VILLAGE OF YATES CITY SPECIAL MEETING OF VILLAGE BOARD OF TRUSTEES PUBLIC HEARING MINUTES
WEDNESDAY, JULY 22, 2026 6:00 P.M. 102 WEST MAIN STREET, YATES CITY, ILLINOIS

1. **Call to Order**

   Hostetler called the hearing to order at 6:09 p.m.

2. **Roll Call**

   Matt Ehens, Tom Kinzer, Ron Smith, Dave Mahr, Seth Lekies, Vonda Brinker, Mark Hostetler
   Jo Wullschleger, Deanna Smith, John Robertson
   Scott Brunton, Joy Mahr, Jim Record, Neely Carr, Zoe Walton
   Members of the public were present. A voluntary sign-in sheet was available for those wishing to sign in.

3. **Pledge of Allegiance**

   All present stood and pledged the flag

4. **Public Hearing: Request for Special Permit for Modular Home at 304 W. Williams St.**

   A. **Introductory Comments**

   Hostetler explained that the hearing was being conducted pursuant to Village Ordinance No. 2007-660 to consider a request for a special permit to place a modular home at 304 W. Williams Street. He reviewed the procedures for the hearing, including the order of presentations, Board questions, public comment, and Board deliberation.

   B. **Presentation by Property Owner (or Representative)**

   Hostetler invited Attorney John Robertson to present the request for a special permit on behalf of the applicants and advised that any witnesses testifying would be sworn in. Mr. Robertson stated that the applicants had originally intended to construct a site-built home after obtaining the necessary permits. He stated that after determining construction costs exceeded available funds, they instead purchased a modular home. Mr. Robertson further stated that the modular home had been delivered, installed, and anchored on the property before the applicants became aware of the Daley Subdivision covenants and Village Ordinance No. 2007-660. He also stated that the applicants had not received copies of the subdivision covenants when purchasing the property from P&W Builders and were not provided a copy of the Village ordinance prohibiting modular homes within the Village. Terry Bishop, a licensed HUD installer and licensed plumber, was sworn in and testified regarding the installation of the modular home, including the permitting process, anchoring system, foundation requirements, and HUD and State of Illinois inspection requirements. Mr. Bishop testified that the Village directed permit questions to Knox County. Village Clerk Neely Carr was asked whether she could verify that the Village had directed permit questions to Knox County and stated she could not. Missi Wheeler, Chief Deputy of the Knox County Zoning Office, was sworn in and testified regarding Knox County's permitting process and the issuance of the permit for the property. She testified that Knox County currently does not have an inspector and relies on State of Illinois inspectors. She further testified that Knox County updated its permit application and informational materials to advise applicants that compliance with municipal ordinances and subdivision covenants is the responsibility of the property owner. Ms. Wheeler confirmed that the permit included the proposed porches and garage. Mr. Robertson stated that the property had been acquired by a quit claim deed and that he had never previously encountered a quit claim deed used in this manner. He also presented a list of Daley Subdivision property owners who, according to Mr. Robertson, did not object to the modular home, along with a simulated image of the completed modular home. Deanna Smith, daughter of Jo Wullschleger, was sworn in and acknowledged the subdivision's requirement for a paved driveway and stated they would initially install a gravel driveway with the intent of paving it at a later date. Trustee Seth Lekies questioned the size of the originally proposed residence, the modular home, and the existing foundation. Ms. Smith testified that the original proposed residence was approximately 1,475 square feet, the modular home was approximately 1,800 square feet, and the modular home had been placed on the existing foundation.

C. Public Comment: Special Permit Request

Hostetler opened the floor for public comment. Nelson Whitehurst of P&W Builders stated that, in his opinion, the structure was a manufactured home rather than a modular home and commented on differences between manufactured and modular homes, including applicable building codes, financing, depreciation, and the Daley Subdivision restrictions. He also commented on the applicants' purchase of the lot by a quit claim deed and stated that P&W Builders understood the applicants intended to construct a site-built home. Bob Wilkes of P&W Builders commented on the use of quit claim deeds in property transactions, the purchase of the lot, constructive notice of recorded restrictions, and warranty deeds. Dave Whitehurst of P&W Builders commented on the cost and use of quit claim deeds, his involvement in recommending changes to the Knox County permit application, differences between manufactured and modular home construction, and discussions with the applicants regarding available housing options. Debra Briggs stated that she received the Daley Subdivision Declaration of Restrictions when purchasing her property and believed the proposed home did not comply with the recorded restrictions. In response, Attorney John Robertson stated that the applicants were requesting a waiver from the affected property owners. Jenna Watznauer and Kim Mougey spoke in support of the request, expressing that they welcomed the proposed home and believed the circumstances resulted from an honest mistake. Josh Watznauer spoke in support of the request, stating that he did not believe the proposed home would negatively affect surrounding property values and that it would contribute to the community. He also expressed concerns regarding the maintenance of vacant lots owned by P&W Builders. Chuck Balagna, Balagna House Moving, commented on the installation and anchoring of similar homes and stated that, in his opinion, the home had been properly installed. Terry Bishop responded to comments regarding depreciation and construction, stating that, in his opinion, the home was well constructed, properly supported, and securely anchored. Rodney Lewis spoke in support of the request, commenting on affordable housing and welcoming new residents to the Village. Joe Oppe commented on the permitting process and stated that he believed responsibility rested with Knox County for issuing the permit without identifying the applicable Village ordinance or subdivision restrictions. Phil Goedeke stated that the applicants did not intentionally violate any rules and expressed his opinion that the subdivision restrictions should have been provided to the applicants at the time of the property purchase. Ken Vallas commented on the history of Village Ordinance No. 2007-660, that the ordinance had been provided to Knox County and recorded, his opinion regarding the classification of the home as a manufactured home, and that P&W Builders should have provided the subdivision restrictions to the applicants. Jo Wullschleger stated that she had not been provided copies of the subdivision restrictions when purchasing the property and believed there were multiple opportunities for the restrictions to have been provided.

D. Responses from Property Owner (or Representative)

Attorney John Robertson responded to comments made during the public comment period, stating that the anchoring system would be subject to State inspection. He also stated that the Village should inform prospective property owners of Village Ordinance No. 2007-660 in addition to directing them to Knox County. Mr. Robertson stated that the applicants intended to pursue amendment of the Daley Subdivision covenants following the special permit request and expressed his opinion that P&W Builders and Knox County shared responsibility for the circumstances surrounding the applicants' purchase and placement of the home.

E. Adjourn Public Hearing

Kinzer moved to adjourn the public hearing. Ehens seconded the motion. Roll call unanimous. Public hearing adjourned at 7:24 p.m.

5. **Deliberation in Executive Session (Section 2(c)(4) of the Open Meetings Act)**

   Hostetler asked for a motion to go into executive session to deliberate and review the testimony and evidence that had been presented during the hearing pursuant to Section 2(c)(4) of the Open Meetings Act. Kinzer moved. Ehens seconded. Roll call unanimous. 7:25 p.m.

   At 8:14 p.m. Kinzer moved to exit executive session. Lekies seconded. Roll call unanimous.

6. **Village Board Action: Special Permit for 304 W. Williams St.**

   At 8:18 p.m. Kinzer motioned to reconvene in open session. Ehens seconded. Roll call unanimous. Hostetler asked for a motion to approve the request for a special permit to Jo Wullschleger at 304 W Williams Street if Ms. Wullschleger abides by the Daley restrictive covenants, either current or a future revised version, and the structure is approved by the State of Illinois inspections. Kinzer moved. Smith seconded. Roll call unanimous.

7. **Adjournment**

   AT 8:19 p.m. Kinzer moved the adjourn. Lekies seconded. Roll call unanimous.

Respectfully submitted,
Neely Carr
Village Clerk