

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, JULY 1, 2024

1. President Horcher called the meeting to order at 6:38 PM

2. Pledge of Allegiance-N / A

3. Roll Call Led by Village Clerk Kathryn M. Brady

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

4. Approval of Minutes

Approval of Minutes for the Regular Meeting of June 3, 2024

President Horcher asked for a motion to approve the minutes as presented.

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

5. Changes to the Agenda

Village Manager Jon Sfondilis asked for a motion to move Item 9, Citizen Concerns and Comments, to before Item 13.C. Manager Sfondilis stated that this change allows for the first two Petitioners (Items 13.A and 13.B) to complete their business ahead of public comment which will take place immediately before all four (4) of the Gas N Wash items.

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

6. Proclamations - None

7. Appointments and Confirmations - None

8. Administration of Oaths - None

[9. Citizen Concerns and Comments (this item was moved to before Item 13.C)]

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 Brady read the Consent Agenda into the record.

A. Resolution 24-095 Waiving Competitive Bidding Requirements and Authorizing the Purchase of Station Furniture for New Fire Station 42 from Forward Space at a Price Not to Exceed \$40,579.79

B. Resolution 24-096 Approving an Invoice for Payment to Martam Construction Inc. for Emergency Sewer Repairs on Wheeling Road in the Amount of \$32,042.21

C. Ordinance 5661 Amending Chapter 4.32 of the Village of Wheeling's Municipal Code, "Alcoholic Liquor Dealers," Specifically Section 4.32.085, to Increase the Authorized Number of Class B Liquor Licenses

President Horcher asked for a motion to approve the Consent Agenda as presented.

Motion by Mary Papantos, second by Dave Vogel.

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 5662 Granting a Variation from Title 19, Zoning, to Permit an Increase in the Maximum Fence Height from Six Feet to Eight Feet Associated with the Screening of Proposed Mechanical Equipment, 11 E. Dundee Road (Dundee Fuel Mart, Inc.) [Docket No. PV24-0003]

Clerk Brady read the title into the record. Community Development Director Ross Klicker introduced the request and answered a question from the Board.

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

B. Ordinance 5663 Granting Special Use Approval to Permit the Operation of a Drive-Through Restaurant for Kava Java, LLC DBA Scooter's Coffee, 310 N. Milwaukee Avenue (Docket No. PSU24-0010)

Clerk Brady read the title into the record. Director Klicker reviewed the request. The Petitioner was present and answered a question from the Board.

President Horcher asked for a motion to approve

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

9. Citizen Concerns and Comments

Residents from Arlington Heights, Buffalo Grove, and Wheeling spoke in opposition to the Gas N Wash project.

BREAK

President Horcher asked for a motion to recess for a five-minute break.

Motion by Jim Ruffatto, second by Mary Papantos.

Motion carried by roll call vote, all ayes, the meeting recessed at 8:44 PM.

RECONVENE OPEN SESSION

President Horcher asked for a motion to reconvene the regular meeting.

Motion by Jim Ruffatto, second by Mary Papantos.

Clerk Brady called the Roll:

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

Final Resolution: Motion Approved, the meeting reconvened at 8:51 PM.

C. Ordinance 5664 Granting Special Use for Preliminary Planned Unit Development (PUD) Approval for a Gas Station with Convenience Store and Drive-Through Restaurant for Lenny's Gas N Wash Hintz Road and Old Buffalo Grove Road, LLC (1750 & 1798 W. Hintz Road) [Docket No. PPUD23-0004]

Clerk Brady read Items 13.C through 13.F into the record. Director Klicker outlined various details of the proposed project. Director Klicker stated that while the Illinois Gaming Board categorizes this project as a truck stop, the Village considers it a gas station with diesel pumps. President Horcher clarified that the issuance of a state gaming license is out of the village's purview. Director Klicker stated that the Plan Commission placed the following conditions for approval of the PUD:

1. Overnight customer parking on the site is prohibited. Overnight parking for this site means the parking of a vehicle in one spot continuously for a period of time exceeding four hours at a time during the hours of 10 PM to 4 AM the following day. This excludes employee parking.

The Preliminary PUD documents shall be revised as follows prior to review and consideration by the Village Board:

- a. The Irrigation Plan shall be updated to be consistent with the Landscape Plan.
- b. Resolve conflicts with trees and light fixtures on the north property line, which shall not result in the reduction of proposed trees in this area.

This condition has been satisfactorily addressed by the Petitioner and the Preliminary PUD documents have been updated accordingly.

2. The Final PUD submittal shall include the following items, in addition to the submittal requirements of Section 19.09.010(e)(5)

3. Project approval from the Cook County Department of Transportation and Highways is required prior to the Final PUD

4. There shall be no diesel fuel operations of any kind between the hours of 10 PM to 4 AM the following day.

Petitioners were present, reviewed numerous aspects of the project, and commented on some public concerns related to safety and home prices. Petitioners answered questions from the Board some of which included the possibility of restricting C-store (convenience store) hours related to gaming, tank inspections, the Traffic Study, crime statistics, road conditions on Old Buffalo Grove Road, and the amount of light spillage to neighboring areas. Public Works Director Dan Kaup stated that Old Buffalo Grove Road is on the County's schedule for street improvement with a date to be determined. In response to a question, Petitioner Alex Kugar confirmed that Gas N Wash has no outstanding EPA violations. Board discussion followed.

President Horcher polled the Board to amend the draft PUD ordinance to add a limitation of operating hours for the C-store, gas station, and restaurant.

Final Resolution: Consensus FAILED

Yes: Ruffatto, Vogel, Vito

No: Papantos, Lang, Krueger, Horcher

President Horcher asked for a motion to approve Item 13.C.

Motion by Ray Lang, second by Mary Krueger.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Joe Vito

No: Jim Ruffatto, Dave Vogel

D. Ordinance 5665 Granting Special Use Approval to Permit the Operation of a Detached Car Wash for Lenny's Gas N Wash Hintz Road and Old Buffalo Grove Road, LLC (1750 & 1798 W. Hintz Road) [Docket No. PSU24-0007]

Director Klicker read the following conditions for approval:

1. Approval of the Special Use for a car wash facility is contingent upon the petitioner receiving approval of a Preliminary Planned Unit Development of Docket No. PPUD23-0004.
2. A Wheeling Business License must be obtained from the Community Development Department before the business begins operations at the subject site.
3. Hours of operation for the car wash facility and self-service vacuum stations shall be limited to 6:00 AM to 9:00 PM.

President Horcher asked for a motion to approve Item 13.D.

Motion by Mary Papantos, second by Mary Krueger.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Joe Vito

No: Jim Ruffatto, Dave Vogel

E. Ordinance 5666 Granting Special Use Approval to Permit the Operation of a Package Liquor Store, Lenny's Gas N Wash Hintz Road and Old Buffalo Grove Road, LLC (1750 & 1798 W. Hintz Road) [Docket No. PSU24-0008]

Director Klicker read the following conditions for approval:

1. Approval of the Special Use for a package liquor store is contingent upon the petitioner receiving approval of a Preliminary Planned Unit Development of Docket No. PPUD23-0004 and obtaining a Wheeling Liquor License from the Liquor Control Commission.
2. All package liquor sales shall occur within a dedicated tenant space pursuant to the Floor Plans prepared by WT Group dated 2/21/2023 (last revised 3/29/2024).
3. A Wheeling Business License must be obtained from the Community Development Department before the business begins operations at the subject site.
4. Hours of operation for the package liquor store shall be limited to 7:00 AM to 9:00 PM.

President Horcher asked for a motion to approve Item 13.E.

Motion by Ray Lang, second by Mary Papantos.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Joe Vito

No: Jim Ruffatto, Dave Vogel

F. Resolution 24-097 Approving the Preliminary Plat of Lots 1 and 2 in Zales Subdivision for Lenny's Gas N Wash Hintz Road & Old Buffalo Grove Road, LLC (1750 & 1798 W. Hintz Road) [Docket No. PSUBPP24-0003]

President Horcher asked for a motion to Item 13.F.

Motion by Mary Krueger, second by Joe Vito.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Joe Vito

No: Jim Ruffatto, Dave Vogel

14. Official Communications

Trustee Ruffatto & President Horcher wished IT Director Ursan a happy birthday.

Trustee Vogel announced the Wheeling Helping Hands Brat Fest fundraiser will take place on July 13 from 11:00 AM-5:00 PM at Wheeling Town Center.

Trustee Krueger stated that the weather was great for Rock N Run and that all parties should be commended on its success.

15. Approval of Bills

Approval of Bills for June 13-June 26, 2024, in the amount of \$1,353,136.61¢. President Horcher asked for a motion to approve the Bills as presented.

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

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 10:11 PM.

Kathryn M. Brady, Village Clerk

Approved this 5th day of August 2024, by the President and Board of Trustees