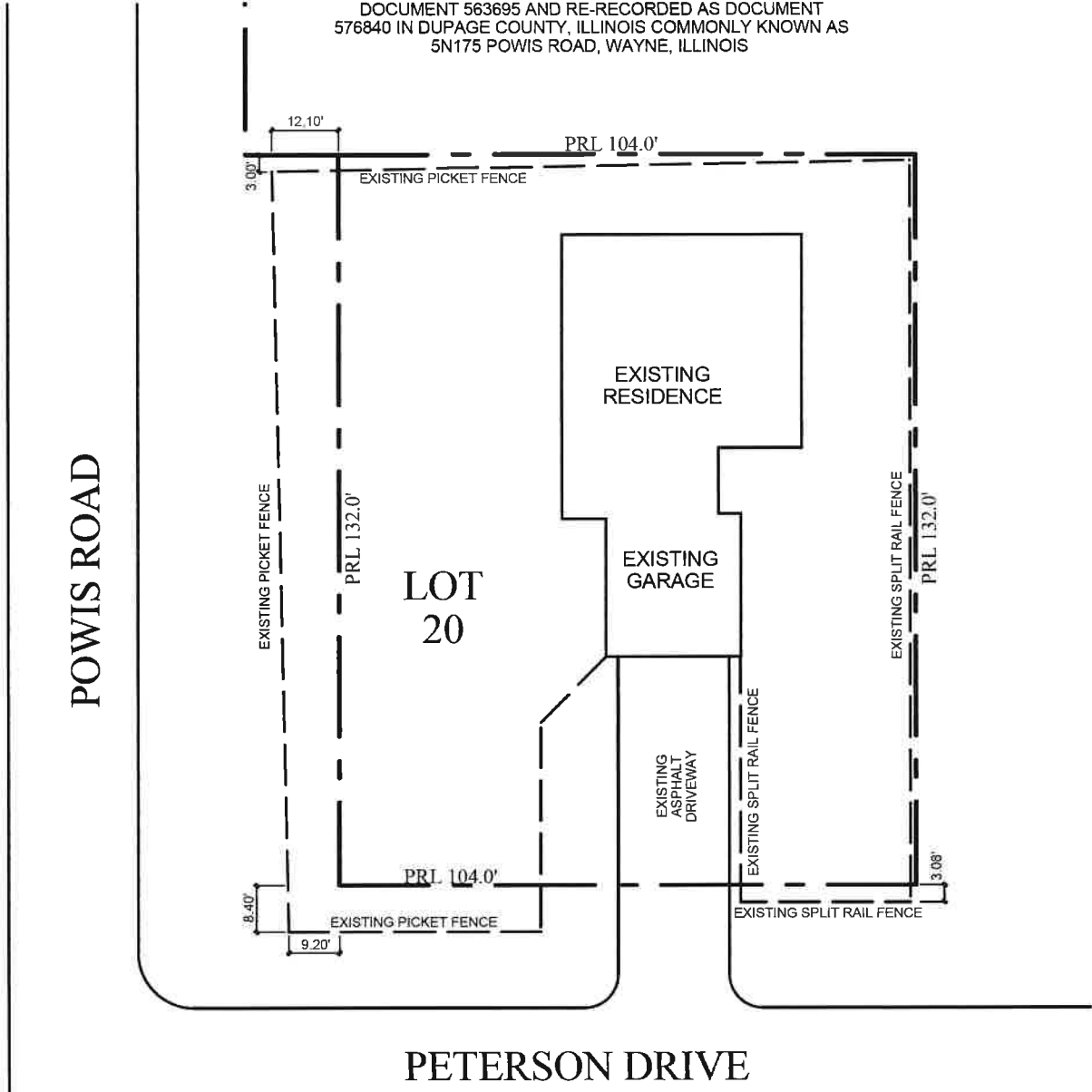
\_\_\_\_\_  
Rich White

Attest: \_\_\_\_\_  
Patricia Engstrom, Village Clerk

\_\_\_\_\_  
Donna White

# EXHIBIT "A"

LOT 20 IN PETERSONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 2, 1949 AS DOCUMENT 563695 AND RE-RECORDED AS DOCUMENT 576840 IN DUPAGE COUNTY, ILLINOIS COMMONLY KNOWN AS 5N175 POWIS ROAD, WAYNE, ILLINOIS



**1/L1 EXISTING FENCE PLAN**  
SCALE 1" = 30'-0"

**THE WHITE RESIDENCE**  
5N175 POWIS RD WAYNE, IL 60184  
© COPYRIGHT 2024 REMINGTON ARCHITECTURE

**REMINGTON**  
ARCHITECTURE  
(630) 584-2735 INFO@REMINGTONUSA.COM

**L-1**  
MAY 21, 2024