

CALL TO ORDER

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

ROLL CALL:

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

Also in attendance: Village Administrator Erika Storlie, Chief of Police Jim Kruger, Director of Public Works Phil Cotter, Building Inspector Chris Ranieri, Attorney Lance Malina and Clerk Katherine Diehl.

PLEDGE OF ALLEGIANCE: Recited

Motion to move **PUBLIC COMMENT (Items not on the Agenda)** up as the next order of business following **PUBLIC COMMENT (Agenda items only)** by Brittin/Sauder. Motion passes by unanimous vote.

PUBLIC COMMENT (Agenda items only):

Shannon Kowal – Board Member, Dundee Township Foundation

In response to the selection for the Summit Square RFP item on tonight's agenda, Kowal stated that the Foundation was notified late on Friday that their proposal was rejected stating that it was not clear how the Foundation would pay the association dues. She said at the time of filling out the proposal, it was not required to prove adequate funds to purchase the units the Foundation is interested in. She asked at what point that requirement changed. Trustee Kunze responded that the Foundation's proposal was not rejected, it was just not recommended. Kowal advised that they are prepared to provide proof of funds this evening if needed.

Susan Berna – Board Member, Dundee Township Foundation

Berna stated that she and the Foundation Board were disappointed that staff recommended to not accept their proposal. She stated that their bid was the highest received. She explained that the Foundation's rooms have never looked better or been made safer compared to when they were first occupied. She stated that the Foundation has exceeded the commitments made to the Village and asked the Village Board and staff to reconsider their recommendation decision.

Peter (resident) – Michigan Avenue, East Dundee

Peter advised that the event that occurred at Rosie O'Hare's over the weekend has impacted the quality of life that he has had on Michigan Avenue. He stated that Rosie's has become more of an outdoor music venue than anything else until the late hours of the evening. He said that there needs to be a limit on the noise. He stated that he received no notification of the big event that just occurred. He said he had 2 events planned at his home that he would have rescheduled had he known.

Gary Mueller, Owner of Rosie O'Hare's - 702 Water Street, East Dundee

Mueller handed out event notification letters to the Village Board that were supposed to be hand delivered to area residents by an employee. He stated that due to a miscommunication, that did not happen. He apologized to the Village Board and to resident Peter for this. He admitted that the event was not planned out as well as he had hoped and advised that he will never host an event of that magnitude again. He stated that he wants to be a friendly and considerate bar establishment to the neighboring residents.

CONSENT AGENDA:

- a. Motion to Approve the Regular Village Board Meeting Minutes Dated May 2, 2022
- b. Motion to Approve the Regular Village Board Meeting Minutes Dated May 16, 2022
- c. Motion to Approve the Committee of the Whole Meeting Minutes Dated June 6, 2022

Motion to approve the consent agenda by Kunze/Brittin.

Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and Sauder. Nays – 0. Absent – 0.

Motion carries.

OTHER AGENDA ITEMS:

a. Recognition of Outgoing Planning and Zoning Commissioners

President Lynam gave recognition to the outgoing Planning and Zoning Commissioners for their service and commitment to the Village of East Dundee. Those recognized were Gwen Berstein, Paul Meyer, Howard Schock, Sue Holliman, Steve Apke and Regina Muscat.

b. Motion to Approve an Ordinance Amending the Village of East Dundee Village Code Regarding Video Gaming Terminal Requirements

Motion to Approve an Ordinance Amending the Village of East Dundee Village Code Regarding Video Gaming Terminal Requirements by Brittin/Mahony.

Discussion:

Administrator Storlie explained that the proposed ordinance includes new requirements for gaming terminal noise and the number of terminals allowed at an establishment based on overall square footage. She stated this this only applies to new applicants going forward. Existing license holders are grandfathered in.

Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and Sauder. Nays – 0. Absent – 0.
Motion carries.

c. Motion to Approve an Ordinance Amending Chapter 116 of the Village of East Dundee Village Code to add a New Class B-5 Liquor License to Allow for the Sale of Both Package Beer, Wine and Spirits for Off-Premises Consumption and Beer and Wine for On-Premises Consumption

Motion to Approve an Ordinance Amending Chapter 116 of the Village of East Dundee Village Code to add a New Class B-5 Liquor License to Allow for the Sale of Both Package Beer, Wine and Spirits for Off-Premises Consumption and Beer and Wine for On-Premises Consumption by Mahony/Saviano.

Discussion:

Administrator Storlie advised that at a previous meeting, the Board reviewed a request from an existing convenience store to add video gaming. This ordinance would allow the store to comply with current state requirements regarding video gaming. The on-premises consumption hours recommended are from 8 a.m. to midnight.

Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and Sauder. Nays – 0. Absent – 0.
Motion carries.

d. Motion to Approve an Ordinance Increasing the Number of Class B-5 Liquor Licenses and the Number of Video Gaming Permits (Dundee Marathon)

Motion to Approve an Ordinance Increasing the Number of Class B-5 Liquor Licenses and the Number of Video Gaming Permits (Dundee Marathon) by Brittin/Mahony.

Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and Sauder. Nays – 0. Absent – 0.
Motion carries.

e. Selection of a Respondent or Multiple Respondents from the Responses to the Summit Square RFP

Administrator Storlie advised that at the request of the Village Board, in April an RFP was drafted, publicized and open until May 25. She noted that there was no change to the RFP during its duration. One submission requirement was proof of financial capability to purchase, maintain, renovate and pay monthly assessments. She advised that what was submitted was judged on for a final decision. One of the submissions was not rejected on whole but was incomplete in its evaluation as compared to the other submissions. Trustee Mahony commented that the second top scoring submission came in \$60,000 less than the top submission and it fulfilled all the Village's goals. She stated it would be fiscally irresponsible of her to award the proposal to the applicant with the highest score but offering less than half of the next highest scorer. She also recognized the approximate \$50,000 investment that the current tenant, the Dundee Foundation, has made to their occupied spaces. Mahony suggested that staff obtain the Foundation's financial statements and negotiate with the submitter of the highest score in the event that the financial statements don't satisfy. President Lynam said that compared to what the Village had already spent on the building, the difference between the two offers isn't an issue. He asked the Board to consider the use of the property now and 20 years from now. Trustee Kunze agreed that the Village will not be recouping anywhere near what has spent over the years.

Motion to direct staff to negotiate with the Dundee Township Foundation to complete items of sale so that a contract could be drafted within the parameters of the response to the RFP by Kunze/Mahony.

Roll: Ayes – 5 – Trustees Mahony, Kunze, Brittin, Saviano and Sauder. Nays – 1 – Trustee Treiber. Absent – 0. Motion carries.

f. Direction on Needed Repairs to the Village-owned Caboose

Administrator Storlie stated that the repairs were brought to staff's attention, and some are serious. She advised that this was not budgeted for and asked for the Board's direction on how to proceed. The quote for the repairs is \$28,150 by the sole company that would place a bid. She stated that repairs have been done on an "as needed" basis, but going forward, she recommended including a budget for repairs in the Village's annual budget. The Board agreed to move forward with the repairs.

g. Motion to Advise and Consent to the Village President's Appointment of Cameron Brunner as Chair of the Planning & Zoning Commission

Motion to Advise and Consent to the Village President's Appointment of Cameron Brunner as Chair of the Planning & Zoning Commission by Kunze/Mahony.

Roll: Ayes – 5 – Trustees Mahony, Kunze, Saviano, Treiber and Sauder. Abstain – 1- Trustee Brittin. Nays – 0. Absent – 0. Motion carries.

h. Motion to Advise and Consent to the Village President's Appointment of Ryan Gumma to the Board of Police Commissioners for a Term Expiring July 18, 2025

Motion to Advise and Consent to the Village President's Appointment of Ryan Gumma to the Board of Police Commissioners for a Term Expiring July 18, 2025 by Mahony/Treiber.

Discussion:

President Lynam advised that 2 member seats on the Board of Police Commissioners have long expired and he is looking to appoint one of those seats this evening. Trustee Brittin voiced that she would like a non-police officer member seat to be filled with a non-police officer member appointment. Rather than fill a retired officer seat with a non-police officer. Trustee Saviano also agreed with this. Board members asked the Police Chief for comment. Chief Kruger explained the process and makeup of the positions on the Board of Commissioners. He stated that the members do nothing with negotiations, unions or grievances, etc. He noted that because East Dundee is a home rule community, it can deviate from the Police and Fire Commission Act when it comes to some of those things. He said many of these home rule communities have made the hiring process an administrative hiring process instead of going through the Commission.

Trustee Mahony withdrew her original motion so that it could be brought forth once again at a later time. Trustee Treiber seconded that motion.

i. Approval of the Arts Council Recommendations for Crosswalk Art Designs in the Public Right-Of-Way and the Color Selection for the Depot Chair

Motion to Approve the Arts Council Recommendations for Crosswalk Art Designs in the Public Right-Of-Way and the Color Selection for the Depot Chair by Sauder/Mahoney.

Discussion:

Trustee Sauder explained that the Arts Council has proposed 3 different designs by 3 artists for 3 crosswalk locations. He said they later found out that the paint takes 3 days to cure so that may now require a change in locations so not to disrupt traffic flow. The paint has a 2-year life expectancy before it would need a refresh. After some discussion, Administrator Storlie suggested that since a mural is planned to be painted at the Jackson Street location, that the art not be done on the crosswalk there. She suggested to test this out with one selected location first and see how it works out. She suggested doing this at the Railroad Street bike path crossing or on Barrington Ave at Penny Ave. The Board was unanimous in their approval of the color selected for the Depot chair. Administrator Storlie stated that she will work with Finance Director Martin and the Arts Council to decide a suggested location. There was consensus of the Board for this.

j. Motion to Approve an Ordinance Amending Section 151.006, Fences, to Include a Section to Allow the Planning and Zoning & Historic Commission Jurisdiction to Hold Public Hearings and Make Recommendations to the Village Board

Motion to Approve an Ordinance Amending Section 151.006, Fences, to Include a Section to Allow the Planning and Zoning & Historic Commission Jurisdiction to Hold Public Hearings and Make Recommendations to the Village Board by Mahony/Brittin.

Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and Sauder. Nays – 0. Absent – 0. Motion carries.

k. Motion to Approve an Ordinance Adopting and Establishing Section 31.03 Whistleblower and Anti-Retaliation Act and Policy of the Village of East Dundee Municipal Code Officers and Employees Chapter

Motion to Approve an Ordinance Adopting and Establishing Section 31.03 Whistleblower and Anti-Retaliation Act and Policy of the Village of East Dundee Municipal Code Officers and Employees Chapter by Brittin/Sauder.

Discussion:

Trustee Kunze stated that the person that employees would report to is the Village Administrator, but in the past, that was a conflict of interest. Attorney Malina advised that if there were a conflict, the issue would go to the States Attorney.

Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and Sauder. Nays – 0. Absent – 0.
Motion carries.

l. Motion to Submit an Application to the Planning and Zoning & Historic Commission for Text Amendments to Section 157.223 in the Zoning Ordinance and to Add Village Administrator as an Authorized Applicant for Text Amendments

Motion to Submit an Application to the Planning and Zoning & Historic Commission for Text Amendments to Section 157.223 in the Zoning Ordinance and to Add Village Administrator as an Authorized Applicant for Text Amendments by Mahony/Brittin.

Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and Sauder. Nays – 0. Absent – 0.
Motion carries.

m. Motion to Submit an Application to the Planning and Zoning & Historic Commission for Text Amendments to Section 157.003 and Section 157.050(F)(1)(f)(1) in the Zoning Ordinance

Motion to Submit an Application to the Planning and Zoning & Historic Commission for Text Amendments to Section 157.003 and Section 157.050(F)(1)(f)(1) in the Zoning Ordinance by Kunze/Saviano.

Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and Sauder. Nays – 0. Absent – 0.
Motion carries.

n. Motion to Submit an Application to the Planning and Zoning & Historic Commission for Text Amendments to Section 157.086 in the Zoning Ordinance Regarding Special Uses

Motion to Submit an Application to the Planning and Zoning & Historic Commission for Text Amendments to Section 157.086 in the Zoning Ordinance Regarding Special Uses by Kunze/Mahony.

Roll: Ayes – 6 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber and Sauder. Nays – 0. Absent – 0.
Motion carries.

FINANCIAL REPORTS:

- A. Warrants List #1 \$853,513.08**
- B. Warrants List #2 \$733,284.57**

REPORTS: VILLAGE PRESIDENT and BOARD

Lynam: Reported that the last Wine Down Wednesday had a good turnout. He noted that tonight is Motor Monday Cruise Night. He thanked public works for their efforts with the recent storm clean up.

Brittin: Reported that the Community Events Committee met this evening before the Village Board meeting. A Fox River Day event was discussed and is planned to be combined with the river cleanup initiative that day. She also mentioned that a Halloween event activity and the big chair makeover and unveiling were discussed. Lastly, she commented that the Rosie O'Hare fundraiser event this past weekend was very well attended. As a resident, her concern is not being able to easily drive her vehicle down the

street due to all the side street parking. She mentioned that Rosie's is having live music acts more regularly than previous. She suggested that the outdoor live music acts be only on Friday and Saturday nights and any weekly acts be moved inside. Trustee Kunze added that live music be moved inside after a certain hour. Administrator Storlie commented that she and Building Inspector Ranieri will have a discussion to ensure the establishment is operating within the guidelines of their zoning.

Kunze: Asked when the gravel section on the north side of the Depot will be replaced with pavers. Members of the Board advised that it had just happened. He also advised that he posted the "Clean the River Day" event to take place on September 17 to Facebook. He asked if Public Works would donate vests, garbage bags and garbage pickers again this year.

Mahony: Asked if the Gypsy Moth traps have been put up yet throughout town. Public Works Director Cotter advised that on Friday he picked up 25 traps from the Department of Agriculture and today he received a shipment of lures that are to be put into the traps. He advised that the traps will be hung up throughout the community beginning tomorrow. He stated that there is an infestation village wide.

Sauder: Reported that he requested a variance for a fence. He advised that the process takes quite some time. He said there were a few things involved that presented some confusion. He advised that he dropped his request because the Village code is outdated and would need to reset from the beginning. He said all the steps appear to be needed when it comes to variance or rezoning requests, but he feels the simpler requests may be able to be more streamlined. Administrator Storlie agreed and stated this topics could be included in future Board discussions.

Saviano: None

Treiber: None

REPORTS: STAFF

Village Administrator: None

Village Attorney: None

Police Chief: Kruger reported that the Rosie O'Hare fundraising event over the weekend resulted in 3 calls for loud music, one being from West Dundee. He also reminded that August 2 is National Night Out at Carpenters Park.

Public Works Director: None

Building Inspector: None

Finance Director: None

Village Engineer: None

PUBLIC COMMENT (Items not on the Agenda): None

EXECUTIVE SESSION: Yes

Motion to adjourn the Regular Village Board meeting to Executive Session at 8:35 p.m. for (c)(5)

Acquisition of Property by Brittin/Mahony.

Roll: Ayes – 7 – Trustees Mahony, Kunze, Brittin, Saviano, Treiber, Sauder and President Lynam. Nays – 0. Absent – 0. Motion carries. Meeting adjourns.

The Village Board will not be taking any action in Executive Session and will therefore, not be returning to the Regular Board Meeting.

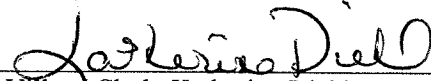
Regular Village Board Meeting
Village of East Dundee
Kane County, Illinois
July 18, 2022

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Respectfully submitted,

Katherine Diehl

Attest:


Village Clerk, Katherine Diehl

By:


Village President, Jeffrey Lynam