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, DECEMBER 6, 2021

1. Call to Order at 6:59 p.m.

2. Pledge of Allegiance - N/A

3. Roll Call - Village Clerk Kathryn M. Brady called the roll:

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

4. Approval of Minutes

A. Approval of REVISED Minutes for the Special Meeting of October 31, 2021

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

Final Resolution: Motion Approved
Yes: Pat Horcher, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel
Abstain: Mary Krueger

B. Approval of Minutes of the Special Workshop Meeting of October 30, 2021

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

Final Resolution: Motion Approved
Yes: Pat Horcher, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel
Abstain: Mary Krueger

C. Approval of Minutes of the Joint Workshop Meeting of November 3, 2021

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

Final Resolution: Motion Approved
Yes: Pat Horcher, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel
Abstain: Mary Krueger

Trustee Krueger abstained from Items 4.A, 4.B, and 4C, as she was not present.

D. Approval of Minutes of the Regular Meeting of November 15, 2021

Motion by Mary Krueger, second by Ray Lang 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 Item 11.F from the agenda.

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

6. Proclamations, Congratulatory Resolutions, and Awards

"Arresting Cancer" Presentation

Officer Scott Laverd spoke about the Arresting Cancer fundraiser and introduced Griselda Sanchez and Miguel Rodriguez from Bear Family Restaurants. Ms. Sanchez thanked Officer Laverd and spoke about how much they (McDonald's) enjoy hosting the event. Officer Laverd introduced Marlie Pkyelny from the American Cancer Society, and gave her a check for $1,506. Ms. Pkyelny thanked everyone and stated that this donation will go to breast cancer research.

7. Appointments and Confirmations - None

8. Administration of Oaths - N/A

9. Citizen Concerns and Comments - None

10. Staff Reports

Director of Economic Development Patrick Ainsworth announced that the website for the Restaurant Row Corridor plan is now live at www.wheelingrestaurantrowplan.com

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 Brady read the Consent Agenda into the record.

A. Ordinance 5455 Amending Chapter 1.26 of the Wheeling Municipal Code Regarding Village Fees and Charges

B. Resolution 21-142 Waiving Competitive Bidding and Accepting a Proposal for Liability Insurance Coverage from Arthur J. Gallagher Risk Management Services Inc. and Insurance Consulting Services from Nugent Risk Management Services

~~C. Resolution Waiving Competitive Bidding and Approving a Proposal for Fog Disinfection and Sanitizing Services from Duraclean in the Amount of $77,979.20 with a Total Spending Authority Reflecting $87,500 in Case of Additional or Emergency Services for FY 2022~~ [this item was moved to New Business becoming Item 13.P]

D. Resolution 21-143 for Maintenance Under the Illinois Highway Code (Section 22-00000-00-GM)

E. Resolution 21-144 Waiving Competitive Bidding and Approving the Purchase of Sensus OMNI Commercial Water Meter Components from Core & Main in an Amount Not to Exceed $132,679 in FY 2022

F. ~~Resolution Authorizing an Amendment to the Contract with B & F Construction Code Services, Inc. for Inspection Services to Increase the Contract to an Annual Amount Not to Exceed $180,000~~ [this item was removed from the agenda]

G. Resolution 21-145 Approving and Authorizing the Village Manager to Execute Two Participation Agreements Relating to the National Opioid Settlement

Trustee Vito requested to have Item 11.C moved to New Business becoming Item 13.P.

Motion by Dave Vogel, second by Ray Lang to approve Consent Agenda as amended.

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: 2022 Village of Wheeling Annual Budget

Clerk Brady read the Public Hearing title into the record. President Horcher read the Public Hearing Rules.

The Public Hearing opened at 7:11 p.m.

President Horcher asked if any member of the public wished to be recognized. Seeing that no member of the public wished to be recognized, President Horcher asked for a Motion to close the Public Hearing.

Motion by Mary Papantos, second by Mary Krueger to Close the Public Hearing.

Final Resolution: Motion Approved, the Public Hearing closed at 7:12 p.m.
Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

B. Public Hearing Re: Request for a Cook County Class 7c Real Estate Tax Assessment for 700 N Milwaukee LLC – 700 N. Milwaukee Avenue

Clerk Brady read the Public Hearing title into the record. President Horcher read the Public Hearing Rules.

The Public Hearing opened at 7:13 p.m.

President Horcher asked if any member of the public wished to be recognized. Seeing that no member of the public wished to be recognized, President Horcher asked for a Motion to close the Public Hearing.

Motion by Ray Lang, second by Mary Papantos to Close the Public Hearing.

Final Resolution: Motion Approved, the Public Hearing closed at 7:14 p.m.
Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

C. Resolution 21-146 Consenting to a Cook County Class 7c Real Estate Tax Assessment Classification for the Property Located at 700 N. Milwaukee Avenue in the Village of Wheeling, Illinois

Clerk Brady read legislation titles 13.C and 13.D into the record.

Director Ainsworth introduced the items and the outlined the 7c classification. Petitioner Steve Soble, and Attorney Bernard Citron of Thompson Coburn, were present and answered questions from the Board about the proposed menu, planned beverage choices and how the payment process works.

President Horcher asked for a Motion to approve.

Motion by Mary Papantos, second by Ray Lang.
Final Resolution: Motion Approved
Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

D. Resolution 21-147 Approving a Class 7c Classification Incentive Agreement with 700 N Milwaukee LLC Regarding 700 North Milwaukee Avenue, Wheeling, Illinois

Motion by Ray Lang, second by Jim Ruffatto.

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

E. Ordinance 5456 Granting Special Use Approval to Permit the Operation of a Packaged Liquor Sales Establishment, 102 E. Dundee Road [Docket No. 2021-38]

Clerk Brady read the legislation title into the record. Community Development Director Ross Klicker introduced the item and stated that this item failed at the Plan Commission; however, the Plan Commission added the following condition should the Board approve:

- Prior to the issuance of a Wheeling business license to begin business operations, the petitioner shall obtain all necessary licenses from the State of Illinois and the Wheeling Liquor Control Commission regarding the sale of alcohol at the subject premises.

Discussion followed regarding the business plan, and the confusion concerning fencing.

Motion by Ray Lang, second by Mary Papantos.

Final Resolution: Motion Approved
Yes: Pat Horcher, Ray Lang, Mary Papantos, Joe Vito
No: Mary Krueger, Jim Ruffatto, Dave Vogel

F. Ordinance 5457 Granting Special Use Approval to Permit the Operation of a Cannabis Cultivation Facility, 160 W. Hintz Road [Docket No. 2021-39A]

Clerk Brady read legislation titles 13.F thru 13.J into the record.

Director Klicker introduced the items and noted that the variations are due to the HVAC unit being placed on the ground instead of the roof. Jay Stewart, consultant, and Brian Rubin, CEO NBGC Partners, LLC, were present and answered questions from the Board regarding staffing, transportation, and security.

President Horcher asked for a Motion to approve.

Motion by Ray Lang, second by Mary Papantos.

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

G. Ordinance 5458 Granting a Variation from Title 19, Zoning, to Reduce the Required Rear Yard Setback at 160 W. Hintz Road (NBCG Partners, LLC) [Docket No. 2021-39B]

President Horcher asked for a Motion to approve.

Motion by Jim Ruffatto, second by Mary Krueger.

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

H. Ordinance 5459 Granting a Variation from Title 19, Zoning, to Permit a Reduction in the Minimum Green Space Requirement from the Required 25% to 16% at 160 W. Hintz Road (NBCG Partners, LLC) [Docket No. 2021-39C]

President Horcher asked for a Motion to approve.

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

I. Ordinance 5460 Granting a Variation from Title 19, Zoning, to Permit an Increase in the Maximum Fence Height at 160 W. Hintz Road (NBCG Partners, LLC) [Docket No. 2021-39D]

President Horcher asked for a Motion to approve.

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

J. Ordinance 5461 Granting a Variation from Title 19, Zoning, to Permit a Reduction in the Minimum Number of Required Off-Street Parking Spaces at 160 W. Hintz Road (NBCG Partners, LLC) [Docket No. 2021-39E]

President Horcher asked for a Motion to approve.

Motion by Jim Ruffatto, second by Mary Krueger.

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

K. Ordinance 5462 Granting Special Use Approval for Final Planned Unit Development (PUD) Approval for Phase One (Lot 2, School District 21 Administration Building) of the London Crossing Mixed-Use Development, 889–903 W. Dundee Road [Docket No. 2021-49]

Clerk Brady read the legislation title into the record. Director Klicker introduced the item and read the conditions for approval as follows:

1. With Phase 2, the petitioner shall submit a revised Landscaping Plan which accounts for the location of all light poles and adjust the landscaping accordingly to remove conflicts (no landscaping shall be reduced/eliminated based on the adjustments). If any subsequent changes are made to the Lighting Plan, a revised Lighting Plan shall also be submitted prior to Village Board action of this request.
2. All infrastructure associated with the functionality of Lot 2 must be constructed in their entirety as designed within the Planned Development.
3. All underground utilities and detention facilities are subject to the review and approval of all necessary agencies, including but not limited to: IEPA - Sanitary, IEPA - Water, IEPA - NPDES, MWRD, IDOT, IDNR, and Village of Wheeling.
4. An Irrigation Plan (or the addition of a note on the Landscape Plan) shall be included with Phase 2 of the PUD.
5. Lighting near the trash enclosure and southern crosswalk will be further evaluated during Phase 2 of the PUD.

Nick Papanicholas Jr., was present and answered a question from the board related to parking. Mr. Papanicholas stated that people will be able to utilize parking at the London Crossing site. President Horcher asked for a Motion to approve.

Motion by Ray Lang, second by Jim Ruffatto.

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

L. Resolution 21-148 Declaring a Voluntary Tax Year 2020 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 Brady read legislation titles 13.L thru 13.O into the record.

Finance Director Michael Kaplan reviewed the items and answered a question from the Board. President Horcher asked for a Motion to approve.

Motion by Ray Lang, second by Jim Ruffatto.

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

M. Resolution 21-149 Declaring an Intergovernmental-Agreement-Required Tax Year 2020 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

President Horcher asked for a Motion to approve. Motion by Mary Krueger, second by Dave Vogel.

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

N. Resolution 21-150 Declaring a Voluntary Tax Year 2020 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

President Horcher asked for a Motion to approve. Motion by Ray Lang, second by Jim Ruffatto.

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

O. Resolution 21-151 Declaring a Voluntary Tax Year 2020 Surplus in the Southeast-II Tax Increment Financing District Fund and Authorizing the Distribution of Such to the Cook County Treasurer's Office

President Horcher asked for a Motion to approve. 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

P. Resolution Waiving Competitive Bidding and Approving a Proposal for Fog Disinfection and Sanitizing Services from Duraclean in the Amount of $77,979.20 with a Total Spending Authority Reflecting $87,500 in Case of Additional or Emergency Services for FY 2022

Clerk Brady read the legislation title into the record. Trustee Vito made a statement as to why he pulled the item from the Consent Agenda. Board discussion followed. President Horcher asked for Board Consensus to give staff direction to request a proposal for time and materials versus an annual contract.

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

Attorney Ferolo suggested tabling the item until staff can obtain a time and materials proposal which will appear on a future agenda.

Motion to table 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

14. Official Communications

Manager Sfondilis announced the return of the Santa on your Street event which runs December 13-17th; there is a flyer on the Village website with detailed information.

Trustee Papantos spoke about the liability insurance rate (related to Item 11.B) and thanked the Finance Department for working to find a better rate in a different pool.

15. Approval of Bills

Approval of Bills for November 11 to December 1, 2021, in the amount of $3,529,760.28¢

Motion by Dave Vogel, 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 - None

17. Action on Executive Session Items - N/A

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 8:19 p.m.

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Kathryn M. Brady, Village Clerk
Approved this 20th day of December 2021, by the President and Board of Trustees