

**CALL TO ORDER**

President Lynam called to order the Village of East Dundee Regular Village Board Meeting at 6:00 p.m.

**ROLL CALL:**

Trustees Kunze, Brittin, Saviano, Sauder, and President Lynam were present.  
Trustees Mahony and Treiber were absent.

Also in attendance: Village Administrator Erika Storlie, Assistant to the Village Administrator / Deputy Clerk Franco Bottalico, Chief of Police Jim Kruger, Director of Public Works Phil Cotter, Building Inspector Chris Ranieri, Village Engineer Joe Heinz, Management Intern Caleb Haydock and Village Attorney Caitlyn Culbertson.

**PLEDGE OF ALLEGIANCE: Recited**

**PUBLIC COMMENT:**

Naim Kattoum – Thanks the board for the pending re-approval of the special use of the 455 E Main St. Two things caught his eye while reviewing the re-approval document: 1) the number of cars on the lot. He won't be utilizing the maximum 21 spots for employees, so he now asked for a variance. 2) Asked if he can do a sub-lease instead.

Yaser Kattoum – He would be the manager of 455 E Main St car lot, pending approval. He asked for the Board to consider a variance for additional parking spots on the side of the building.

Auqad Ravanam – Also commented on 455 E Main St. His father actually owns the building currently in its current form of a medical clinic/practice. His dad is sick and looking to retire. Wondered if any consideration could be made to expediate the process in making this deal happen.

Susan Barzackini – asked the Village Board to consider allowing Duke to have his smokers out in the parking lot near his train car restaurant. Susan vouched for Duke as a pillar in the community. She mentioned how Duke supported the East Dundee community during COVID and how his family runs the annual Bluesfest.

Dan Hart, owner of DC Cobbs – expressed his displeasure on hearing that the Village Board may consider an open carry/open container ordinance. He worried that allowing open containers would put too much liability and risk on small businesses. He worried how the new open container policy would affect insurance coverage for small businesses, since Illinois is one of the only states with Dram Shop Insurance/laws. He worried about people bringing outside alcohol and worried that it would increase the homeless/vagrant population. He would be against any such legislation.

Shannon Kowal – Commented on Duke's role/influence in the community. She was in support of finding a reasonable solution that allows Duke to continue his restaurant and work within the community. Also, spoke on behalf of Sue Burna in favor of Duke as well.

**CONSENT AGENDA:**

- a. **Motion to Approve the Regular Village Board Meeting Minutes Dated August 17, 2023**
- b. **Motion to Accept the Warrants Lists in the Amounts of \$860,704.65, \$1,558,540.27, and \$269,059.86.**

- c. **Motion to Approve an Ordinance Amending Village Code Chapter 116, Alcoholic Beverages (Penalty)**
- d. **Motion to Approve an Ordinance Amending the East Dundee Regulations Ordinance Chapter 120 Regarding Village-Owned Depot Fencing**
- e. **Motion to Approve an Ordinance Amending Village Code Chapter 116, Alcoholic Beverages (Number of Licenses Permitted)**
- f. **Motion to Approve a Resolution Declaring Certain Vehicles, Equipment and Other Village Property to be Surplus and Authorizing the Sale of Said Vehicles, Equipment and Other Village Property at Auction**
- g. **Motion to Approve an Ordinance Amending Village Code Chapter 30, Board of Trustees, Striking Village Hall Annex**
- h. **Motion to Approve an Ordinance Amending Village Code Chapter 72, Parking Regulations, to Restrict Parking of Commercial and Recreational Vehicles, Trailers, and Truck Tractors.**
- i. **Motion to Approve a Resolution Authorizing the Village to Execute Agreements with The Flolo Corporation to Purchase a New Gearbox/Motor Assembly and Sabel Mechanical to Install the New Equipment at a Total Project Cost Of \$35,209.35**
- j. **Motion to Approve an Ordinance Granting a Special Use Permit for a Package Liquor Store for the Property Located at 210 Penny Avenue, Units G & H, Located in the B-2 Community Business District**
- k. **Motion to Approve an Ordinance Granting a Class B Liquor License to Sarathi LLC (East Dundee Liquor & Wine)**

Trustee Kunze motioned to move item C out of the consent agenda. Trustee Brittin motioned to move item H out of the consent agenda.

Trustee Kunze motioned to approve the consent agenda items A, B, D, E, F, G, I, J, K. Trustee Brittin seconded the motion.

Roll: Ayes – 4 – Trustees Kunze, Brittin, Saviano, and Sauder. Nays – 0. Absent – 2 –Mahony and Treiber. Motion is carried.

Trustee Brittin motioned to approve an ordinance Amending Village Code Chapter 116, Alcoholic Beverages (Penalty). Trustee Sauder seconded the motion.

Trustee Kunze questioned the last paragraph that allowed the Liquor Commission to set the lawyers fees. He wondered if that is in state law or if the Village added the language itself. He worried that this paragraph gives the Liquor Commission to much power to set the fees to whatever it wanted.

Village Attorney Caitlyn Culbertson answered Trustee Kunze and reminded the Village Board that the fees must be reasonable and proven in official proceedings and invoices.

Roll: Ayes – 4 – Trustees Kunze, Brittin, Saviano, and Sauder. Nays – 0. Absent – 2 –Mahony and Treiber. Motion is carried.

Trustee Kunze motioned to approve an ordinance amending Village Code Chapter 72, Parking

Regulations, to Restrict Parking of Commercial and Recreational Vehicles, Trailers, and Truck Tractors. Trustee Brittin seconded the motion but did have a few questions.

Trustee Brittin wondered if the 2-hour time limit for trailers parked on the street was enough time. She agreed overnight parking restrictions was understandable, but Trustee Brittin felt the 2-hour limit was too tight for homeowners who are doing legitimate work on their house (tree trimmings, painting, etc.).

Chief Kruger spoke on the language on the ordinance. He spoke on the importance of the first section, which restricted unsecured trailers. The Board was in support of this section. Chief Kruger was more concerned about the length of the trailers as opposed to the time restrictions and was amendable to the amount of time given for trailer parking. The ordinance is focused more on long-term parked trailers as opposed to trailers being used.

Trustee Brittin wanted to make sure all gray areas of the ordinance were taken out. From her perspective, the way the ordinance is currently written prohibited work vehicles.

It was suggested to amend the ordinance to a 4-hour limit as opposed to 2-hours. Trustee Kunze amended his motion to allow for this change in section B. Trustee Brittin seconded the motion.

Roll: Ayes – 4 – Trustees Kunze, Brittin, Saviano, and Sauder. Nays – 0. Absent – 2 – Mahony and Treiber. Motion is carried.

#### **OTHER AGENDA ITEMS:**

President Lynam asked for a motion to move item B to the front of the agenda. Trustee Brittin, so moved. Trustee Kunze seconded the motion.

Roll: Ayes – 4 – Trustees Kunze, Brittin, Saviano, and Sauder. Nays – 0. Absent – 2 – Mahony and Treiber. Motion is carried by voice vote.

**b. Motion to Approve an Ordinance Approving a Preliminary Planned Unit Development Plan and Rezoning; for Pal Land, LLC and Pal Land II, LLC Located in the M1, R1, and B3 Zoning Districts in East Dundee (Terra Business Park Phase II) Motion to Approve an Ordinance Granting a Special Use Permit for a Motor Vehicle.**

Trustee Kunze motioned to approve an ordinance approving a preliminary planned unit development plan and rezoning; for Pal Land, LLC and Pal Land II, LLC located in the M1, R1, and B3 Zoning Districts in East Dundee (Terra Business Park Phase II). Trustee Saviano seconded the motion.

Village Administrator Erika Storlie introduced item B. The Village had been working with the applicant for the better part of 6-7 months to come up with a zoning agreement with PAL Land and PAL Land II (Joe Palumbo)

Applicant's Attorney, Peter Bazos, took the podium and passed out exhibits to Village Board Members. Also in attendance were Joe Palumbo, Mr. Palumbo's son Joey, as well as his

Operations Manager Jeff Newing.

The applicant sought an extension for the Terra Business Park PUD that was approved in 2007 regarding 119 acres of 150 acres that the applicant had then owned.

The applicant is now in construction of an 11,000 square foot retail/commercial building towards the rear of the speedway. He agreed to do this based on the last development agreement. In the 2017 amendment of the agreement, the applicant agreed to build a 46,000 square foot industrial building near Rock Road. Permits have been submitted but waiting on IDOT to approve the elimination of the angular Penny Road connection. The applicant has submitted this Phase II of the Terra Business Park PUD.

Applicant's Attorney, Peter Bazos, expressed his disagreement with the version of the ordinance presented.

Trustee Brittin asked Village Board Staff if there were any issues with this amended ordinance/proposal.

Village Administrator Erika Storlie commented on the fact that the amended ordinance was sent only a day before this Board Meeting, so staff had no time to review.

Trustee Brittin made a motion to table. Trustee Sauder seconded.

Roll: Ayes – 4 – Trustees Kunze, Brittin, Saviano, and Sauder. Nays – 0. Absent – 2 –Mahony and Treiber. Motion is carried.

President Lynam asked for a motion to move item D to the front of the agenda. Trustee Brittin, so moved. Trustee Sauder seconded the motion.

Roll: Ayes – 4 – Trustees Kunze, Brittin, Saviano, and Sauder. Nays – 0. Absent – 2 –Mahony and Treiber. Motion is carried by voice vote.

**d. Direction on Operations at the Village owned Caboose and Usage of Public Parking Spaces**

Trustee Sauder summarized the issue being about the smokers in Duke's Caboose BBQ shop taking up several parking spots. It had not been brought up in any of the earlier permit renewals but had become an issue due to the limited parking around town. Trustee Sauder commented on the fact that the Village is still under contract with Duke and should re-review the leasing agreement when the current lease is up. Trustee Sauder also expressed his desire for more hours for the Caboose to be open, instead of less, so the Village can get more of Duke and his BBQ.

Trustee Saviano agreed with Trustee Sauder. Trustee Saviano also wanted to make sure that the Village Board had not just targeted a single business since other businesses had smokers.

Trustee Kunze agreed with Trustee Sauder and Saviano. Wanted to negotiate more consistent hours with Duke. Trustee Kunze heard this from sentiment from many patrons.

Trustee Brittin commented on the fact that text issues have been coming up periodically so wanted to make sure the leasing language is clear when it is reviewed and negotiated. Trustee Brittin would also be open to putting hours around when the smokers can be used.

Village Administrator Erika Storlie commented that there appeared to be consensus to amend the lease to allow for the smokers. If the Village Board would work with Duke to clarify the hours of the operation. Village Administrator Erika Storlie also wanted to note that the Village is also in the process of acquiring the lumber yard and the nearby parking lot in hopes of making that a commercial corridor. In that instance, the street the Caboose was currently on will face different restrictions. Village Administrator Erika Storlie just wanted to make sure everyone was aware. A short-term fix could be agreed upon, but this would need to be reviewed again when that area did become a commercial corridor. Conversation ensued about winterizing the Caboose.

Duke spoke at the podium. He commented on the hours of operation and the past agreements he had with the Village Board. He also wanted to speak publicly about harassment he had experienced around town.

Village Administrator Erika Storlie clarified that the Village Board was trying to add language in so the Caboose could be compliant. The reason this issue has come up was because the Caboose smokers took up 3 parking spaces, but the current lease doesn't allow for that. Village Staff wanted to work with Duke to find out what information needed to be added to the amended lease for the Caboose to operate in compliance.

President Lynam wanted to urge and remind the Village Board that if it approved the use of smokers within the parking spaces, the Board needed to be prepared to offer the same to all other businesses.

Discussion ensued.

Trustee Kunze commented on the latest extension that extended Duke's lease to March 4<sup>th</sup>, 2025. Conversation ensued with Duke.

Village Staff had enough direction to move forward with drafting a new lease. Conversation ensued about the Caboose hours of operation and health department inspections.

**a. Riverfront Master Plan Discussion**

Lacey Lawrence, a senior associate from the Hitchcock Design Group spoke on the Riverfront Master Plan and updated the Village Board on where things are in the analyze, connection, and envision stages.

Director of Public Works Phil Cotter mentioned that the most recent traffic study will be presented to the Village Board soon.

Conversation ensued.

**c. Motion to Approve an ordinance Granting a Special Use Permit for a Motor Vehicle Dealer, Used Only, for the Property Located at 455 E. Main Street, in the B-2**

**Community Business District**

President Lynam asked for a motion to approve item C. Trustee Kunze motioned to approve. Trustee Saviano seconded the motion. Conversation ensued.

Trustee Brittin clarified that the PZHC did not agree with this usage because it doesn't align with the comprehensive plan.

Village Administrator Erika Storlie commented on the PZHC's desire to identify Route 25 as the area where car dealerships would be most appropriate and then remove Route 72 as a place where they would be allowed. This was why the PZHC did not want to approve the project and why the Village Staff recommended a denial.

Members of the Applicant's family approached the podium to state their case on why they would rather build a business for the community as opposed to it being just another piece of empty land. They also thought a used car lot was the best use of that land when seeing what it is around.

Trustee Kunze asked if the applicant already had a business on Route 25 that was currently in operation. The applicant answered "yes", but they don't own the property. They wanted to leave the property after the ownership changed hands.

Discussion ensued.

Roll: Ayes – 1 – Trustee Saviano. Nays – 4. Trustees Kunze, Brittin, and Sauder Absent – 2 – Trustees Mahony and Treiber. Motion is carried.

**e. Motion to Approve an Ordinance Amending Village Code Chapter 32, Departments, Commissions and Other Organizations**

Trustee Kunze motioned to approve an ordinance amending Village Code Chapter 32, Departments, Commissions and other Organizations. Trustee Brittin seconded the motion. Conversation ensued.

President Lynam thought this ordinance was trying to expand the control of Village Commissions regarding attendance to make sure people serving on Commissions were present for the meetings.

Roll: Ayes – 4 – Trustees Kunze, Brittin, Saviano, and Sauder. Nays – 0. Absent – 2 – Mahony and Treiber. Motion is carried.

**FINANCIAL REPORTS: None**

**REPORTS: VILLAGE PRESIDENT and BOARD**

**Lynam:** Reminded of Oktoberfest and the need for volunteers. He planned to volunteer. Proclamation for National Suicide Prevention and Action Month during September.

**Brittin:** Thank you, Phil for the Riverfront cleanup. Would love a regular scheduled clean up. Trustee Kunze recently did the trash clean-up, but wondering if we can regularly schedule the plant life clean-up. A few

things have come up about the Comprehensive Plan, which was being updated in 2024. Also, wondering if we can do a full code clean up.

**Kunze:** No Report

**Mahony:** No Report

**Sauder:** Arts Council met recently and are planning an art show. The gallery space will be Black & Gray Brewing and the Council is hoping to have the weekend before Valentine's Day in February. 2 new members were also appointed to the Council and have been great so far. The theme was decided as Black & White art with an accent color of red for Valentine's Day.

**Saviano:** The art show will have jurors. The reason for having the art show next year on February 10th was so people have enough to submit artwork. Also, a reminder that it is Suicide Prevention and Action Month. Encouraging people to reach out and be kind.

**Treiber:** No Report

**REPORTS: STAFF**

Village Engineer Joe Heinz reports on a current project almost done. Should be done by October.


**EXECUTIVE SESSION: No**

Motion to adjourn the regular Village Board meeting at 8:18 p.m. by Brittin/Kunze

Motion is carried by voice vote.

Respectfully submitted,

Caleb Haydock, Management Intern

By:   
Village President, Jeffrey Lynam

Attest: Katherine Diehl  
Village Clerk, Katherine Diehl

By:



Franco Bottalico, Deputy Clerk