

MINUTES OF THE REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF WHEELING
BOARD ROOM - 2 COMMUNITY BOULEVARD
COOK and LAKE COUNTIES, WHEELING, IL
MONDAY, AUGUST 5, 2019

1. Call to Order

President Horcher called the Meeting to order at 6:35 p.m.

2. Pledge of Allegiance

3. Roll Call - Village Clerk Elaine E. Simpson called the roll and the following Board members were present:

Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

4. Approval of Minutes

Approval of Minutes of the Regular Meeting of July 1, 2019

Motion by Mary Papantos, second by Jim Ruffatto, to approve Minutes as presented.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

5. Changes to the Agenda - None

6. Proclamations - None

7. Appointments and Confirmations - None

8. Administration of Oaths - N/A

9. Citizen Concerns and Comments

Ray Himmelblau asked that the Village ordinance related to parking over sidewalks be changed to Weekdays from 7:00 p.m. to 7:00 a.m., Weekends and Holidays from 7:00 p.m. to 9:00 a.m.

Heidi Graham, President of the League of Women Voters, spoke about a youth engagement project that they're doing with District 214 and St. Viator high school students to educate them on voter registration and information, and asked the Board for \$500 for use of the Wheeling logo.

Rich Rosen stated that Wheeling Rotary is dedicating a bench to former Village President Judy Abruscato, and former Rotarian Jack Blaine, and invited everyone to the dedication which is on August 16 at Noon in front of the Historical Society Museum.

Deborah Wilson commented on the use of ride-share companies vs. taxi cabs when employees are traveling for work.

10. Staff Reports

Community Development Director Andrew Jennings introduced new Village Planner Marcy Knysz.

Deputy Chief Al Steffen reminded everyone about National Night Out on August 6 from 5:30-8:30 p.m. at Heritage Park, and notified staff that assessors from the Commission on Accreditation for Law Enforcement Agencies, Inc., (CALEA) have arrived and will be examining all aspects of the Wheeling Police Department policies and procedures; as a part of the On-Site Assessment, agency employees and members of the community are invited to offer comments at a Public Information Hearing on Wednesday, August 7th, 2019, at 5:00 p.m. in the Board Room at Village Hall.

11. Consent Agenda-All items listed on the Consent Agenda are considered to be routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so requests, in which event the item will be removed from the general order of business and considered after all other Agenda items.

Clerk Simpson read the Consent Agenda items into the record.

A. Resolution 19-091 Waiving the Fidelity and Surety Bond Requirements for Addolorata Villa to Conduct a Raffle and Amusement Event

B. Resolution 19-092 Granting a Tag Day Permit to the Wheeling Firefighters Association to Conduct a Tag Day Event on September 13, 2019

C. Ordinance 5276 Amending Sections of Title 13, Water and Sewers, and Title 17, Planning, Subdivisions and Developments

D. Resolution 19-093 Authorizing the Acceptance of a Previously-Bid Contract for the Purchase of Dell Datacenter Equipment and Services related to a Network Storage System Upgrade in the amount of \$59,233.79

E. Resolution 19-094 Authorizing the Adoption of Revisions to the Personnel Policy Manual for the Village of Wheeling

F. Resolution 19-095 Authorizing Change Order No. 2 and Final to Reduce the Construction Contract with Bolder Construction Company in the Amount of \$48,111.80 for South Wheeling Road Storm Sewer Improvements

G. Resolution 19-096 Authorizing Change Order No. 1 and Final to Reduce the Construction Contract with MYS, Inc. for the Northgate Parkway Sidewalk Improvements and Wolf Road Bridge Repair from \$259,602.64 to \$233,862.05

H. Resolution 19-097 Approving a Contract with RJN Group, Inc. for Sanitary Sewer Evaluation Services (SSES) in the Amount of \$74,960

I. Resolution 19-098 Authorizing an Agreement with the Illinois American Water Company in Order to Construct a Water Main Interconnection Facility within the Village of Wheeling

J. Ordinance 5277 Amending Ordinance 4108 Which Ordinance Granted Site Plan Approval in conjunction with the Condominium Conversion of the Pine Hill Apartments

Motion by Mary Papantos, second by Jim Ruffatto to approve Consent Agenda as presented.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

12. Old Business - None

13. New Business - All Listed Items for Discussion and Possible Action

A. Ordinance 5278 Granting a Variation from Title 19, Zoning, to Permit a Six-Foot Tall Opaque Fence within the Front Yard Setback Area, 242 W. Norman Lane [Docket No. 2019-14]

Clerk Simpson read the legislation title into the record.

Community Development Director Andrew Jennings reviewed the request and answered questions from the Board; Director Jennings noted that the Plan Commission added a condition for approval as follows: *prior to the issuance of a fence permit, fence must demonstrate compliance with the vision clearance requirements of Section 19.11.030 of the Zoning code.*

Trustee Papantos confirmed with the Petitioner that they understand this part of the Code, and that he will comply; Petitioner confirmed he would.

Motion by Dave Vogel, second by Mary Papantos.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

B. Ordinance 5279 Granting Special Use Approval for a Sit-Down Restaurant, 48 W. Dundee Road (Gorditas La Milpa) [Docket No. 2019-15]

Clerk Simpson read the legislation title into the record.

Community Development Director Andrew Jennings reviewed request and read the condition for approval.

Petitioner was present and answered questions from the Board.

Motion by Jim Ruffatto, second by Ray Lang.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

C. Ordinance 5280 Granting Special Use-Site Plan Approval to Permit a Gas Station & Convenience Store, 1048 S. Milwaukee Avenue (Hutton) [Docket No. 2019-17(A)]

Clerk Simpson read items 13.C and 13.D into the record.

Petitioner was present and answered questions from the Board. Trustee Lang stated that he is in favor of this, except for the billboard.

Trustee Papantos inquired about the sidewalk on Sumac, and asked that the Petitioner keep the billboard properly maintained. Petitioner Ben Carroll stated that they've questioned the need for a public sidewalk on a private road, and said they have an issue with being asked to dedicate an easement for public use of the sidewalk, as well as perform maintenance and carry liability insurance. Petitioner confirmed that the billboard leasing company will maintain the billboard.

Trustee Ruffatto agreed that there should be a sidewalk, and stated that we should make an effort to remove them [billboards].

Motion by Mary Krueger, second by Jim Ruffatto.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

D. Ordinance 5281 Granting Special Use Approval to Permit a Sit-Down Restaurant with Drive-Through, 1048 S. Milwaukee Avenue (Hutton) [Docket No. 2019-17(B)]

Clerk Simpson read the legislation title into the record.

Motion by Jim Ruffatto, second by Mary Papantos.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

E. Ordinance 5282 Granting a Variance from Title 19, Zoning, to Reduce the Side Yard Setback for Detached Garage, 415 Walnut Avenue, [Docket No. 2019-19]

Clerk Simpson read the legislation title into the record.

Community Development Director Andrew Jennings described the request; there were no questions from the Board.

Motion by Dave Vogel, second by Mary Papantos.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

F. Resolution 19-099 Awarding a Contract to Hoerr Construction for the Dundee Road Sanitary Sewer Rehabilitation Project in the Amount of \$996,984

Clerk Simpson read items 13.F and 13.G into the record.

Public Works Director Mark Janeck described the project and answered questions from the Board.

Motion by Mary Krueger, second by Mary Papantos.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

G. Resolution 19-100 Accepting a Proposal from RJN Group for Construction Engineering Services Involving the Dundee Road Sanitary Sewer Rehabilitation in the Amount of \$89,800

Clerk Simpson read the legislation title into the record.

Motion by Dave Vogel, second by Mary Krueger.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

H. DISCUSSION RE: Concept Review of Le Colonial Townhomes

Clerk Simpson read the Discussion title into the record.

Manager Sfondilis outlined the concept review process and confirmed that the outcome is non-binding and will not prevent applicant from moving forward with a formal application.

Community Development Director Andrew Jennings introduced the project. Petitioners Attorney, Boris Stratievsky, and Hernando Moreno were present and reviewed key changes of the project based on staff feedback. Director Jennings stated that staff has not reviewed the changes in detail and provided additional comments on the development.

Petitioners answered questions from the Board; discussion continued.

President Horcher asked if the Board is in favor of the concept of townhomes on this lot.

Final Resolution: Consensus FAILED

Yes: Pat Horcher, Joe Vito, Dave Vogel

No: Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto

I. DISCUSSION RE: Concept Review for a Phased Planned Unit Development, Allegro Senior Housing Development, Southwest Corner of Lake Cook and Milwaukee

Manager Sfondilis outlined the concept review process and confirmed that the outcome is non-binding and will not prevent applicant from moving forward with a formal application.

Community Development Director Andrew Jennings introduced the item and explained why this project has come back for a second concept review. Petitioner representatives Josh Bauer, Sproule Love, and Adam Milfoy were present, addressed the Board, and answered questions.

Director Jennings provided additional staff feedback and spoke about some concerns and questions noted in the staff review.

Economic Development Director John Melaniphy provided his comments on the project. Board discussion continued related to TIF funds, number of units, sales tax revenue, access from Lake-Cook Road, and the impact on emergency services.

President Horcher asked if the Board is in favor of the concept plan for the proposed Allegro development, with details of the future phases to be provided at a later date.

Final Resolution: Consensus FAILED

Yes: Ray Lang, Joe Vito, Dave Vogel

No: Mary Krueger, Mary Papantos, Jim Ruffatto, President Horcher

14. Official Communications

Trustee Vito stated he is interested in looking at the code related to the hours for parking over the sidewalk.

Trustee Lang notified Public Works about a gate blocking the sidewalk at the 7-Eleven/gas station construction site.

Trustee Papantos pointed out that the change orders approved this evening saved the Village approximately \$75,000, and thanked Public Works for doing a great job finding savings.

15. Approval of Bills

Approval of Bills for July 11-31, 2019, in the amount of \$4,446,321.28¢

Motion by Mary Krueger, second by Jim Ruffatto to approve Bills as presented.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

16. Executive Session

President Horcher asked for a Motion to recess to enter Executive Session for the purpose discussing pending, probable, and/or imminent litigation, and the selection of an individual to fill a vacancy on the Wheeling Plan Commission.

Motion by Mary Krueger, second by Jim Ruffatto, that the Regular Meeting recess to enter Executive Session.

Final Resolution: Motion Approved, the meeting recessed at 8:58 p.m.

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

[Reconvene from Executive Session]

President Horcher asked for a Motion to reconvene into open session.

Motion by Mary Krueger, second by Mary Papantos, that the Regular Meeting reconvene.

Motion carried by voice vote, all Ayes, the open meeting reconvened at 9:17 p.m.

17. Action on Executive Session Items - None

18. Adjournment

President Horcher asked for a Motion to adjourn.

Motion by Jim Ruffatto, second by Mary Krueger.

Motion carried by voice vote, all Ayes, the meeting adjourned at 9:18 p.m.

Elaine E. Simpson, Village Clerk

Approved this 19th day of August 2019, by the President and Board of Trustees