

**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 19, 2019**

**1. Call to Order**

President Horcher called the Meeting to order at 6:38 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**

A. Approval of Minutes of the Regular Meeting of July 15, 2019

Motion by Dave Vogel, second by Mary Papantos to approve Minutes as presented.

Final Resolution: Motion Approved

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

B. Approval of Minutes of the Special Meeting of August 5, 2019

Motion by Jim Ruffatto, second by Dave Vogel to approve Minutes as presented.

Final Resolution: Motion Approved

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

C. Approval of Minutes of the Regular Meeting of August 5, 2019

Motion by Mary Krueger, second by Mary Papantos 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**

Manager Sfondilis asked for a Motion to remove items 13.I, 13.J, and 13.K, as staff was notified that the state was making changes to the contract.

Motion by Mary Papantos, second by Mary Krueger.

Final Resolution: Motion Approved

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

**6. Proclamations, Congratulatory Resolutions, and Awards**

A. Rock 'n' Run the Runway Sponsor Awards

Manager Sfondilis recognized the support of the contributors, sponsors and partners that made the event a success and thanked all involved. Manager Sfondilis read the names of the sponsors and offered a token of our thanks.

B. Proclamation: Scott Wilson Day - September 5, 2019

Clerk Simpson read the Proclamation into the record. Public Works Director Mark Janeck reviewed Mr. Wilson's career highlights, stated that he will be difficult to replace, and congratulated him on his retirement. President Horcher thanked him for his service; Mr. Wilson introduced his family and thanked the Village for giving him the opportunity 30 years ago.

**7. Appointments and Confirmations**

A. Appointment of Plan Commissioner, Michael E. Sprague

President Horcher asked for a Motion to approve the appointment of Michael E. Sprague to the Plan Commission.

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

B. Appointment of Plan Commissioner, Amy Thompson

President Horcher asked for a Motion to approve the appointment of Amy Thompson to the Plan Commission.

Motion by Mary Papantos, second by Jim Ruffatto.

Final Resolution: Motion Approved

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

## **8. Administration of Oaths**

Administration of Oaths - Plan Commissioner

Clerk Simpson administered the oaths of office to Mr. Sprague and Ms. Thompson.

## **9. Citizen Concerns and Comments**

Lee Waller spoke in favor of the Allegro senior housing development and why it's good for Wheeling.

## **10. Staff Reports - None**

**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 19-101 Waiving Competitive Bidding Requirements and Authorizing the Village Manager to Enter into an Agreement with Melrose Pyrotechnics, Inc. for a Public Fireworks Display on June 27, 2020, at a Price Not to Exceed \$30,000.00**

**B. Resolution 19-102 Authorizing a Public Fireworks Display by Wheeling High School on October 11, 2019 and Waiving the Required \$5,000.00 Security Bond**

**C. Resolution 19-103 Authorizing a Contract with 845 Design Group PC for Architectural Services in the Amount of \$162,361.50 for Fire Station 23**

**D. Resolution 19-104 Authorizing the Execution of a Third Amendment to the Service Agreement between the Village of Wheeling and Andy Frain Services, Inc. for Crossing Guard Services**

**E. Resolution 19-105 Accepting the Award of Grant Funding from the Illinois State Police Office of the Statewide 9-1-1 System in the Amount of \$237,605.36 for Next Generation 9-1-1 Infrastructure**

**F. Ordinance 5283 Declaring as Surplus and Authorizing the Disposal through Recycling, Donation, or Auction of Municipal Property**

**G. Ordinance 5284 Correcting a Scrivener's Error in Ordinance No. 5280, Which Granted Special Use – Site Plan Approval to Permit a Gas Station & Convenience Store, Hutton, 1048 S. Milwaukee Avenue**

Motion by Mary Krueger, second by Mary Papantos 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. Public Hearing Re: Request for Continued Support for Cook County Class 6b Property Tax Classification – 567 Northgate Parkway**

Clerk Simpson read the Public Hearing title into the record.

The Public Hearing opened at 7:04 p.m.

President Horcher asked if anyone from the public wished to be recognized. Seeing that there were no public comments, President Horcher asked for a Motion to close the Public Hearing.

Motion by Mary Papantos, second by Jim Ruffatto.

Final Resolution: Motion Approved, the Public Hearing closed at 7:05 p.m.

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

**B. Resolution 19-106 Indicating Continued Consent to a Cook County Class 6b Real Estate Tax Assessment Classification for the Property Located at 567 Northgate Parkway in the Village of Wheeling, Illinois**

Clerk Simpson read the legislation title into the record.

Economic Development Director John Melaniphy reviewed the request and answered a question 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

**C. Public Hearing Re: Request for Cook County Class 6b Real Estate Tax Assessment from JV Global Services - 199 Shepard Avenue**

Clerk Simpson read the Public Hearing title into the record.

The Public Hearing opened at 7:07 p.m.

President Horcher asked if anyone from the public wished to be recognized. Seeing that there were no public comments, President Horcher asked for a Motion to close the Public Hearing.

Motion by Dave Vogel, second by Mary Krueger.

Final Resolution: Motion Approved, the Public Hearing closed at 7:08 p.m.

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

**D. Resolution 19-107 Consenting to a Cook County Class 6b Real Estate Tax Assessment Classification for the Property Located at 199 Shepard Avenue in the Village of Wheeling**

Clerk Simpson read the legislation title into the record.

Economic Development Director John Melaniphy reviewed the details of the request and described planned improvements. Petitioner was present and answered questions from the Board.

Motion by Ray Lang, second by Joe Vito.

Final Resolution: Motion Approved

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

**E. Ordinance 5285 Amending Title 19, Zoning, of the Wheeling Municipal Code to Add Commercial Vehicle Parking Regulations to the General Parking Regulations (Catherine Court Industrial Condominium Association) [Docket No. 2019-9]**

Clerk Simpson read the legislation title into the record.

Community Development Director Andrew Jennings described the requested text amendment, and answered questions from the Board. Petitioners Attorney Reena Schiffman was present and answered a question from the Board.

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

**F. Ordinance 5286 Amending Title 8, Chapter 8.22 (Gambling) of the Wheeling Village Code in Order to Prohibit Electronic Sweepstakes Machines**

Clerk Simpson read the legislation title into the record.

Village Attorney James Ferolo described the ordinance, the way the sweepstake machines work, and answered a question from the Board.

Motion by Mary Papantos, second by Jim Ruffatto.

Final Resolution: Motion Approved

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

No: Joe Vito

**G. Resolution 19-108 Declaring a Surplus in the North Milwaukee/Lake-Cook Tax Increment Financing District Fund and Authorizing the Distribution of Such to the Cook County Treasurer's Office**

Clerk Simpson read legislation titles 13.G and 13.H into the record.

Finance Director Michael Mondschain reviewed items 13.G and 13.H, and answered questions from the Board.

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

**H. Resolution 19-109 Declaring a Surplus in the South Milwaukee/Manchester Drive Tax Increment Financing District Fund and Authorizing the Distribution of Such to the Cook County Treasurer's Office**

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

~~I. Resolution Authorizing the Village Manager to Execute a Jurisdictional Transfer Agreement with the Illinois Department of Transportation (IDOT) Associated with the Reconstruction of a Section of Wolf Road within the Village [this item was removed from the agenda]~~

~~J. Resolution Authorizing the Village Manager to Execute a Cost Participation Agreement with the Illinois Department of Transportation (IDOT) Associated with the Reconstruction of a Section of Wolf Road Within the Village [this item was removed from the agenda]~~

~~K. Resolution Authorizing the Village Manager to Execute an Agreement to Appropriate Funding for Additional Costs Not Covered by the Cost Sharing Agreement with the Illinois Department of Transportation (IDOT) Associated with the Reconstruction of a Section of Wolf Road within the Village [this item was removed from the agenda]~~

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

Clerk Simpson read the Discussion title into the record. Manager Sfondilis stated that four Trustees asked to continue the discussion and read the description of the Concept Review process.

Community Development Director Andrew Jennings provided a brief overview of the project. Petitioner Jamie Smith addressed the Board regarding the second and third phases of the PUD, and answered questions from the Board.

President Horcher asked the Board if they are 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 Approved

Yes: Pat Horcher, Ray Lang, Joe Vito, Dave Vogel

No: Mary Krueger, Jim Ruffatto, Mary Papantos

President Horcher asked if the Board is willing to consider any portion of TIF incentive limited to certain infrastructure costs on a pay-as-you-go basis.

Final Resolution: Consensus Approved

Yes: Ray Lang, Mary Papantos, Joe Vito, Dave Vogel

No: Pat Horcher, Mary Krueger, Jim Ruffatto

**M. DISCUSSION RE: Proposed Amendments to Title 4, Chapter 4.32 of the Village of Wheeling's Municipal Code Regarding Late Operating Hours, Liquor Service at Salons, and Liquor License Fees**

Clerk Simpson read the Discussion title into the record. Manager Sfondilis stated that staff is seeking policy direction on three separate topics as seen below:

Later Operating Hours - Manager Sfondilis stated that the Village received a request to extend their liquor license hours from 2:00 a.m. to 4:00 a.m., and noted that staff recommends limiting this to taverns only which would require a second supplemental liquor license.

Bill Loumbardias was present and answered questions from the Board; discussion continued on this topic. Trustees expressed some concern over allowing a 4:00 a.m. license to businesses in or near residential areas.

President Horcher asked Board consensus on allowing taverns, Class C and CV, to request permission to extend their hours by applying for a second supplemental liquor license.

Final Resolution: Consensus Approved

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

President Horcher asked the Board if we should draft an amendment to the liquor code to require a separate license for a packaged liquor store that's associated with a tavern.

Final Resolution: Consensus Approved

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

No: Joe Vito

Alcoholic Beverage Service by Salons - Manager Sfondilis introduced the item and stated that the Village has received a request from a salon owner regarding liquor service. Manager Sfondilis noted that if the Board chooses to allow liquor service in salons, Staff recommendation is as follows:

- limit eligibility to cosmetic service establishments
- prohibiting the sale of alcoholic beverages
- allowing the service of beer and wine only
- limit the alcoholic beverage service to two (2) drinks per customer per day.

Discussion continued related to type of services, taxes, and fees for this license type.

President Horcher asked for Board Consensus on allowing alcoholic beverage service at salons.

Final Resolution: Consensus Approved

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

Liquor License Fees - Manager Sfondilis stated that Trustee Papantos requested that Staff look at our fee structure, and noted that Staff recommendation is that we leave it as-is.

Trustee Papantos clarified that she's looking at the CV (Video Gaming licenses), and the difference in license fees between taverns and cafe's.

President Horcher asked if the Board was in favor of amending the fee for a cafe license.

Final Resolution: Consensus Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Dave Vogel

No: Joe Vito, Jim Ruffatto

**14. Official Communications - None**

**15. Approval of Bills**

Approval of Bills for August 1 - 14, 2019, in the amount of \$3,271,736.22¢

Motion by Dave Vogel, second by Mary Papantos 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 of discussing pending, probable, and/or imminent litigation.

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

Final Resolution: Motion Approved, the meeting recessed at 8:25 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 Jim Ruffatto, that the Regular Meeting reconvene.

Motion carried by Roll Call vote, the open meeting reconvened at 8:39 p.m.

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

#### **17. Action on Executive Session Items - None**

#### **18. Adjournment**

President Horcher asked for a Motion to adjourn.

Motion by Jim Ruffatto, second by Mary Papantos.

Motion carried by voice vote, all Ayes, the meeting adjourned at 8:40 p.m.

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Elaine E. Simpson, Village Clerk

Approved this 16th day of September 2019, by the President and Board of Trustees