

**MINUTES OF THE REGULAR BOARD MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
HELD ON THURSDAY, FEBRUARY 6, 2020**

CALL TO ORDER:

President Roth called the meeting to order at 7:04 pm.

ROLL CALL:

Trustee William Harper	Absent	Trustee Mary Thon	Present
Trustee Larry Schmidt	Present	Trustee William Carlson	Present
Trustee Michael Baumer	Present	Trustee James Cecille	Present
President Billie D. Roth	Present		

All those answering “present” were physically present at the meeting.

PLEDGE OF ALLEGIANCE:

PRESIDENT’S REPORT:

P-20-001 Commission Appointments / Re-Appointments

President Roth requested concurrence with the appointment of Patrick Liapes as an Alternate member of the Community Relations Commission for a 2-year term expiring February 2022. Trustee Thon moved for approval. Trustee Cecille seconded the motion. A voice vote approved the appointment. Clerk Kittie Kopitke administered the Oath to Mr. Liapes.

President Roth requested concurrence with the reappointment of Adelita Zeier as Chairman, and Teresa Hauser, Daniela Kowalska-Wudyka and Erin Upshaw and members to the Community Relations Commission for 2-year terms expiring February 2022. Trustee Thon moved for approval. Trustee Carlson seconded the motion. A voice vote approved the reappointments.

President Roth requested concurrence with the reappointment of Chris Clark as a member of the Firemen’s Pension Board for a 2-year term expiring February 2022. Trustee Baumer moved for approval. Trustee Cecille seconded the motion. A voice vote approved the reappointment.

President Roth requested concurrence with the reappointment of Kosta Giannopoulos as Chairman, and Sandy Stewart, Dr. David Sam and Steve Muenz as members, and Kinasha Brown as an Alternate member, for 2 year terms expiring February 2022. Trustee Cecille moved for approval. Trustee Schmidt seconded the motion. A voice vote approved the reappointments.

P-20-002 Police Officer Swearing-In
Brian Bagrowski, Francisco Cabrera, Juan Campos

RECESS:

Trustee Baumer moved to recess the Board Meeting to allow for photos. Trustee Cecille seconded the motion. A voice vote approved the recess. The Village Board recessed their meeting at 7:19 p.m.

RECONVENE MEETING:

The Village Board reconvened their meeting at 7:32 p.m.

ROLL CALL:

Trustee William Harper	Absent	Trustee Mary Thon	Present
Trustee Larry Schmidt	Present	Trustee William Carlson	Present
Trustee Michael Baumer	Present	Trustee James Cecille	Present
President Billie D. Roth	Present		

All those answering “present” were physically present at the meeting.

VILLAGE MANAGER’S REPORT:

Village Manager Sharon Caddigan noted the recent blood drive held on January 22nd; the Blood Commission had 61 potential donors with 46 units collected, and 4 units of double red cells collected. The Commission was pleased with their new location at the Police Department training room. The next blood drive is April 22nd.

Ms. Caddigan and Fire Chief Chris Clark presented the Village with the “Storm Ready Community” sign that was awarded to the Village by the National Weather Service.

APPROVAL OF AGENDA:

Request the Board approve the February 6, 2020 Agenda as presented. Trustee Carlson moved for approval. Trustee Baumer seconded the motion. A voice vote approved the Agenda as presented.

APPROVAL OF THE MINUTES:

Request the Board approve the Minutes of the Regular Board Meeting of January 16, 2020 as presented. Trustee Cecille moved for approval. Trustee Schmidt seconded the motion. A voice vote approved the Minutes as presented.

COMMUNITY DEVELOPMENT – Trustee Carlson/Trustee Harper

A-20-001 Ordinance – Special Use Permit / May’s Streamwood 2

Request the Board approve an Ordinance entitled “AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW FOR THE OPERATION OF A RESTAURANT WITH THE SERVICE OF ALCOHOLIC BEVERAGES IN A C-3 HIGHWAY COMMERCIAL DISTRICT LOCATED AT 1010 S. BARRINGTON ROAD.” This Ordinance approves a Special Use for the sale of alcohol in a restaurant.

Trustee Carlson presented the Ordinance for second reading and moved for approval. Trustee Baumer seconded the motion. ROLL CALL:

Trustee Thon	Aye	Trustee Schmidt	Aye
Trustee Carlson	Aye	Trustee Baumer	Aye
Trustee Cecille	Aye	Trustee Harper	Absent

Motion carried.

ORDINANCE 2020-1

A-20-011 Motion – Waiver of Locational Restrictions / 190 N. Barrington Road / Fiesta Del Mar

Request the Board approve a Motion to renew the Waiver of Locational Restrictions to permit live entertainment at an existing restaurant bar with the service of alcoholic beverages for Supermercado Fiesta Mexicana Inc., dba Fiesta Del Mar Restaurant, 190 N. Barrington Road.

This Motion renews the Waiver of Locational Restrictions for live entertainment. Fiesta Del Mar was originally granted a waiver of locational restrictions in 2017, but it must be renewed annually.

Trustee Carlson presented the Motion and moved for approval. Trustee Schmidt seconded the motion. Community Development Director John Peterson stated the live entertainment waiver needs to be renewed annually. Fiesta del Mar Restaurant submitted their paperwork showing food sales of 81%, well above the required 35% ratio. The Police Department review notes a total of four calls, and none were related to the live entertainment. Mr. Peterson noted the conditions that were established with the initial waiver as follows:

1. Live entertainment shall cease one hour prior to closing time;
2. No changes shall be made to the interior or exterior site plans unless prior approval is granted by the Community Development Director or designee;
3. Proper permits and licenses shall be posted and maintained;
4. Food service sales shall be maintained at a minimum of 35% of the business’s gross receipts;
5. No more than four (4) total days of live entertainment per week, as designated on the entertainment schedule, shall be offered;

6. No other special events shall be offered unless approved by, and proper notice given to, the Village, at least one (1) week prior to the event, and said event shall count toward the maximum number of days of entertainment allowed; and
7. Two (2) security officers shall be present whenever karaoke or live entertainment is provided.

Fiesta Del Mar Owner Victor Soberanis was present for questions. ROLL CALL:

Trustee Schmidt	Aye	Trustee Carlson	Aye
Trustee Baumer	Aye	Trustee Cecille	Aye
Trustee Harper	Absent	Trustee Thon	Aye

Motion carried.

PUBLIC SAFETY - Trustee Harper/Trustee Carlson

A-20-012 Ordinance – Special Use Permit / Chili’s

Request the Board approve an Ordinance entitled “AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW FOR THE OPERATION OF A RESTAURANT WITH THE SERVICE OF ALCOHOLIC BEVERAGES IN A C-3 PUD COMMERCIAL DISTRICT 1041 S. SUTTON ROAD.” This Ordinance approves a Special Use Permit to allow the service of alcoholic beverages at a restaurant, Chili’s Grill & Bar, at 1041 S. Sutton Road.

Trustee Carlson presented the Ordinance for first reading. Community Development Director John Peterson stated a change in corporate ownership requires a new special use permit to be obtained. Brinker Corporation was the original corporate owner when Chili’s opened in 2004. It sold the interest to a franchisee in 2007, and is now re-acquiring the restaurant from the franchisee. The Planning and Zoning Board heard this petition and recommended in favor of the special use with the condition that the interior floor plan (original from 2004) remain substantially the same. Staff concurs with the recommendation. Paul Tanzillo, attorney for Brinker Corporation, was present for questions. He asked the Board to consider waiving the first reading for the Ordinance.

Trustee Carlson moved to waive the first reading. Trustee Baumer seconded the motion. ROLL CALL:

Trustee Carlson	Aye	Trustee Baumer	Aye
Trustee Cecille	Aye	Trustee Harper	Absent
Trustee Thon	Aye	Trustee Schmidt	Aye

Motion carried.

Trustee Carlson moved for approval of the Ordinance as presented. Trustee Schmidt seconded the motion. ROLL CALL:

Trustee Baumer	Aye	Trustee Cecille	Aye
Trustee Harper	Absent	Trustee Thon	Aye
Trustee Schmidt	Aye	Trustee Carlson	Aye

Motion carried. ORDINANCE 2020-2

A-20-013 Ordinance – Code Amendment / Parking Tickets

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD TO ESTABLISH PROCEDURES FOR THE DISPOSITION OF STANDING, PARKING AND MOTOR VEHICLE COMPLIANCE VIOLATIONS AND TO ESTABLISH FINES AND PENALTY SCHEDULES.” This Ordinance amends various sections of the Village Code regarding the procedures, fines and penalties for parking and other motor vehicle compliance tickets.

Trustee Carlson presented the Ordinance for first reading. Police Chief Daryl Syre stated the Police Department started using the Dacra Municipal Adjudication System in early January. This automates the process of enforcement and adjudication of all standing, parking and motor vehicle compliance violations within the Village. It is necessary to amend certain provisions of the Village Code related to traffic, parking and compliance violation fine schedules to comply with state law for notice requirements and the general penalty provisions for the Village to be consistent with the ticket fine structure. The alternate penalty provision is also amended to clarify that a court and Village hearing officer are authorized to impose more than the minimum fine upon a finding of liable after a trial or hearing. A new code section is added to comply with new state law to clarify the circumstances for towing, liability for costs and where towed vehicles may be stored. The ordinance also expands the list of motor vehicle compliance violations.

Trustee Cecille confirmed that the liability for any towed vehicle is with the vehicle owner and not the operator at the time. Chief Syre asked the Board to consider waiving the first reading so this Ordinance is in effect by the next court adjudication date on February 18th.

Trustee Carlson moved to waive the first reading. Trustee Cecille seconded the motion. ROLL CALL:

Trustee Cecille	Aye	Trustee Harper	Absent
Trustee Thon	Aye	Trustee Schmidt	Aye
Trustee Carlson	Aye	Trustee Baumer	Aye

Motion carried.

Trustee Carlson moved for approval of the Ordinance as presented. Trustee Schmidt seconded the motion. ROLL CALL:

Trustee Thon	Aye	Trustee Schmidt	Aye
Trustee Carlson	Aye	Trustee Baumer	Aye
Trustee Cecille	Aye	Trustee Harper	Absent

Motion carried.

ORDINANCE 2020-3

PUBLIC WORKS - Trustee Baumer/Trustee Schmidt

A-20-014 Resolution – Deep Foundation Piers at Fire Station No. 31

Request the Board approve a Resolution entitled “A RESOLUTION DECLARING THE LOWEST RESPONSIBLE BIDDER AND AUTHORIZING THE EXPENDITURE OF \$287,000 FOR THE INSTALLATION OF DEEP FOUNDATION PIERS AT FIRE STATION NO. 31.” This Resolution accepts the bid from Foundation Services, the lowest responsible bidder for the design and installation of the aggregate pier system for Fire Station No. 31, for a cost not to exceed \$287,000.

Trustee Baumer presented the Resolution and moved for approval. Trustee Carlson seconded the motion. Fire Chief Chris Clark stated the construction of the fire station requires piers to support the foundation as the soils are poor on the site. The old building had concrete caissons extending 30 feet deep. A newer solution is a system of aggregate piers drilled into the soil and filled with compacted aggregate stone. The stone “mushrooms” out to form a stable base for the foundation. Approximately 100 piers will be drilled. FGM has successfully used this construction method on other similar projects. MTI Construction Services prepared the bid package; two bids for this part of the project were received, with the one from Foundation Service Corporation being qualified.

Trustee Carlson asked about the soil base before the aggregate is poured and compacted. Public Works Director Matt Mann stated they will drill until they hit hard clay. Trustee Cecille asked about the spacing of the piers. Community Development Director John Peterson stated the grid pattern is designed specifically for each building and spaced accordingly to support the load of the structure. Chief Clark noted this approval is coming prior to the entire project bid to keep the project on schedule. ROLL CALL:

Trustee Schmidt	Aye	Trustee Carlson	Aye
Trustee Baumer	Aye	Trustee Cecille	Aye
Trustee Harper	Absent	Trustee Thon	Aye

Motion carried.

RESOLUTION 2020-4

A-20-015 Resolution – E-Review Software

Request the Board authorize a Resolution entitled “A RESOLUTION APPROVING AND AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE ON BEHALF OF THE VILLAGE AND AUTHORIZING THE VILLAGE CLERK TO ATTEST TO A CERTAIN CONTRACT WITH TYLER TECHNOLOGIES, INC. TO PROVIDE eREVIEW SOFTWARE.” This Resolution approves the purchase of electronic review software to be used in conjunction with the EnerGov permitting software.

Trustee Baumer presented the Resolution and moved for approval. Trustee Cecille seconded the motion. IT Director Victor Ambroziak stated this is a new module that interfaces with the EnerGov permitting software which allows plan review and submittal processes to be managed within a browser-based environment. Multiple users (fire, public works, community development) can use this software to mark up and make comments on plans, and return them to the petitioner to be modified with the mark ups being noted so the plans can be checked when re-submitted. The cost of \$30,800 includes \$21,000 for the software and \$9,800 for the implementation; annual maintenance fees are \$8,400.00. Funds were included in FERF for this purchase.

Trustee Cecille asked if the software allows the plans to be printed on paper if needed; Mr. Ambroziak stated printing is available as needed. Trustee Schmidt confirmed that staff training is included in the implementation costs. ROLL CALL:

Trustee Carlson	Aye	Trustee Baumer	Aye
Trustee Cecille	Aye	Trustee Harper	Absent
Trustee Thon	Aye	Trustee Schmidt	Aye

Motion carried.

RESOLUTION 2020-5

A-20-016 Resolution – Clauss Bros / Waive Competitive Bidding

Request the Board authorize a Resolution entitled “A RESOLUTION WAIVING COMPETITIVE BIDDING, ACCEPTING THE PROPOSAL AND AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE ON BEHALF OF THE VILLAGE AND AUTHORIZING THE VILLAGE CLERK TO ATTEST TO A CERTAIN CONTRACT WITH CLAUSS BROTHERS, INC.” This Resolution waives competitive bidding and authorizes a contract extension with Clauss Brothers, Inc. for landscape services with no cost increase.

Trustee Baumer presented the Resolution and moved for approval. Trustee Cecille seconded the motion. Public Works Director Matt Mann stated Clauss Brothers has been contracted for the Village’s landscape services for the past several years. They took over the work in 2016 when multiple low bidders were unable to meet the contract requirements, and were the low bidder in 2017. The contract through 2019 allowed for a 5% increase for the 2019 renewal year over the original bid price. Clauss Brothers has offered to renew this contract with no change in price for 2020 and 2021. A third year option (for 2022) is available and the price will be negotiated at that time. Clauss Brothers provides weekly mowing at 31 different locations

including medians, shoulders, special service area, fire stations, and vacant properties as needed. The estimated annual cost is just over \$41,300 annually and \$70 per cut for the vacant properties. Trustee Cecille confirmed that the vacant property cuts are invoiced and collected. Attorney Tom Bastian stated the invoices must be paid before a transfer stamp is sold for the property. ROLL CALL:

Trustee Baumer	Aye	Trustee Cecille	Aye
Trustee Harper	Absent	Trustee Thon	Aye
Trustee Schmidt	Aye	Trustee Carlson	Aye

Motion carried. RESOLUTION 2020-6

COMMUNITY AFFAIRS - Trustee Thon/Trustee Cecille

A-20-005 Ordinance – Code Amendment / Municipal Cannabis Retailer’s Occupation Tax

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING CHAPTER 3 ENTITLED “MUNICIPAL OCCUPATION TAXES” OF TITLE 3 ENTITLED “BUSINESS AND LICENSE REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD, COOK COUNTY, ILLINIOS BY ADDING THERETO SECTION 3-3-8 ENTITLED “MUNICIPAL CANNABIS RETAILER’S OCCUPATION TAX.” This Ordinance authorizes the imposition and collection of taxes associated with the sale of recreational cannabis and related products consistent with recent changes to state law.

Trustee Thon presented the Ordinance for second reading and moved for approval. Trustee Schmidt seconded the motion. ROLL CALL:

Trustee Cecille	Aye	Trustee Harper	Absent
Trustee Thon	Aye	Trustee Schmidt	Aye
Trustee Carlson	Aye	Trustee Baumer	Aye

Motion carried. ORDINANCE 2020-4

A-20-006 Ordinance – Personnel Policy

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING TITLE 1, CHAPTER 11 OF THE VILLAGE CODE OF STREAMWOOD AMENDING THE PERSONNEL POLICY MANUAL.” This Ordinance makes changes to the Village’s Personnel Policy to ensure consistency with recent state statute changes regarding testing for controlled substances and unpaid leave.

Trustee Thon presented the Ordinance for second reading and moved for approval. Trustee Schmidt seconded the motion. ROLL CALL:

Trustee Thon	Aye	Trustee Schmidt	Aye
Trustee Carlson	Aye	Trustee Baumer	Aye
Trustee Cecille	Aye	Trustee Harper	Absent

Motion carried. ORDINANCE 2020-5

LEGISLATIVE – Trustee Cecille/Trustee Thon

A-20-007 Ordinance – Code Amendment / Purchase, Sale and Possession of Tobacco and Tobacco Products

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING TITLE 3, CHAPTER 7, ARTICLE 2, SECTION 3-7-2-3 AND SECTION 3-7-2-4 AND TITLE 4, CHAPTER 5, SECTION 4-5-3(A)(2) AND SECTION 4-5-8 RELATED TO THE PURCHASE, SALE AND POSSESSION OF TOBACCO AND TOBACCO PRODUCTS OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD, COOK COUNTY, ILLINOIS.” This Ordinance makes changes to the Village Code to ensure consistency with recent changes to state and federal law regarding the sale, purchase, and possession of tobacco products.

Trustee Cecille presented the Ordinance for second reading and moved for approval. Trustee Schmidt seconded the motion. ROLL CALL:

Trustee Schmidt	Aye	Trustee Carlson	Aye
Trustee Baumer	Aye	Trustee Cecille	Aye
Trustee Harper	Absent	Trustee Thon	Aye

Motion carried.

ORDINANCE 2020-6

A-20-008 Ordinance – Code Amendment / Cannabis

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING SECTION 4-3-28 ENTITLED “DRUGS AND DRUG PARAPHERNALIA” OF CHAPTER 3 ENTITLED “MISDEMEANORS” OF TITLE 4 ENTITLED “POLICE REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD.” This Ordinance makes changes to the Village Code to ensure consistency with recent state statute changes regarding the use and possession of cannabis and cannabis-related products.

Trustee Cecille presented the Ordinance for second reading and moved for approval. Trustee Schmidt seconded the motion. ROLL CALL:

Trustee Carlson	Aye	Trustee Baumer	Aye
Trustee Cecille	Aye	Trustee Harper	Absent
Trustee Thon	Aye	Trustee Schmidt	Aye

Motion carried.

ORDINANCE 2020-7

FINANCE - Trustee Schmidt/Trustee Baumer

A-20-017 Motion – Approval of Semi-Monthly Expenditures

Request the Board approve the semi-monthly expenditures in the amount of \$789,165.30 which represents the total of the schedule of bills dated February 6, 2020.

General Fund	\$ 249,223.35
Wetland Special Service Areas	4,841.58
Capital Replacement Fund	70,889.42
Street Improvement Fund	88,290.85
Equipment Replacement Fund	65,746.00
Facilities Replacement Fund	201,126.10
Water and Sewer Fund	76,455.11
Golf Fund	23,955.18
Police Pension Fund	<u>8,637.71</u>
Total	<u>\$ 789,165.30</u>

Trustee Schmidt moved for approval of the semi-monthly expenditures as presented. Trustee Cecille seconded the motion. ROLL CALL:

Trustee Baumer	Aye	Trustee Cecille	Aye
Trustee Harper	Absent	Trustee Thon	Aye
Trustee Schmidt	Aye	Trustee Carlson	Aye

Motion carried.

A-20-018 Ordinance – Approval of Amendment to Title 3, Chapter 4 / Liquor Licensing

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING SECTION 3-4-8 ENTITLED “LICENSE CLASSIFICATIONS, FEES, NUMBER ISSUED” OF CHAPTER 4 ENTITLED “ALCOHOLIC LIQUOR DEALERS” OF TITLE 3 ENTITLED “BUSINESS AND LICENSE REGULATIONS,” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD.” This Ordinance amends the number of select liquor license classifications available for purchase to conform to the actual number of licenses outstanding at this time.

Trustee Schmidt presented the Ordinance for first reading. Attorney Tom Bastian stated the Village Code needs to be amended to reflect the actual number of liquor licenses issued. With the opening of Streamwood Wine & Liquor, and the impending issuance of a license to May’s 2, the Class B licenses will increase to 12, and the Class F and V licenses will increase to 19. Attorney Bastian asked the Board to consider waiving the first reading.

Trustee Schmidt moved to waive the first reading. Trustee Baumer seconded the motion. ROLL CALL:

Trustee Cecille	Aye	Trustee Harper	Absent
Trustee Thon	Aye	Trustee Schmidt	Aye
Trustee Carlson	Aye	Trustee Baumer	Aye

Motion carried.

Trustee Schmidt moved for approval of the Ordinance as presented. Trustee Thon seconded the motion. ROLL CALL:

Trustee Thon	Aye	Trustee Schmidt	Aye
Trustee Carlson	Aye	Trustee Baumer	Aye
Trustee Cecille	Aye	Trustee Harper	Absent

Motion carried.

ORDINANCE 2020-8

PUBLIC COMMENTS:

ADJOURNMENT:

Trustee Baumer moved to adjourn. Trustee Schmidt seconded the motion. A voice vote approved the adjournment. The Village Board adjourned their meeting at 8:25 p.m.

Billie D. Roth
Village President

Kittie L. Kopitke
Village Clerk

Approved this 20th day of February 2020