



VILLAGE OF PALATINE
VILLAGE HALL - COUNCIL CHAMBERS
200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

VILLAGE COUNCIL & COMMITTEE OF THE WHOLE

MINUTES

OCTOBER 10, 2022

Regular Meeting

7:00 PM

I. ROLL CALL – Time: 7:00 PM

Attendee Name	Title	Status	Arrived
Jim Schwantz	Mayor	Present	
Tim Millar	District 1 Councilman	Present	
Scott Lamerand	District 2 Councilman	Present	
Doug Myslinski	District 3 Councilman	Present	
Greg Solberg	District 4 Councilman	Absent	
Kollin Kozlowski	District 5 Councilman	Present	
Brad Helms	District 6 Councilman	Present	

Also Present:

Village Clerk Marg Duer, Village Manager Reid Ottesen, Deputy Village Manager Hadley Skeffington-Vos, Village Attorney Patrick Brankin, Director of Community Development Mike Jacobs, Director of Planning & Zoning Ben Vyverberg, Director of Public Works Matt Barry, Police Chief Dave Daigle, Fire Chief Patrick Gratziana, IT Director Larry Schroth, Director of Finance Paul Mehring, and Director of Human Resources Pam Jackson

II. PLEDGE TO THE FLAG – Time: 7:00 PM

Mayor Schwantz invited everyone to stand and join him in the Pledge to the Flag.

III. APPROVAL OF MINUTES – Time: 7:01 PM

1. Village Council & Committee of the Whole - Regular Meeting - October 3, 2022 - **Accepted**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

IV. MAYOR'S REPORT – Time: 7:01 PM

1. As Submitted -

Mayor Schwantz announced upcoming events:

Wednesday October 12: 7PM

District 1 & 2 Residents' Meeting
Hosted by Councilmen Millar and Lamerand
Village Hall Council Chambers

Thursday, October 13: 5PM-6:30PM

Immanuel Lutheran Community Meal
Immanuel Lutheran Church

Friday October 14: 12PM-8PM

American Legion Golf Outing
Palatine Hills Golf Course

Saturday, October 15: 8AM

Trot for Theresa 5K
St. Theresa School

Saturday, October 15: 8AM-12PM

Textile Recycling Event
Palatine Township

Saturday, October 15: 1PM-5PM

5th Annual Fall Back Brew Fest
Downtown Palatine

Calling All Kids

Help Santa and Mayor Schwantz light the annual holiday tree!
For a chance to be selected, write a one-page letter to Santa and Mayor Schwantz by November 4th about the importance of the holiday.
Submit letters to:
Tree Lighting - Village of Palatine
200 E. Wood St.
Palatine IL 60067

V. RECESS TO THE COMMITTEE OF THE WHOLE – Time: 7:02 PM**Recess to Committee of the Whole - Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

VI. COMMITTEE OF THE WHOLE**A. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 7:02 PM**

BRAD HELMS, CHAIRMAN

1. Consider an Ordinance Granting a Variation to Permit a Generator to be Located in the Side Yard Abutting a Street at 906 S. Willow Walk Drive - **Motion Carried by Voice Vote** (Council District: Two)

Planning & Zoning Director Ben Vyverberg presented the petitioner's request for a Variation to install a generator in proximity to a gas meter and electrical panel, within the 35-foot side yard abutting Illinois Avenue with proposed landscape screening. This request is prompted by numerous electrical outages. The ZBA voted unanimously to recommend approval and staff concurs.

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Jim Schwantz, Mayor
AYES:	Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

2. Consider an Ordinance Granting a Special Use for a Fence in the Front Yard at 901 E. Holly Way - **Motion Carried by Voice Vote** (Council District: Four)

Planning & Zoning Director Ben Vyverberg presented the petitioner's request for a Special Use for a new 6' vinyl fence, replacing a 4' chain link with a 28' set-back. The ZBA voted unanimously to recommend approval and staff concurs.

Councilman Millar asked why the additional 2 feet is necessary.

Jeff Spitzer, petitioner, confirmed that a new patio was poured including a permanent grill with a recommendation by the Fence Company to locate the vinyl fence away from the grill to avoid heat. Neighbor's landscaping

protrudes the same distance or more.

RESULT:	MOTION CARRIED BY VOICE VOTE [5 TO 1]
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Lamerand, Myslinski, Kozlowski, Helms
NAYS:	Millar
ABSENT:	Solberg

3. Consider an Ordinance Decreasing the Number of Class D Liquor Licenses by One for El Rancho Alegre, 1160 E. Dundee Road - **Motion Carried by Voice Vote** (Council District: Four)

Village Manager Reid Ottesen reported receiving notice September 16, 2022, that El Rancho Alegre Restaurant is closed, necessitating the reduction of the number of Class D Liquor Licenses from 36 to 35, and recommended approval.

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

4. As Submitted -

Nothing was submitted.

B. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 7:10 PM

SCOTT LAMERAND, CHAIRMAN

1. Consider a Motion to Award a Contract for the Smith Street Bike Path Connection Project - **Approved by Voice Vote**

Village Manager Reid Ottesen reported that two bids were received to connect the bikeway system into Deer Grove Forest Preserve at Smith and Dundee and recommended awarding the bid to the low responsible bidder, A Lamp Concrete Contractors, Schaumburg, IL in the amount of \$244,940.60. Ottesen explained that the cost will be offset by reimbursements of \$115,000 each from Cook County and Palatine Park District, whose costs above \$115,000 will be split equally with the Village.

Public Works Director Matt Barry stated that completion is expected this fall and confirmed that this was budgeted two years ago.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Brad Helms, District 6 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

2. Consider a Motion to Approve a 10-Year Sewer Capital Investment Plan - **Approved by Voice Vote**

After well over 15 years of focus on and investment in storm sewer flood control and sanitary sewer maintenance, Village Manager Reid Ottesen recommended a new program and investment strategy which will be more proactive addressing expanded regulatory requirements from MWRD and the IEPA.

Staff recommends funding through the existing revenues, as well as, a portion of the former Flood Control Surcharge. The Surcharge was \$10 every two months. Staff recommends a reduction of \$2.50 or 25% and the funds be titled a Storm Water Management Fee. This results in savings to all our utility customers and significantly increases our investments moving forward.

During the upcoming year, staff would further review the fee structure with the possibility of further shifting to a “per unit” fee rather than a “per address” fee. Ottesen recommended approval of the 10-year Sewer Capital Investment Plan.

Public Works Director Matt Barry recounted the 50 year history of sewer capital investment: the sewer separation project in the 1980's, and in 2001, \$220 million dollars in projects were identified and accomplished, covered by a \$17 million bonding. Those bonds have been retired and today we have efficiencies in place. Barry presented the recommended Capital Investment plan for the next ten years outlining the various pro- active measures.

Ottesen explained the methods for paying for the Storm Sewer and Flood Control systems including the water usage billing to individual unit billing in multi-unit buildings. Funds are being reserved for emergency needs. Ottesen concluded the report noting that expenditures, corresponding revenues, and an annual program review are all part of the dynamic process.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Jim Schwantz, Mayor
AYES:	Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

3. As Submitted -

Nothing was submitted.

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – Time: 7:25 PM

KOLLIN KOZLOWSKI, CHAIRMAN

1. Consider a Motion for the Final Special Use Operational Review for Madcats at 117 W. Slade Street - **Approved by Voice Vote** (Council District: Six)

Village Manager Reid Ottesen recommended accepting the 9-month review of Madcats, without additional Special Use conditions.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

2. As Submitted -

Nothing was submitted.

D. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE – Time: 7:26 PM

GREG SOLBERG, CHAIRMAN

In the absence of Chairman Solberg, Councilman Kozlowski opened the Administration, Technology & Community Health Committee meeting.

1. As Submitted -

Nothing was submitted.

E. BUSINESS FINANCE & BUDGET COMMITTEE – Time: 7:26 PM

TIM MILLAR, CHAIRMAN

1. As Submitted -

Nothing was submitted.

F. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 7:26 PM

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted -

Nothing was submitted.

VII. RECONVENE THE VILLAGE COUNCIL MEETING – Time: 7:27 PM**Reconvene the Village Council Meeting - Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

VIII. CONSENT AGENDA

All items are considered to be routine by the Village Council and will be enacted by one motion, with waiver of first reading. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

RESULT:	ADOPTED BY ROLL CALL [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

1. Consider an Ordinance Granting a Variation to Permit a Generator to be Located in the Side Yard Abutting a Street at 906 S. Willow Walk Drive - **Approved** (Council District: Two)

Ordinance #O-96-22

2. Consider an Ordinance Granting a Special Use for a Fence in the Front Yard at 901 E. Holly Way - **Approved** (Council District: Four)

Ordinance #O-97-22

3. Consider an Ordinance Decreasing the Number of Class D Liquor Licenses by One for El Rancho Alegre, 1160 E. Dundee Road - **Approved** (Council District: Four)

Ordinance #O-98-22

4. Consider a Motion to Award a Contract for the Smith Street Bike Path Connection Project - **Approved**

5. Consider a Motion to Approve a 10-Year Sewer Capital Investment Plan - **Approved**

6. Consider a Motion for the Final Special Use Operational Review for Madcats at 117 W. Slade Street - **Approved** (Council District: Six)

IX. REPORTS OF STANDING COMMITTEE

A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE

GREG SOLBERG, CHAIRMAN

In the absence of Chairman Solberg, Vice-Chairman, Councilman Kozlowski reported on the Administration, Technology & Community Health Committee meeting.

1. As Submitted -

No Report

B. BUSINESS FINANCE & BUDGET COMMITTEE

TIM MILLAR, CHAIRMAN

1. As Submitted -

No Report

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

KOLLIN KOZLOWSKI, CHAIRMAN

1. As Submitted -

No Report

D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 7:27 PM

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted -

No Report

E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 7:27 PM

SCOTT LAMERAND, CHAIRMAN

1. As Submitted -

No Report

F. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 7:28 PM*BRAD HELMS, CHAIRMAN*

1. As Submitted -

No Report

X. REPORTS OF THE VILLAGE OFFICERS – Time: 7:28 PM**A. VILLAGE MANAGER**

1. As Submitted -

No Report

B. VILLAGE CLERK

1. As Submitted -

No Report

C. VILLAGE ATTORNEY

1. As Submitted -

No Report

XI. CLOSED SESSION AS REQUIRED – Time: 7:28 PM

No Closed Session requested.

XII. RECOGNITION OF AUDIENCE

No one came forward.

XIII. ADJOURNMENT – Time: 7:28 PM

Adjourn the Village Council Meeting - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Solberg

SUBMITTED BY:

Margaret R. Duer
Village Clerk



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VILLAGE COUNCIL & COMMITTEE OF THE WHOLE

MINUTES

OCTOBER 3, 2022

Regular Meeting

7:00 PM

I. ROLL CALL – Time: 7:00 PM

Attendee Name	Title	Status	Arrived
Jim Schwantz	Mayor	Present	
Tim Millar	District 1 Councilman	Present	
Scott Lamerand	District 2 Councilman	Present	
Doug Myslinski	District 3 Councilman	Absent	
Greg Solberg	District 4 Councilman	Present	
Kollin Kozlowski	District 5 Councilman	Present	
Brad Helms	District 6 Councilman	Present	

Also Present:

Village Clerk Marg Duer, Village Manager Reid Ottesen, Deputy Village Manager Hadley Skeffington-Vos, Village Attorney Nicholas Standiford, Director of Community Development Mike Jacobs, Director of Public Works Matt Barry, Police Chief Dave Daigle, Fire Chief Patrick Gratziana, IT Manager Rhonda Malcolm, Director of Finance Paul Mehring, Director of Human Resources Pam Jackson, and Deputy Clerk Doris Sadik

II. PLEDGE TO THE FLAG – Time: 7:00 PM

Mayor Schwantz invited everyone to stand and join him in the Pledge to the Flag.

III. APPROVAL OF MINUTES – Time: 7:01 PM

- Village Council & Committee of the Whole - Regular Meeting - September 12, 2022 - **Accepted**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

Minutes Acceptance: Minutes of Oct 3, 2022 7:00 PM (APPROVAL OF MINUTES)

IV. MAYOR'S REPORT – Time: 7:01 PM

1. As Submitted -

Mayor Schwantz announced upcoming events:

Wednesday, October 5: 5 PM - 7 PM

Howl-O-Ween

Fred P. Hall Amphitheater

Saturday, October 8: 10:45 AM - 3:45 PM

Fall Fest

Palatine Stables

Friday, October 14: 5:30 PM - 7:00 PM

Family Bingo Night - Halloween Theme

Twin Lakes

Registration Deadline: October 10, 2022

November - April, 1st & 3rd Saturdays 10 AM - 12

Winter Farmers' Market

Palatine Train Station

V. RECESS TO THE COMMITTEE OF THE WHOLE – Time: 7:02 PM

Recess to Committee of the Whole - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

VI. COMMITTEE OF THE WHOLE**A. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 7:02 PM**

BRAD HELMS, CHAIRMAN

1. Consider a Motion Granting Approval of a Waiver of the Village's Sound Amplification Ordinance for Patio Music at Chicago Culinary Kitchen, 2391 N. Hicks Road, on Saturday, October 15, 2022 - **Approved by Voice Vote** (Council District: Three)

Village Manager Reid Ottesen presented Culinary Kitchen's request for a Waiver of the Sound Amplification Ordinance on Saturday, October 15, 2022. Ottesen suggested if more such events are planned, an amendment to their

Special Use would avoid having to request each waiver.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

2. Consider a Request for Temporary Street Closures and Waiver of the Village's Sound Amplification Ordinance for the Sikh Religious Society's 'Birthday Anniversary Parade/Procession' on November 5, 2022 - **Approved by Voice Vote** (Council District: One)

Village Manager Reid Ottesen presented the Sikh Religious Society's request for the temporary closure of streets within a portion of the Village and a waiver of the Village's Sound Amplification Ordinance to allow for a 'Parade/Procession' on Saturday, November 5, using last year's parade Route.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Jim Schwantz, Mayor
AYES:	Schwantz, Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

3. As Submitted -

Nothing was submitted.

B. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – Time: 7:04 PM

KOLLIN KOZLOWSKI, CHAIRMAN

1. Consider a Resolution of Support for the Filing of a 7c Cook County Tax Classification for a Portion of the Park Place Shopping Center Generally Located at 1311 N. Rand Road - **Adopted by Voice Vote** (Council District: Four)

Village Manager Reid Ottesen presented Park Place shopping center's request for approval of a Resolution of support for the filing of a 7c Cook County Tax Classification. Ottesen noted that this is not for the whole center, but only for the section where the extensive facade improvements are proposed.

Community Development Director, Mike Jacobs explained the program reduces by 10% for the first year, increase to 15% , then 20%, designed to off-set some of the costs of improvement, then taxes will go up for the overall improved assessed valuation.

RESULT:	ADOPTED BY VOICE VOTE [UNANIMOUS]
MOVER:	Greg Solberg, District 4 Councilman
SECONDER:	Jim Schwantz, Mayor
AYES:	Schwantz, Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

2. As Submitted -

Nothing was submitted.

C. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE – Time:

7:07 PM

GREG SOLBERG, CHAIRMAN

1. Consider a Motion Authorizing the Village Manager to Replace Outdoor Warning Sirens - **Approved by Voice Vote**

After a comprehensive review of our outdoor warning siren systems, Village Manager Reid Ottesen recommended replacing the entire system including updated controllers and a three-year maintenance contract using American Signal T-128 sirens through Fulton Siren Systems (Marengo, IL) using American Rescue Plan Act (ARPA) funds, for a total price not to exceed \$241,213.20. The new sirens will increase the overall coverage and fill a gap in the southwest area that was not covered.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Schwantz, Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

2. As Submitted -

Nothing was submitted.

D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 7:09 PM

DOUG MYSLINSKI, CHAIRMAN

In the absence of Chairman Myslinski, Vice-Chairman Solberg opened the Fire Policy & Community Information Committee meeting.

1. Consider a Motion Authorizing the Village Manager to Purchase a Replacement Fire Ambulance - **Approved by Voice Vote**

Village Manager Reid Ottesen recommended awarding a bid for a replacement fire ambulance to North Central Emergency Vehicles of Plainfield, Illinois in the amount of \$339,567. Within the available ARPA

resources, savings from the emergency warning sirens improvement can cover the \$14,567 budget overage for this purchase.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

2. As Submitted -

Nothing was submitted.

E. BUSINESS FINANCE & BUDGET COMMITTEE – Time: 7:10 PM

TIM MILLAR, CHAIRMAN

1. Consider a Motion to Affirm the Purchase of 2022 Budgeted Vehicles and Pre-Purchased 2023 Light Duty Vehicles - **Approved by Voice Vote**

Village Manager Reid Ottesen recommended approval of the purchase of two 2023 Dodge Ram 2500 pickup trucks and two 2023 Dodge Ram 3500 pickup trucks in the amount of \$185,951, and one 2022 Ford E-Transit cargo van in the amount of \$54,102.24 for the Public Works Department and the up-fitting costs of the 2022 Dodge Ram 1500 SSV pickup truck purchased for the Fire Department approved at the September 6 Council Meeting for a total of \$380,557.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Schwantz, Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

2. As Submitted -

Nothing was submitted.

F. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 7:12 PM

SCOTT LAMERAND, CHAIRMAN

1. As Submitted -

Nothing was submitted.

VII. RECONVENE THE VILLAGE COUNCIL MEETING – Time: 7:12 PM**Reconvene the Village Council Meeting - Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

VIII. CONSENT AGENDA

All items are considered to be routine by the Village Council and will be enacted by one motion, with waiver of first reading. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

RESULT:	ADOPTED BY ROLL CALL [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

1. Consider a Motion Ratifying the Village Manager's Approval of 2022 Warrant #18 - **Approved**
 2. Consider a Motion to Approve 2022 Warrant #19 - **Approved**
 3. Consider a Motion Granting Approval of a Waiver of the Village's Sound Amplification Ordinance for Patio Music at Chicago Culinary Kitchen, 2391 N. Hicks Road, on Saturday, October 15, 2022 - **Approved** (Council District: Three)
 4. Consider a Request for Temporary Street Closures and Waiver of the Village's Sound Amplification Ordinance for the Sikh Religious Society's 'Birthday Anniversary Parade/Procession' on November 5, 2022 - **Approved** (Council District: One)
 5. Consider a Resolution of Support for the Filing of a 7c Cook County Tax Classification for a Portion of the Park Place Shopping Center Generally Located at 1311 N. Rand Road - **Adopted by Roll Call** (Council District: Four)
- Resolution #R-26-22
6. Consider a Motion Authorizing the Village Manager to Replace Outdoor Warning Sirens - **Approved**

7. Consider a Motion Authorizing the Village Manager to Purchase a Replacement Fire Ambulance - **Approved**
8. Consider a Motion to Affirm the Purchase of 2022 Budgeted Vehicles and Pre-Purchased 2023 Light Duty Vehicles - **Approved**

IX. REPORTS OF STANDING COMMITTEE

A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE

GREG SOLBERG, CHAIRMAN

1. As Submitted -

No Report

B. BUSINESS FINANCE & BUDGET COMMITTEE – Time: 7:13 PM

TIM MILLAR, CHAIRMAN

1. As Submitted -

No Report

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – Time: 7:13 PM

KOLLIN KOZLOWSKI, CHAIRMAN

1. As Submitted -

No Report

D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 7:13 PM

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted -

No Report

E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 7:13 PM

SCOTT LAMERAND, CHAIRMAN

1. As Submitted -

No Report

F. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 7:13 PM

BRAD HELMS, CHAIRMAN

1. As Submitted -

No Report

X. REPORTS OF THE VILLAGE OFFICERS – Time: 7:13 PM

A. VILLAGE MANAGER

1. As Submitted -

No Report

B. VILLAGE CLERK

1. As Submitted -

No Report

C. VILLAGE ATTORNEY

1. As Submitted -

No Report

XI. CLOSED SESSION AS REQUIRED – Time: 7:13 PM

No Closed Session requested.

XII. RECOGNITION OF AUDIENCE – Time: 7:13 PM

No one came forward.

XIII. ADJOURNMENT – Time: 7:13 PM

Adjourn the Village Council Meeting - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Millar, Lamerand, Solberg, Kozlowski, Helms
ABSENT:	Myslinski

SUBMITTED BY:

Margaret R. Duer
Village Clerk

Minutes Acceptance: Minutes of Oct 3, 2022 7:00 PM (APPROVAL OF MINUTES)

Consider an Ordinance Granting a Variation to Permit a Generator to be Located in the Side Yard Abutting a Street at 906 S. Willow Walk Drive

BACKGROUND:

The Petitioner is proposing to install a generator within the required 35-foot side yard abutting a street (Illinois Avenue). The proposed generator will be set back approximately 26.5 feet from Illinois Avenue and be screened with landscaping. Therefore, the Petitioner is requesting approval of the following:

Variation to permit a generator to be located within the required side yard abutting a street yard, with a minimum 26-foot setback

KEY ISSUES:

- The Subject Property, zoned R-1A Single-Family Residential, is approximately 16,500 square feet. It is located within the Willow Walk Unit Two subdivision. The lot is uniquely situated, as it abuts a street on three sides (Roselle Road to the west), Illinois Avenue to the north, and Willow Walk Drive to the east).
- The Petitioner is proposing to install a generator in the required side yard abutting a street (Illinois Avenue). Per Code, generators are not considered a permitted obstruction in a required side yard abutting a street and therefore a variation is required. The generator will be set back approximately 26.5 feet from the Illinois Avenue property line.
- Per the application, the Subject Property has experienced numerous power outages; thus prompting the proposed generator installation. The proposed location is directly next to the gas meter and electrical panel (north side of the house). While alternate permissible locations were reviewed by the Petitioner, the proposed location was deemed the most efficient and effective unobtrusive location for a generator.

ALTERNATIVES:

1. Approve the Variation to permit a generator to be located in the side yard abutting a street.
2. Do not approve the Variation to permit a generator to be located in the side yard abutting a street.

RECOMMENDATION:

Public Hearing: ZBA meeting on September 27, 2022.

Residents testifying: None.

Vote: The ZBA voted unanimously to recommend approval of the Special Use and Staff concurs.

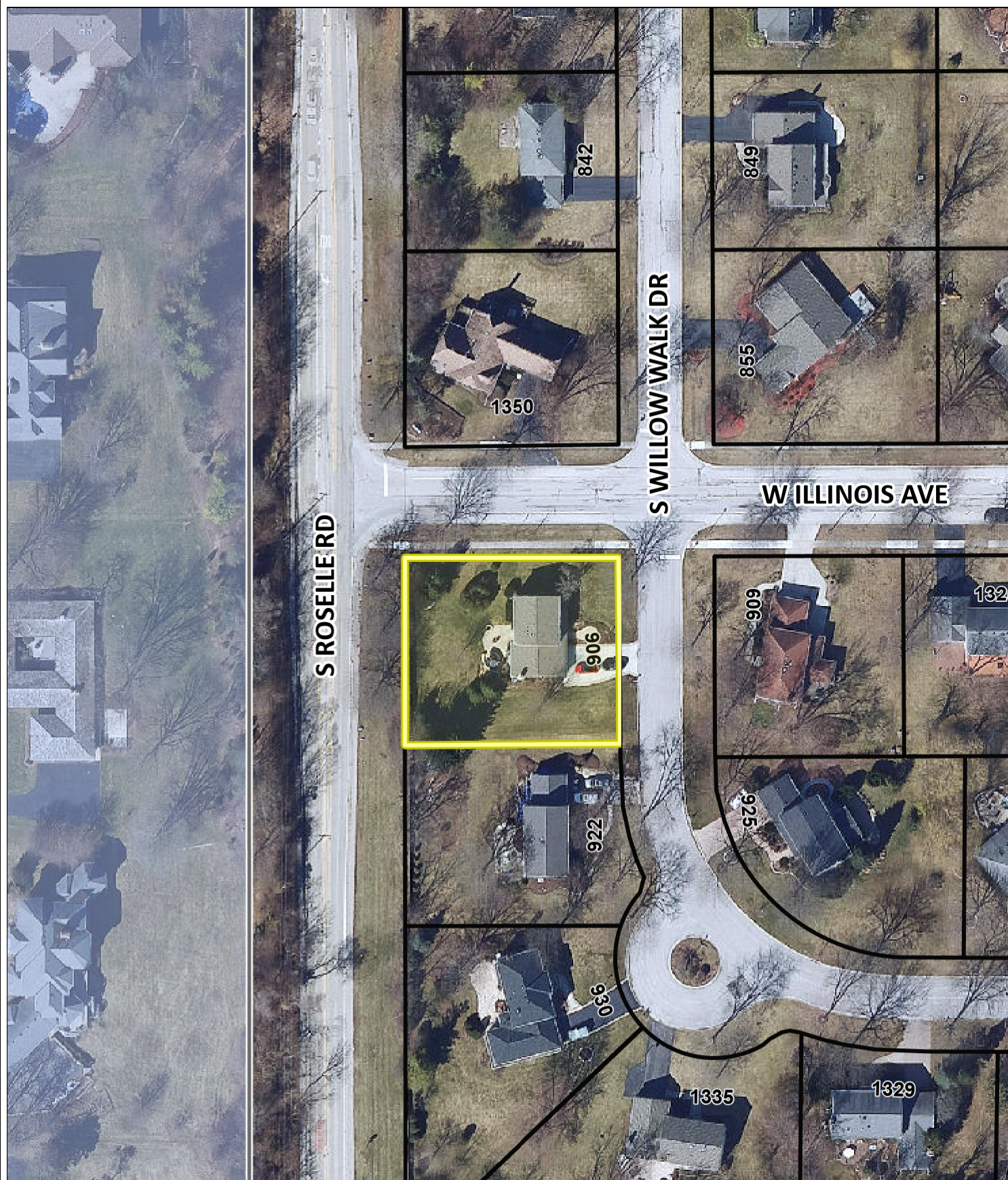
ACTION REQUIRED:

A motion to approve the ordinance granting a Variation to permit a generator to be located within a side yard abutting a street yard, with a minimum 26-foot setback, at 906 S. Willow Walk Drive.

ATTACHMENTS:

- Aerial Map
- ORD VAR 906 S Willow Walk Drive
- EXHIBIT - Site Plan
- EXHIBIT - Landscaping Plan
- September 27, 2022 ZBA Materials
- Draft ZBA Minutes

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Jim Schwantz, Mayor
AYES:	Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Greg Solberg



0 100 200
ft

Print Date: 9/21/2022

Notes

Cook County Aerial 2020

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

ORDINANCE NO. _____
AN ORDINANCE GRANTING A VARIATION
906 S. WILLOW WALK DRIVE

WHEREAS, pursuant to a petition and public hearing on September 27, 2022, of which public notice was given as required by law, the Zoning Board of Appeals of the Village of Palatine, in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, has held such public hearing and reported their findings, relative to a request for a Variation to permit a generator to be located in the side yard abutting a street, with a minimum 26-foot setback, pursuant to Section 10.01 (d) (1) of the Village of Palatine Zoning Ordinance, on the following legally described property:

LOT 222 IN WILLOW WALK UNIT TWO, BEING SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER IN SECTION 21, AND PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, BOTH IN TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON OCTOBER 17, 1972 AS DOCUMENT 2654687.

commonly known as 906 S. Willow Walk Drive (02-28-109-001-0000).

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power that:

SECTION 1: A Variation to permit a generator to be located in the side yard abutting a street, with a minimum 26-foot setback, pursuant to Section 10.01 (d) (1) of the Village of Palatine Zoning

Attachment: ORD VAR 906 S Willow Walk Drive (2022-89 : 906 S. Willow Walk Drive - VAR Generator)

ORDINANCE NO.

Page 2 of 2

Ordinance, is hereby granted, subject to the following condition(s):

1. The Special Use shall substantially conform to the Site Plan and Landscaping Plan submitted by the Petitioner, David Wilkie, except as said plans may be changed to conform to the Village Code of Ordinances.

SECTION 2: That a copy of the public notice be attached hereto and form a part of this ordinance.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED: This _____ day of _____, 2022

AYES:_____ NAYS:_____ ABSENT:_____ PASS:_____

APPROVED by me this _____ day of _____, 2022

Mayor of the Village of Palatine

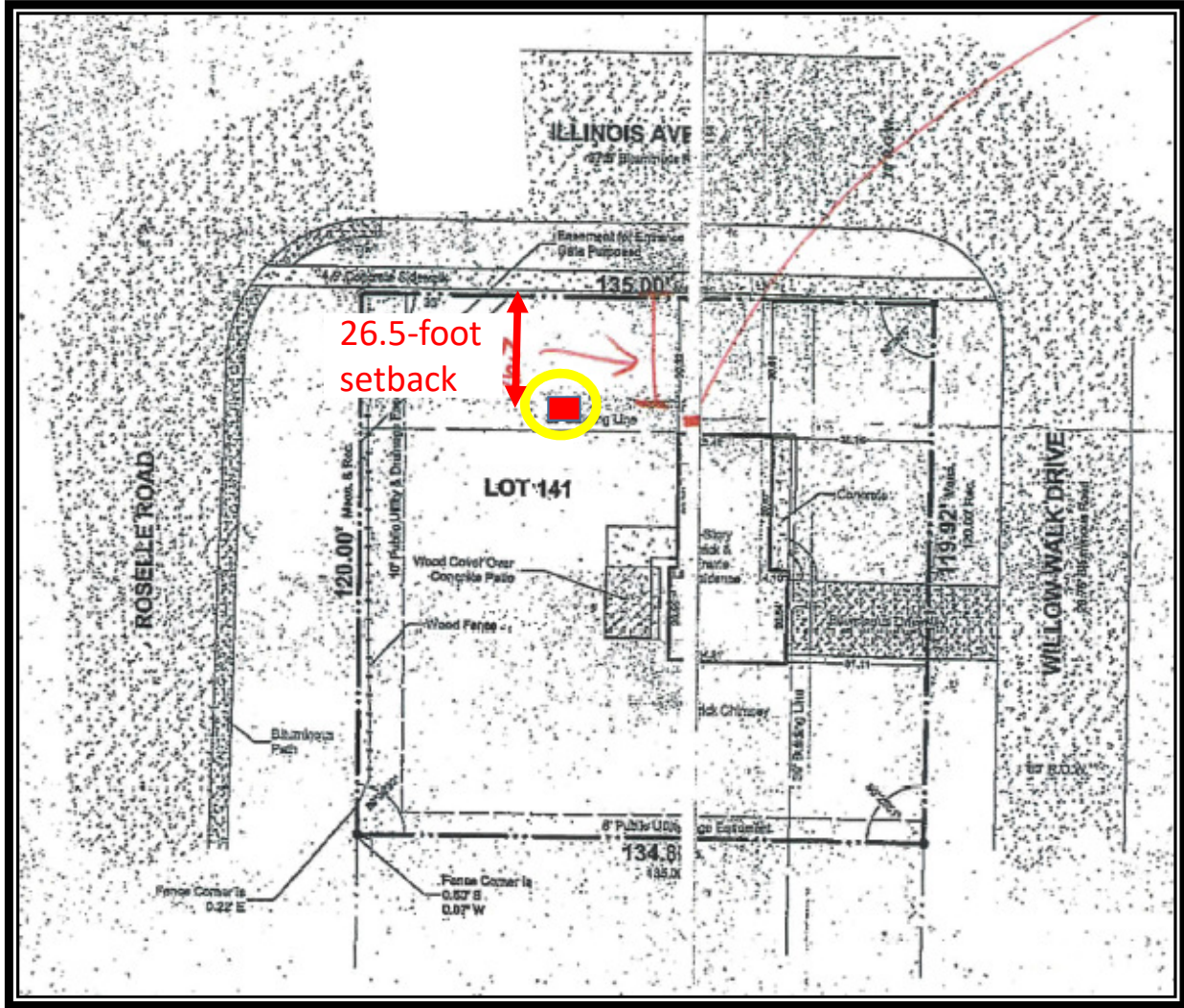
ATTESTED and FILED in the office of the Village Clerk this

_____ day of _____, 2022

Village Clerk

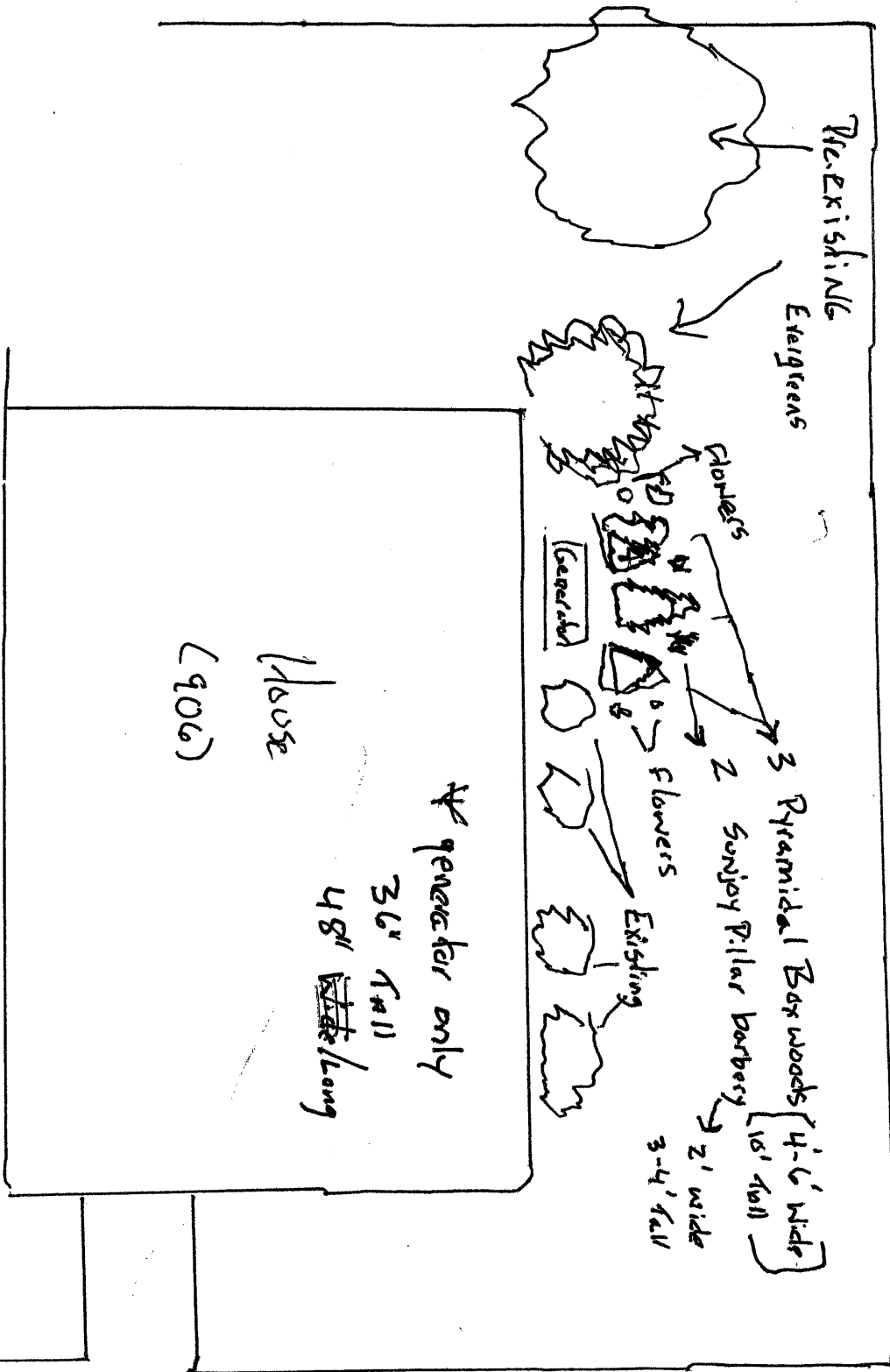
Attachment: ORD VAR 906 S Willow Walk Drive (2022-89 : 906 S. Willow Walk Drive - VAR Generator)

906 S. Willow Walk Drive – Plat of Survey & Site Plan



Roselle Rd.

Illinois Ave



S. Willow Walk Dr.

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 09/27/22 07:00 PM

CASE STAFF STATEMENT (ID # 7866)

906 S. Willow Walk Drive

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: A. Bradshaw

PETITIONER: David Wilkie

CASE NUMBER: 22-38

ADDRESS: 906 S. Willow Walk Drive

PROPOSAL: Variation to permit a generator to be located in a side yard abutting a street.

<u>LOCATION:</u>	906 S. Willow Walk Drive District 2 (Lamerand)	<u>CURRENT ZONING:</u>	R-1A Single-Family Residential
-------------------------	---	-------------------------------	--------------------------------

SURROUNDING CONDITIONS:

<u>North:</u>	R-1A Single-Family Residential
<u>South</u>	R-1A Single-Family Residential
<u>East:</u>	R-1A Single-Family Residential
<u>West:</u>	Village of Inverness - Single-Family Residential

BACKGROUND:

The Petitioner is proposing to install a generator in the required 35-foot side yard abutting a street (W. Illinois Avenue). The proposed generator will be set back approximately 26.5 feet from W. Illinois Avenue, and will have landscaping to provide a buffer from the street. Therefore, the Petitioner is requesting approval of the following:

Variation to permit a generator to be located in the side yard abutting a street.

SITE ANALYSIS:

- The Subject Property is Zoned R-1A, is approximately 16,500 sf in size, and is located within the Willow Walk Unit Two subdivision. The property is uniquely situated as it abuts a street on three sides; S. Roselle Road to the west, W. Illinois Avenue to the north, and S. Willow Walk Drive to the east.
- The Petitioner is proposing to install a generator in the required side yard abutting a

street. Per Code, generators are not permitted obstructions in any required side yard abutting a street, therefore requiring a Standard Variation. The generator will be set back approximately 26.5 feet from the side lot line abutting W. Illinois Avenue.

- Per the submitted application, the Subject Property experiences power outages thus prompting the Petitioner to install a generator. The proposed location is directly next to the gas meter and electrical panel on the north side of the house. Alternate, permissible, locations have been proposed to the Petitioner. However, per the application, this would be the most cost effective and unobtrusive location for a generator.
- The Petitioner has submitted a landscaping plan that will provide a buffer between the generator and W. Illinois Avenue.
- In addition, the Petitioner has submitted three comparable generators on properties in the surrounding area. None of which are in side yards abutting a street, but all can be seen from each respective street.

DEPARTMENTAL REVIEWS:

Community Services	No Issues Identified.
Engineering	No Issues Identified.
Environmental Health	N/A
Fire Prevention	No Issues Identified.
Public Works	N/A
Police	N/A

STANDARDS FOR A VARIATION: Standards for a Variation are found in Section 14.03 D (1) and (2) of the Zoning Code. Specifically, the Petitioners must show that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality. The Petition for Variation is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The Petitioner is proposing to install a generator to help prevent reoccurring power outages. The proposed generator will be located in the required side yard abutting a street, where the required setback is 35 feet. The generator is proposed to be set back approximately 26.5 feet from W. Illinois Avenue, and will have landscaping to provide a buffer that will help to keep the essential character of the locality unchanged.

Staff has provided alternate, permissible, locations for the generator. However, Staff understands that the Petitioner's proposed location will allow for the most logistically

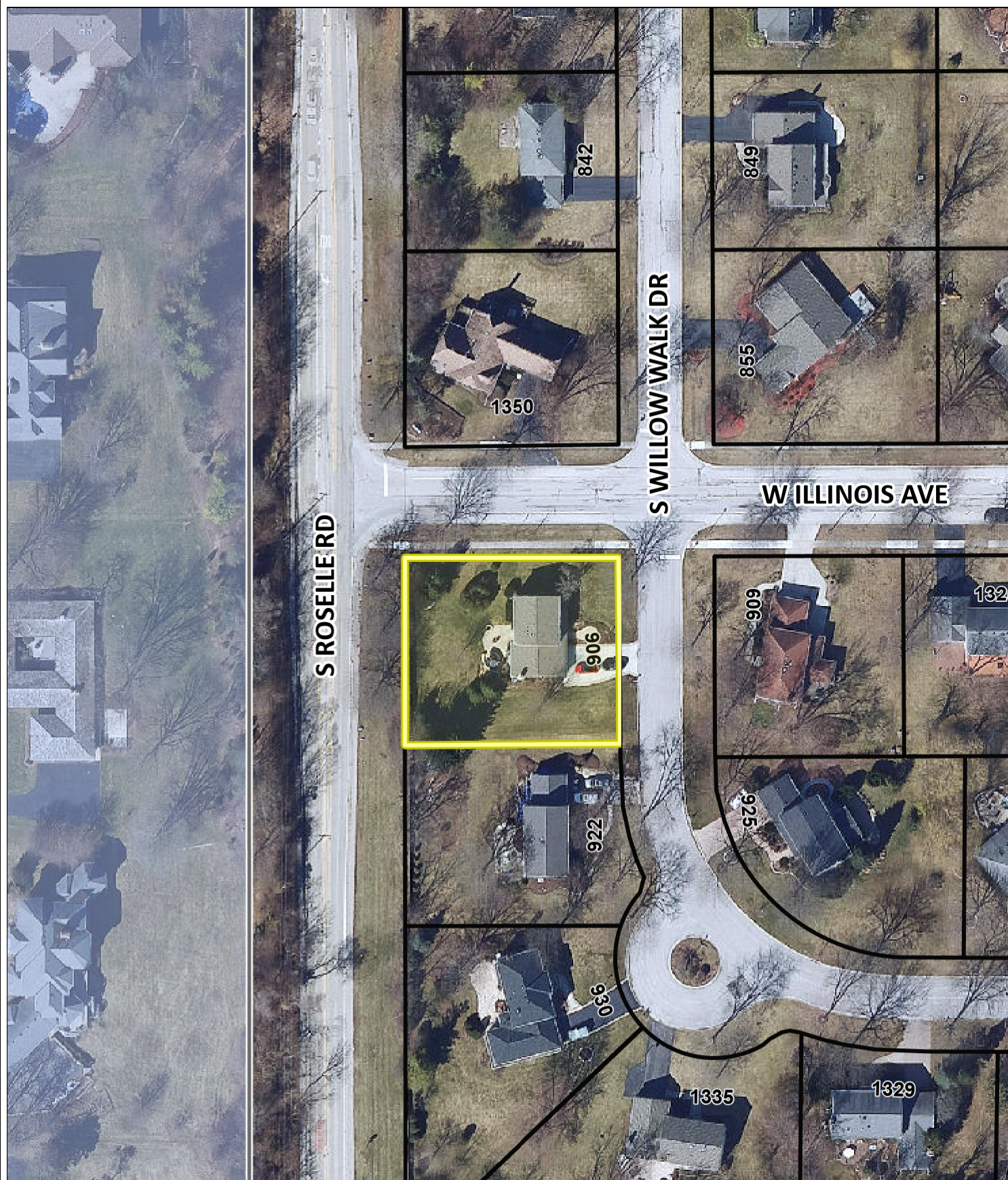
Case Staff Statement (ID # 7866)
Meeting of September 27, 2022

efficient and effective installation. The home having street frontage on three sides also presents locational challenges. Therefore, Staff recommends approval of the requested Variation with the following condition:

1. The Variation shall substantially conform to the Site Plan and Landscaping Plan submitted by the Petitioner, David Wilkie, except as such plans may be changed to conform to the Village Codes and Ordinances.

ATTACHMENTS:

- Aerial Map
- Application
- Plat of Survey - Site Plan
- Landscaping Plan
- Public Notice



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Print Date: 9/21/2022

Notes

Cook County Aerial 2020

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Office Use Only	Project Planner	Zoning Case #
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date

date received

Background Information	PETITIONER(S)		Business Name (if applicable)	
	David & Jenny Wilkie			
	Subject Property Address			
	906 S. Willow Walk Dr. Palatine IL 60067			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	[Sent original Request] Nick Cosentino @ ABT			
	Address		City/State/Zip Code	
	1200 N. Milwaukee Ave		Glenview IL 60025	
	Telephone	Fax	Email	
	847.544.2685		Nick.Cosentino@Abt.com	
Relationship to Petitioner (contractor, architect, etc.)				
TYPE OF APPLICATION (check one)				
☐ Special Use ☐ Special Use Amendment ☒ Variation				
Existing Zoning District		Existing Land Use		Proposed Land Use
R1A		Residential		
Generally describe your request:				
See attached Document for larger font				
The power in our neighborhood goes out constantly. A whole house generator is a necessity since we have flooded in the past due to this issue. The request is to put a whole house generator to be located in the obvious position, next to the gas meter (and electrical panel in the basement) on the north facing side of my house. This is the only place which leaves few options. Therefore, the generator will face one street, however not the address side of the street. The home owner realize this and was planning on planting landscaping in front of the generator to obstruct the view of it from the street (Illinois Ave). The village denial of the original location suggested to put the generator around the corner to the west side of the house (back of				

Attachment: September 27, 2022 ZBA Materials (2022-89 : 906 S. Willow Walk Drive - VAR Generator)

Required Materials

- ☐ Filing Fee of \$ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)

Additional Materials (as required by the Village)

- ☐ Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- ☐ Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- ☐ Photographs (e.g. ground-level or aerials)
- ☐ Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. *If you are applying for a Special Use only, you do not need to answer these items.*

1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

Property value will suffer due to known power outages (if we do not purchase generator)

2. That the plight of the owner is due to unique circumstances

① Power constantly goes out. Causes undo expense + hardship. Flooding has cost approx 12K in damage & house has 3 str.

3. That the variation, if granted, will not alter the essential character of the locality

Landscaping will be added to obstruct generator's view from the road. See Diagram on next page. sides, not enough optic for place

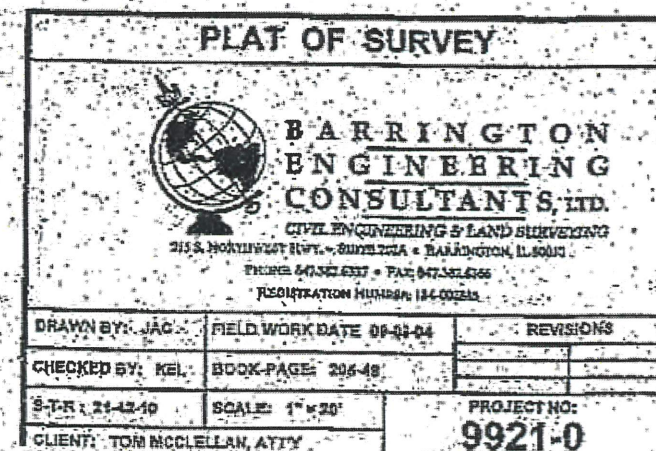
4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:

- a. The particular surroundings, shape, or topographical conditions of the property
- b. A unique hardship for the property not generally applicable to other properties in the same zoning district
- c. The request is not based on a desire to make more money out of the property
- d. The petitioner has not created the alleged hardship for the property
- e. The request will not be detrimental to the public welfare or other properties in the neighborhood
- f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values

a) b) d) sides of house are facing road, not many options for placement

f) The only house this would impact is across a street + we plan to plant landscaping to block it. (See diagram on next page)

b) "Suggested" alternate location blocks back window + very unsightly from inside the house + photo



Roselle Rd.

Illinois Ave

Pre-existing

Evergreens

Flowers

Generator

* generator only

36" Tall

48" ~~wide~~ Long

House

(906)

Flowers

Existing

3 Pyramidal Boxwoods [4'-6' Wide
10' Tall]

2 Sunjoy Pillar barbery

2' wide
3-4' Tall

S. Willow Walk Dr.

3.1.d

PUBLIC NOTICE
 A Public Hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, September 27, 2022 at 7 P.M. in the Village Council Chambers at Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
Variation to permit a generator to be located in a side yard abutting a street.
 The property is commonly known as 906 S. Willow Walk Drive.
 The Petitioner is proposing to install a generator in the required 35-foot side yard abutting a street (W. Illinois Avenue). The proposed generator will be set back approximately 26.5 feet from W. Illinois Avenue, and will have landscaping to provide a buffer from the street.
 The above petition has been filed by David Wilkie and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
FILE #: 22-38
VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board of Appeals
DATED: This 12th day of September, 2022
 Published in Daily Herald September 12, 2022 (4588273)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Northwest Suburbs DAILY HERALD**. That said **Northwest Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of: Arlington Heights, Barrington, Barrington Hills, Bartlett, Buffalo Grove, Deer Park, Des Plaines, Elk Grove, Franklin Park, Glenview, Hanover Park, Hoffman Estates, Inverness, Melrose Park, Morton Grove, Mt Prospect, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Rolling Meadows, Rosemont, Schaumburg, Schiller Park, South Barrington, Streamwood, Wheeling, Wilmette

County(ies) of Cook

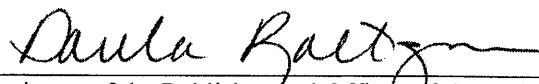
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and in general circulation throughout said Village(s), County(ies) and State

I further certify that the Northwest Suburbs DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a copy, was published 09/12/2022 in said Northwest Suburbs DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, its authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY



Designee of the Publisher and Officer of the Daily Herald

Control # 4588273

Attachment: September 27, 2022 ZBA Materials (2022-89 : 906 S. Willow Walk Drive - VAR Generator)

III. PUBLIC HEARING

1. 906 S. Willow Walk Drive

Notice was published in the Daily Herald on September 12, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey/ Site Plan
4. Landscaping Plan
5. Public Notice

Sworn in staff: Mr. Alex Bradshaw

Sworn in the petitioner: Mr. Dave Wilkie 906 S. Willow Walk Drive

Mr. Wilkie stated they requested a permit to install a generator due to constant power outages in the neighborhood which have resulted in significant financial impacts due to flooding. He stated the whole house generator is a necessity. Mr. Wilkie stated they propose to put the generator in the obvious location where the gas meter and the electrical panel is located. He pointed out the property is on a corner and the generator would be on the north side. Mr. Wilkie stated staff requested the generator be installed on northwest side directly under the dining room window which is an access danger and visible from the inside the home. He stated the only other option would add an additional \$900 to run a gas line the entire length of house. He pointed out there are others in the neighborhood who have generators that are visible from the street. Mr. Wilkie referred to the landscape plan slide to show the shrubbery that will be planted to mask/cover the generator to keep the natural look of neighborhood.

Mr. Luszczyk asked where staff requested the generator to be located.

Mr. Wilkie referred to existing condition slide to show location pointing out it would be visible through the window.

Mr. Luszczyk asked if a generator is supposed to be away from the window.

Mr. Bradshaw stated that is correct agreeing that Fire Prevention may have an issue with its placement near a window.

Discussion on having to run gas and electric across home to relocate to opposite side not facing a street.

Mr. Bradshaw gave a brief overview stating the property is zoned R-1A and is uniquely situated as it abuts a street on 3 sides. He stated to install a generator in the side yard requires a variation. He stated the generator would be setback approximately 26.5 feet from northern property line. Mr. Bradshaw pointed out there are similar generators in neighborhood, none of which are in side yard but

all can be seen from street. He stated Community Services, Engineering, and Fire Prevention have reviewed and no issues were identified.

Mr. Cavanaugh asked if there is an existing variation.
Mr. Bradshaw answered no.

Discussion on setback.

STAFF RECOMMENDATION:

The Petitioner is proposing to install a generator to help prevent reoccurring power outages. The proposed generator will be located in the required side yard abutting a street, where the required setback is 35 feet. The generator is proposed to be set back approximately 26.5 feet from W. Illinois Avenue, and will have landscaping to provide a buffer that will help to keep the essential character of the locality unchanged.

Staff has provided alternate, permissible, locations for the generator. However, Staff understands that the Petitioner's proposed location will allow for the most logistically efficient and effective installation. The home having street frontage on three sides also presents locational challenges. Therefore, Staff recommends approval of the requested Variation with the following condition:

1. The Variation shall substantially conform to the Site Plan and Landscaping Plan submitted by the Petitioner, David Wilkie, except as such plans may be changed to conform to the Village Codes and Ordinances.

There were no further questions. The public hearing was closed.

Mr. Cavanaugh made a motion to approve subject staff's conditions; seconded by Ms. Roth-Wurster

DELIBERATIONS:

Mr. Cavanaugh stated the standards have been met. He pointed out the property is unique with roads on three sides. He stated the owner is trying to protect their home from water when power turns off and this is a good solution.

Ms. Roth-Wurster agreed the standards have been met and it is a unique property. She pointed out the other location does not meet fire code. She stated it won't affect the character of locality with screening.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will tentatively go to Village Council on October 10, 2022.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog

Consider an Ordinance Granting a Special Use for a Fence in the Front Yard at 901 E. Holly Way

BACKGROUND:

The Petitioner proposes to construct a fence encroaching into the 30-foot required front yard of the Subject Property. The proposed 6-foot solid vinyl privacy fence is located within the required front yard along Ivy Place. Therefore, the Petitioner is requesting approval of the following:

Special Use to permit a fence in the required front yard.

KEY ISSUES:

- The Petitioner is proposing to replace an existing 4-foot tall chain link fence with a 6-foot tall solid vinyl fence. The existing chain link fence encroaches 2 feet into the required front yard of the Subject Property. The Petitioner initially applied for a Special Use to allow the new fence setback to be expanded out toward the Ivy Place property line by an additional 2 feet (encroaching 4 feet into the required front yard and 26-foot setback from the front property line).
- There is an existing buffer of substantial landscaping and trees between the proposed fence and said property line. This is proposed to remain with the placement of the new fence. The driveway of the adjacent property to the south, 1907 N. Ivy Place, is approximately 60 feet from the shared property line. Staff does not have any line of sight concerns, as the proposed fence will not extend beyond the existing landscaping on the Subject Property.
- Staff reviewed the initial proposal and determined that there was not adequate justification to further encroach into the required front yard of the Subject Property. At the ZBA meeting, the Petitioner revised the Special Use request to be located where the existing fence is currently placed (28-foot setback from the front lot line).

ALTERNATIVES:

1. Approve the Special Use to permit a fence in the required front yard.
2. Do not approve the Special Use to permit a fence in the required front yard.

RECOMMENDATION:

Public Hearing:	ZBA meeting on September 27, 2022.
Residents testifying:	None.
Vote:	The ZBA voted unanimously to recommend approval of the Special Use to permit the 6-foot solid vinyl fence at the existing fence location (encroaching 2 feet into the required 30-foot front yard). Staff initially recommended denial of the initially proposed 4-foot encroachment into the required front yard. Staff concurs with the ZBA recommendation for the revised Special Use request.

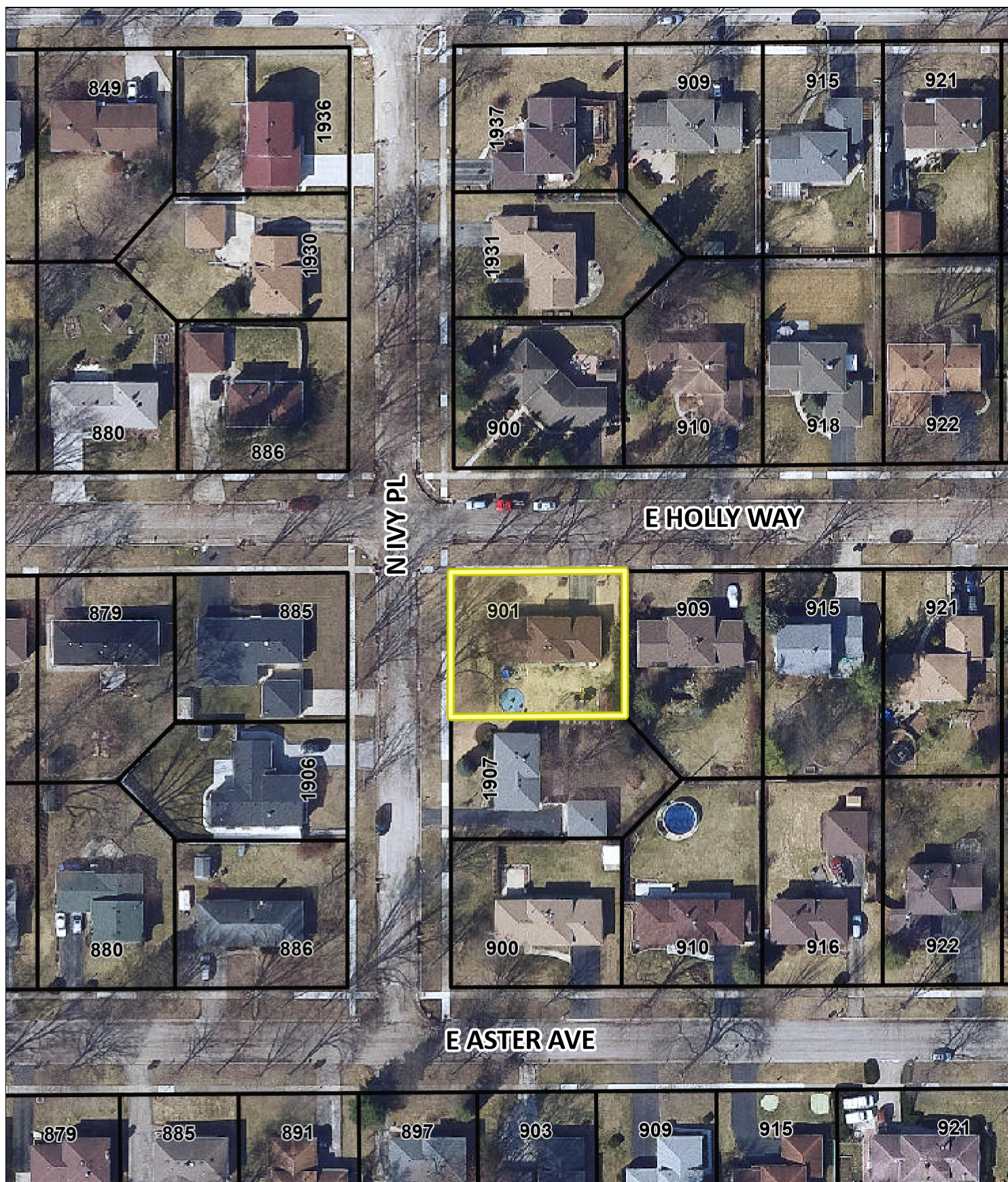
ACTION REQUIRED:

A motion to approve the ordinance granting a Special Use to permit a fence in the required front yard at 901 E. Holly Way,

ATTACHMENTS:

- Aerial Map
- ORD SU 901 E Holly Way
- EXHIBIT - Revised Site Plan
- EXHIBIT - Fence Elevation
- September 27, 2022 ZBA Materials
- Draft ZBA Minutes

RESULT:	MOTION CARRIED BY VOICE VOTE [5 TO 1]
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Lamerand, Myslinski, Kozlowski, Helms
NAYS:	Tim Millar
ABSENT:	Greg Solberg



Attachment: Aerial Map (2022-90 : 901 E. Holly Way - SU Fence in Front Yard)

0 100 200
ft

Print Date: 9/21/2022

Notes

Cook County Aerial 2020

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A SPECIAL USE
901 E. HOLL WAY**

WHEREAS, pursuant to a petition and public hearing on September 27, 2022, of which public notice was given as required by law, the Zoning Board of Appeals of the Village of Palatine, in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, has held such public hearing and reported their findings, relative to a request for a Special Use to permit a fence to encroach 4 feet into the required front yard, pursuant to Section 6.03 (b) (6) (a) of the Village of Palatine Zoning Ordinance, on the following legally described property:

LOT 222 IN PINEHURST MANOR UNIT 1, BEING A SUBDIVISION IN SECTION 1, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 29, 1964 AS DOCUMENT 19112927, IN COOK COUNTY, ILLINOIS.

commonly known as 901 E. Holly Way (02-01-316-001-0000).

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power that:

SECTION 1: A Special Use to permit a fence to encroach 2 feet into the required front yard, pursuant to Section 6.03 (b) (6) (a) of the Village of Palatine Zoning Ordinance, is hereby granted, subject to the following condition(s):

1. The Petitioner's revised request would allow the fence to encroach 2 feet into the required front yard, thus allowing the proposed fence to be placed in the same location as the existing chain link fence.

2. The Special Use shall substantially conform to the Site Plan and Elevation Plan submitted by the Petitioner, Jeff Spitzer, except as said plans may be changed to conform to the Village Code of Ordinances.

SECTION 2: That a copy of the public notice be attached hereto and form a part of this ordinance.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED: This _____ day of _____, 2022

AYES:_____ NAYS:_____ ABSENT:_____ PASS:_____

APPROVED by me this _____ day of _____, 2022

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this
_____ day of _____, 2022

Village Clerk

Attachment: ORD SU 901 E Holly Way (2022-90 : 901 E. Holly Way - SU Fence in Front Yard)

Holly Way

The revised Special Use request was for the new 6-foot fence to replace the existing 4-foot fence with a 28-foot setback (2-foot encroachment).

Elevation of new fence



**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 09/27/22 07:00 PM

CASE STAFF STATEMENT (ID # 7867)

901 E. Holly Way

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: A. Bradshaw

PETITIONER: Jeff Spitzer

CASE NUMBER: 22-37

ADDRESS: 901 E. Holly Way

PROPOSAL: Special Use to permit a fence in the required front yard

<u>LOCATION:</u> 901 E. Holly Way District 4 (Solberg)	<u>CURRENT ZONING:</u> R-2 Single-Family Residential
--	--

SURROUNDING CONDITIONS:

<u>North:</u>	R-2 Single-Family Residential
<u>South</u>	R-2 Single-Family Residential
<u>East:</u>	R-2 Single-Family Residential
<u>West:</u>	R-2 Single-Family Residential

BACKGROUND:

The Petitioner is proposing to construct a fence that encroaches into the 30-foot required front yard of the Subject Property. The proposed 6-foot tall, solid vinyl, fence will be set back approximately 26 feet from the property line abutting N. Ivy Place. Therefore, the Petitioner is requesting approval of the following:

Special Use to permit a fence in the required front yard.

SITE ANALYSIS:

- The Subject Property is zoned R-2, Single Family (Pinehurst Manor Unit One Subdivision) and contains a single-family residence. The lot is approximately 10,340 square feet and is located at the SE corner of E. Holly Way and N. Ivy Place.
- The Petitioner is proposing to replace an existing 4-foot tall chain link fence with a 6-foot tall solid vinyl privacy fence. The existing chain link fence encroaches 2 feet into the required front yard of the Subject Property. With that said, the new fence line will

Attachment: September 27, 2022 ZBA Materials (2022-90 : 901 E. Holly Way - SU Fence in Front Yard)

Case Staff Statement (ID # 7867)
Meeting of September 27, 2022

be expanded out towards N. Ivy Place an additional 2 feet, therefore the proposed fence will encroach a total of 4 feet into the required front yard.

- The proposed fence will be setback approximately 26 feet from the front property line abutting N. Ivy Place. There is an existing buffer of substantial landscaping and trees between the proposed fence and said property line.
- The driveway of the adjacent property to the south, 1907 N. Ivy Place, is approximately 60 feet from the shared property line. Line of sight does not appear to be a concern as the proposed fence will not extend beyond the existing landscaping on the Subject Property.
- Per the submitted application, the existing fence is in poor condition and the replacement will enhance the vista of the area. The Petitioner also noted that there are also a few comparably located fences in the area, however, all of which are either in a side yard abutting a street or are existing non-conforming with the current Zoning Ordinance.

DEPARTMENTAL REVIEWS:

Community Services	There does not appear to be adequate justification provided to encroach into the required front yard of the Subject Property.
Engineering	No Issues Identified.
Environmental Health	N/A
Fire Prevention	N/A
Public Works	N/A
Police	N/A

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2), (3), and (5) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected and will not cause substantial injury to the value of other property in the neighborhood in which it is located. The Petitioners have attempted to address the required standards.

- (5) With respect to front yard fencing and fencing in a rear yard/side yard abutting a street, the following additional standards must be met:
 - a. Will meet the following aesthetic criteria:
 - i. Will not destroy existing vistas in the area;
 - ii. Will enhance the appearance of the homes and the streets in the area;

- iii. Will not detract from the overall appearance of the community; or
- b. The fencing is found to be necessary to protect private property or the safety of the inhabitants of the property.

STAFF RECOMMENDATION:

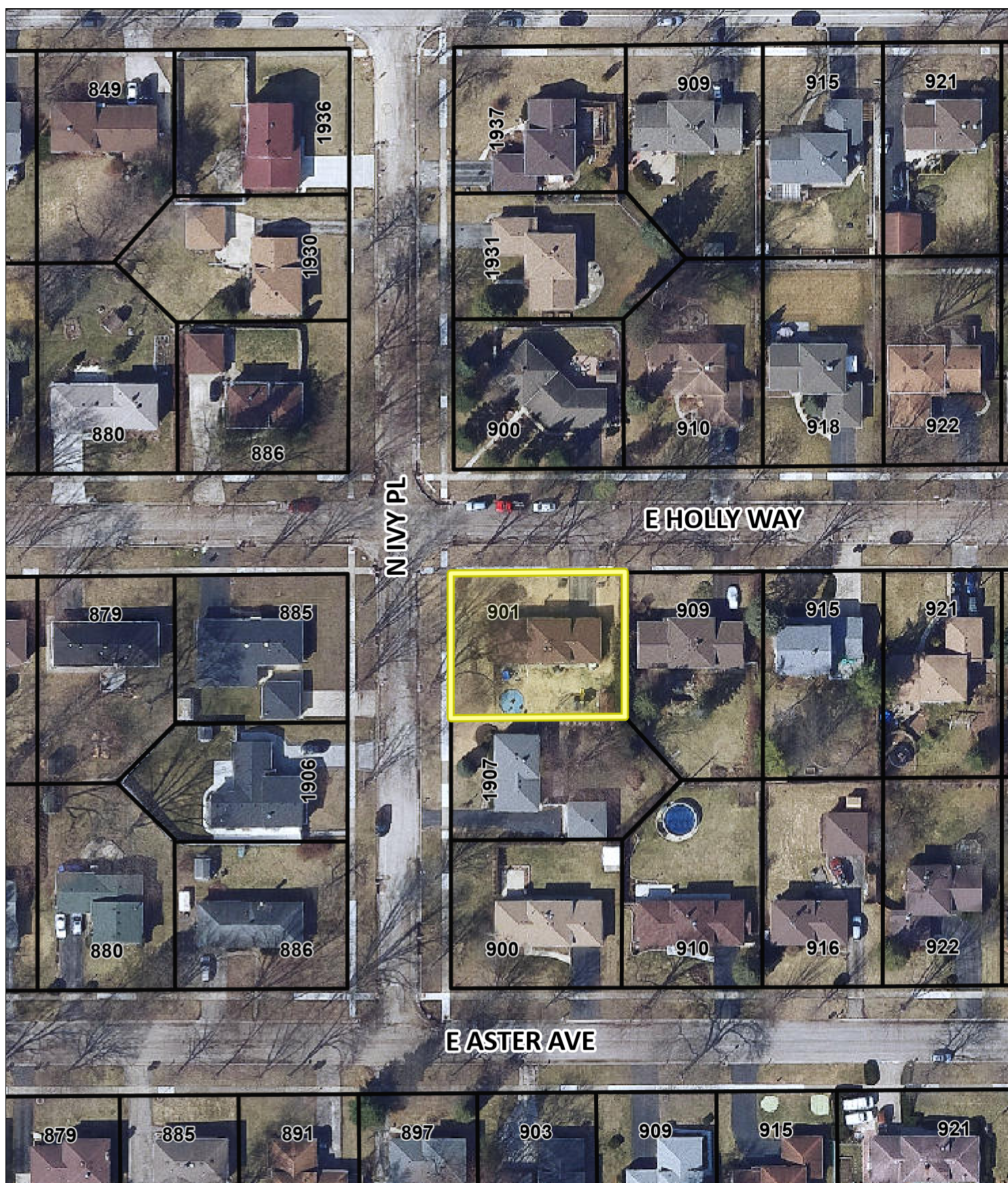
The Petitioner is proposing to relocate and expand an existing fence, which is in disrepair, with a 6-foot tall solid vinyl privacy fence that will encroach 4 feet into the required front yard of the Subject Property. The Petitioner's justification indicates that the proposal will not take away from the existing vista in the area, as there is existing landscaping that will remain as a buffer between the fence and the lot line abutting N. Ivy Place.

However, Staff does not believe that there has been adequate justification provided by the Petitioner to encroach into the required front yard, and the proposed 6-foot solid vinyl fence is taller, more substantial, and encroaches further into the required front yard than the existing fence. Additionally, per the submitted materials, Staff did not find the encroachment to be necessary to protect private property or the safety of the inhabitants. Therefore, Staff recommends denial of the request to the Zoning Board of Appeals. If the Zoning Board of Appeals recommends approval, Staff recommends the following condition:

1. The Special Use shall substantially conform to the Site Plan and Elevation submitted by the Petitioner, Jeff Spitzer, except as such plans may be changed to conform to the Village Codes and Ordinances.

ATTACHMENTS:

- Aerial Map
- Application
- Plat of Survey
- Site Plan
- Fence Elevation
- Public Notice



Attachment: September 27, 2022 ZBA Materials (2022-90 : 901 E. Holly Way - SU Fence in Front Yard)

0 100 200
ft

Print Date: 9/21/2022

Notes

Cook County Aerial 2020

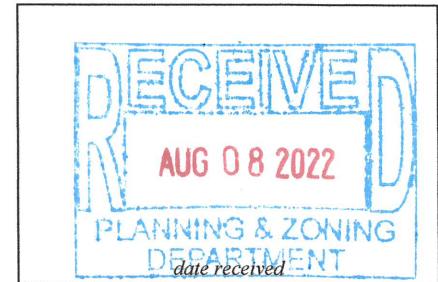
Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Office Use Only	Project Planner	Zoning Case #
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S) Jeff Spitzer		Business Name (if applicable)		
	Subject Property Address 901 E Holly Way				
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)		
	Address		City/State/Zip Code		
	Telephone	Fax	Email		
	Relationship to Petitioner (contractor, architect, etc.)				
	TYPE OF APPLICATION (check one) ☒ Special Use ☐ Special Use Amendment ☐ Variation				
	Existing Zoning District		Existing Land Use		Proposed Land Use
	Generally describe your request: Replacement of approximately 4ft high chain link fence along N Ivy Place with a 6ft vinyl privacy fence. The new fence will be extended west 2 ft from its existing location toward N Ivy Place. Existing chain link fence along the north, east and south will be replaced with 6 ft vinyl privacy fence on the same fence line. A 4 ft wide access gate will be added to the fence along E Holly Way.				

Attachment: September 27, 2022 ZBA Materials (2022-90 : 901 E. Holly Way - SU Fence in Front Yard)



SPECIAL USE

Required Materials

- ☐ Filing Fee of \$ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)
- ☐ Business Plan (if applicable; including, but not limited to nature of business, hours of operation, number of employees, and menu)

Additional Materials (as required by the Village)

- ☐ Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- ☐ Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- ☐ Photographs (e.g. ground-level or aerials)
- ☐ Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.05 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Variation only, you do not need to answer these items.***

1. The use is deemed necessary for the public convenience at that location

Public convenience will not be impacted

2. The use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected

The public health, safety and welfare will be protected.

3. The use will not cause substantial injury to nearby property values

Replacing the existing, damaged fence will improve the aesthetics and benefit the property values of the homes. The fence will not extend beyond the existing landscaping in front of 1907 N Ivy Place so their vistas will not be obscured. The current landscaped island at 901 E Holly Way along N Ivy Place will partially obscure the view of the fence from N Ivy Place thereby maintaining the island landscaping as the current focal point.

4. With respect to live entertainment uses, the use shall not:

- a. Produce noise levels so great as to constitute an unreasonable interference for persons outside the confines of the establishment
- b. Impose undue health, sanitation or safety burdens on the village
- c. Create excessive demands on the Village of Palatine Police Department
- d. Be of a nature otherwise prohibited by law or village ordinance

5. For fence standards, see Section 14.05 of the Palatine Zoning Ordinance

The fence will enhance the appearance of the home. Other properties in Pinehurst Manor have 6 ft fencing extending further into the front of the property from this planned fence line change.

Standards for Fencing Requiring Special Use Review:

14.05 (5) With respect to front yard fencing and fencing in a rear yard/side yard abutting a street, the following additional standards must be met:

a. Will meet the following aesthetic criteria:

i. Will not destroy existing vistas in the area;

The vista from the front of the neighbor's house at 1907 Ivy Lane immediately south of our house will not be obstructed by the fence. Also, their landscaping blocks their view of the fence from in their front yard. For our neighbors on the west side of Ivy Lane across the street, our landscaped island will still be between the fence and their view so there is little change of their existing vista.

ii. Will enhance the appearance of the homes and the streets in the area; and

The new fence will be replacing a fence destroyed by a parkway tree during a storm and temporarily repaired so it will improve the appearance of the street. The fence is also like others on the street so it will blend with the existing appearance.

iii. Will not detract from the overall appearance of the community; or

There are other white vinyl privacy fences in Pinehurst Manor so it will fit into the existing appearance of the homes in the subdivision.

b. The fencing is found to be necessary to protect private property or the safety of the inhabitants of the property.

Installing a 6-foot privacy fence would protect my small dogs from harm or death from the coyotes frequently coming into our neighborhood and my yard from Deer Grove Forest Preserve less than ½ mile away. Our house was burglarized and entrance was gained from the patio door in the backyard. The fence will be a deterrent for burglars and protect my family, home, and property.

Plat

OF PROPERTY DESCRIBED AS:

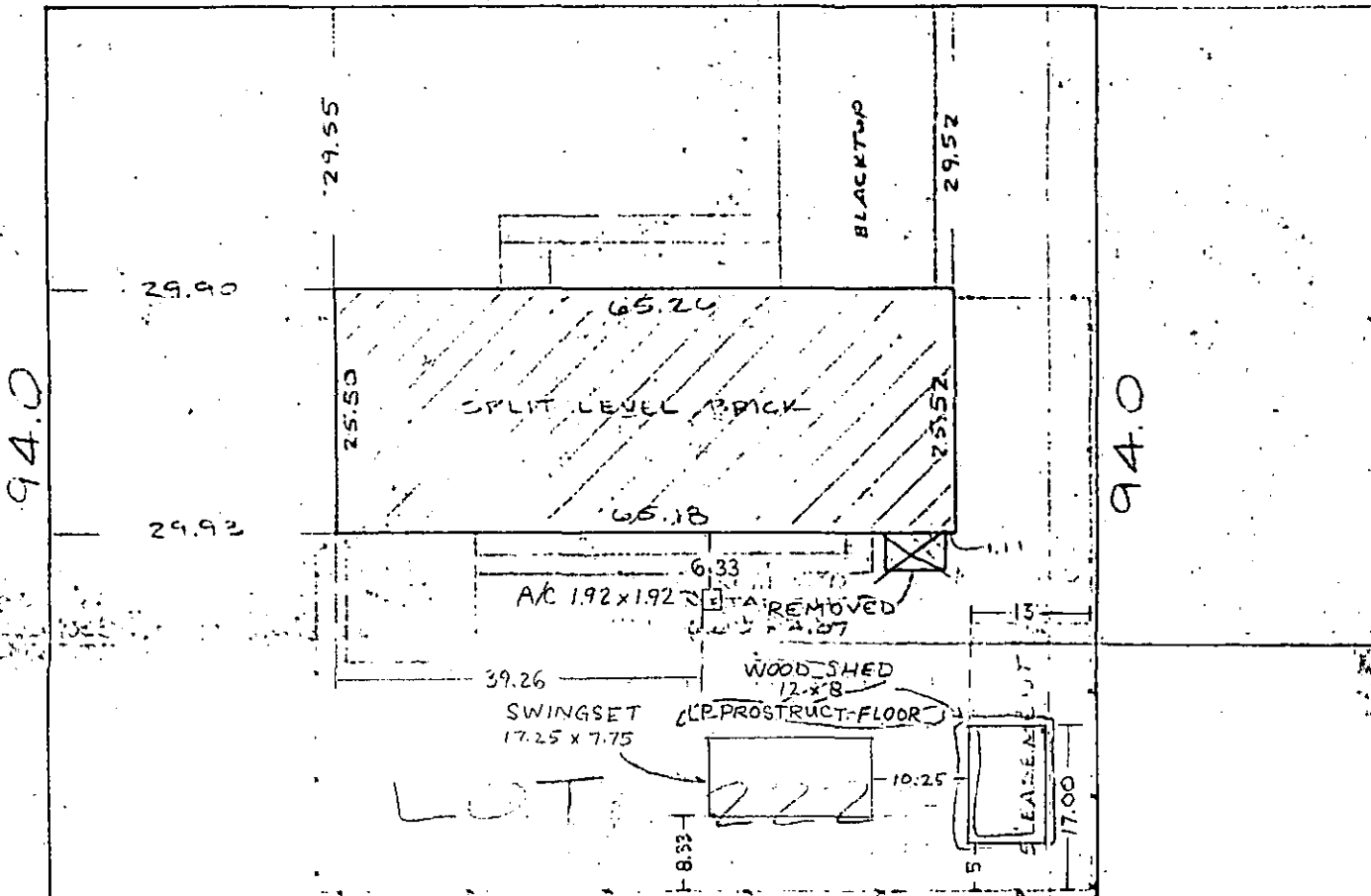
Lot 222 in Pinehurst Manor Unit 1, being a Subdivision in Section 1, Township 42 North, Range 10, East, of the Third Principal Meridian, according to the Plat thereof recorded April 29, 1964 as Document 19,112,927, in Cook County, Illinois.

WY PLACE

HOLLY WAY

(#901)

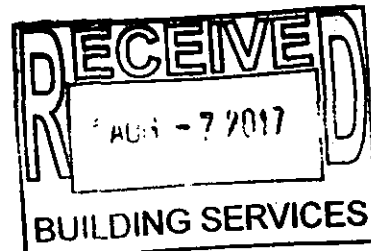
110.0



APPROVED

APPROVED 8/8/17 BY KR
PLANNING & ZONING

As a requirement of this permit, if not already in place, a carbon monoxide alarm shall be installed in accordance with section R315 of the 2009 International Residential Code. A copy of this code section can be found on the Village of Palatine website.



Scale: 1"=20'
Ordered: Henry James
Buyer: Spitzer
Page: 42-10-1E
Drawn: JCV
Job: A38,929S
City: Palatine

STATE OF ILLINOIS
COUNTY OF KANE ss JULY 20, 1939

I hereby certify that the buildings on lot shown are within property lines and that the adjoining improvements do not encroach on said premises.

Alan J. Coulson

Any discrepancy in measurements should be promptly reported to surveyor for explanation or correction.

WE DO NOT CERTIFY AS TO LOCATION OF UNDERGROUND UTILITIES OR UNDERGROUND IMPROVEMENTS.

OF THIS is a Mortgagee's inspection and to be used for no other purpose, such as installing fences. Corners have not been set or monumented.

ALAN J. COULSON, P.C.
REGISTERED LAND SURVEYORS
ILLINOIS - WISCONSIN

205 W. MAIN ST.
W. DUNDEE, ILL. 60118
PHONE 312-426-2911

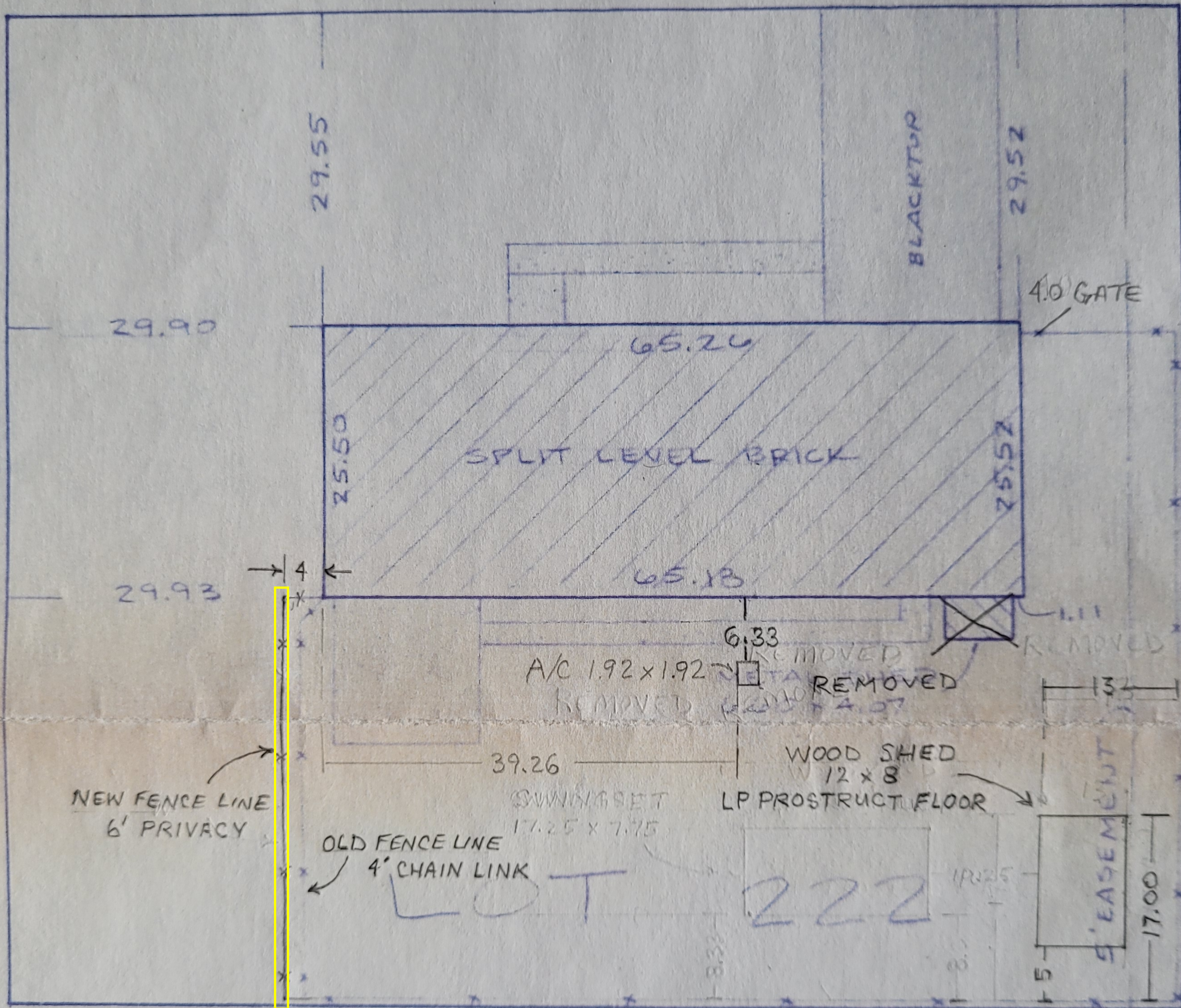
Compare the description on this plat with deed. Refer to deed for easements and building lines.

HOLLY WAY
(#901)

110.0

94.0

94.0



Elevation of new fence



PUBLIC NOTICE
A Public Hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, September 27, 2022 at 7 P.M. in the Village Council Chambers at Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
Special Use to permit a fence in the required front yard.

The property is commonly known as 901 E. Holly Way. The Petitioner is proposing to construct a fence that encroaches into the 30-foot required front yard of the Subject Property. The proposed 6 foot tall, solid board-on-board, fence will be set back approximately 26 feet from the property line abutting N. Ivy Place.

The above petition has been filed by Jeff Spitzer and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 22-37
VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board
of Appeals

DATED: This 12th day of September, 2022
Published in Daily Herald
September 12, 2022 (4588272)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Northwest Suburbs DAILY HERALD**. That said **Northwest Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of: Arlington Heights, Barrington, Barrington Hills, Bartlett, Buffalo Grove, Deer Park, Des Plaines, Elk Grove, Franklin Park, Glenview, Hanover Park, Hoffman Estates, Inverness, Melrose Park, Morton Grove, Mt Prospect, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Rolling Meadows, Rosemont, Schaumburg, Schiller Park, South Barrington, Streamwood, Wheeling, Wilmette

County(ies) of Cook

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and its general circulation throughout said Village(s), County(ies) and State.

I further certify that the Northwest Suburbs DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a copy, was published 09/12/2022 in said Northwest Suburbs DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, its authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Laurel Baltz
Designee of the Publisher and Officer of the Daily Herald

Control # 4588272

Attachment: September 27, 2022 ZBA Materials (2022-90 : 901 E. Holly Way - SU Fence in Front Yard)

2. 901 E. Holly Way

Notice was published in the Daily Herald on September 12, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Fence Elevation
6. Public Notice

Sworn in the petitioner: Mr. Jeff Spitzer 901 E. Holly Way

Mr. Spitzer stated they are doing a patio and a fence project. He stated the existing fence was destroyed in a storm 2 years ago and repaired but wants to beautify the home and replace fence with 6-foot privacy fence. Mr. Spitzer explained they are looking for privacy from people driving down Ivy and protection from coyotes. He stated the house has been burglarized through the backyard patio door so they feel this gives more protection. Mr. Spitzer stated the patio contractor indicated the grill would be too close to the fence at current location and that 3ft was recommended so looking to move the fence out an additional 2 feet from current location.

Ms. Wood asked if the grill can be moved.

Mr. Spitzer stated the gas supply for the grill is located there. He explained if have to move the grill 3 feet from current fence it would be in front of the patio door which is not safe, and if they move to other side of the patio the cost of moving the gas line would be increased.

Mr. Luszcak if they spoke to the neighbor.

Mr. Spitzer answered yes and there is no issues. He pointed out it won't obstruct any views.

Ms. Wood asked what the special use is for.

Mr. Bradshaw explained for a fence to encroach 4 feet into the front yard.

Ms. Wood asked what would be allowed.

Mr. Bradshaw explained the petitioner can replace the existing fence with same height and style.

Mr. Pirog asked Mr. Spitzer if they are set on the 6 feet.

Mr. Spitzer answered yes explaining the 6ft would give better protection.

Ms. Wood clarified the fence is for safety, privacy, and crime deterrent.

Mr. Spitzer answered yes

Mr. Cavanaugh asked how old existing fence is.
Mr. Spitzer answered 33 years.

Mr. Cavanaugh asked if there is another material for the fence that can be used that would be more heat resistance and not require the additional feet.
Mr. Spitzer stated he is not sure if there is treated wood that is fire proof.

Mr. Luszczyk suggested adding sheet metal to protect.
Mr. Spitzer stated that may be an option but would want it to look aesthetically pleasing.

Mr. Pirog asked if there is an extension to move grill over slightly.
Mr. Spitzer explained if moved it would be in front of patio doors.

Ms. Wood asked about comparable fences in area.
Mr. Spitzer spoke of other properties that have 6ft vinyl referring to slides he brought showing locations.

Discussion on other fences being in front yards / existing non-conforming.

Mr. Bradshaw gave a brief overview stating the petitioner is proposing to construct a fence that encroaches into the 30-foot front yard. He stated the 6-foot vinyl fence would be setback approx. 26 feet from lot line abutting Ivy Place. He spoke to the existing landscape buffer that is between the proposed fence and property line. Mr. Bradshaw pointed out the neighboring driveway is approx. 60 feet from shared line therefore line-of-sight does not appear to be a concern. He stated Community Services reviewed and indicated there does not appear to be adequate justification provided to encroach into the required front yard of the Subject Property. Mr. Bradshaw stated Engineering reviewed as well and did not identify any issues.

Ms. Wood pointed out there are a lot of solid fences in neighborhood.
Mr. Bradshaw explained they are nonconforming pre-existing to current zoning code.

Ms. Wood asked about other burglaries in neighborhood.
Mr. Bradshaw stated staff has no knowledge.

STAFF RECOMMENDATION:

The Petitioner is proposing to relocate and expand an existing fence, which is in disrepair, with a 6-foot tall solid vinyl privacy fence that will encroach 4 feet into the required front yard of the Subject Property. The Petitioner's justification indicates that the proposal will not take away from the existing vista in the area, as there is existing landscaping that will remain as a buffer between the fence and the lot line abutting N. Ivy Place.

However, Staff does not believe that there has been adequate justification provided by the Petitioner to encroach into the required front yard, and the proposed 6-foot solid vinyl fence is taller, more substantial, and encroaches

further into the required front yard than the existing fence. Additionally, per the submitted materials, Staff did not find the encroachment to be necessary to protect private property or the safety of the inhabitants. Therefore, Staff recommends denial of the request to the Zoning Board of Appeals. If the Zoning Board of Appeals recommends approval, Staff recommends the following condition:

1. The Special Use shall substantially conform to the Site Plan and Elevation submitted by the Petitioner, Jeff Spitzer, except as such plans may be changed to conform to the Village Codes and Ordinances.

Mr. Pirog asked if the only option instead of variation is to replace with a 4-foot fence.

Mr. Bradshaw answered yes or move back to conform to 30 feet setback.

Ms. Wood asked if the board can approve the fence but not the 2 additional feet. Mr. Bradshaw explained the current fence encroaches 2 feet into the required setback so would still require a special use to install a 6-foot solid fence in the existing location.

Mr. Spitzer clarified the fence could be approved at the existing line at 6 feet in height.

Ms. Wood stated if the board approved.

Mr. Cavanaugh asked Mr. Spitzer if they would be okay with that.

Mr. Spitzer stated they would be open and would apply something to protect the fence as Mr. Luszczyk suggested.

Ms. Roth-Wurster asked if the gas grill was there when they bought the home.

Mr. Spitzer answered no they installed.

There were no further questions. The public hearing was closed.

Mr. Luszczyk made a motion to approve the 6-foot solid vinyl fence at the existing fence location; seconded by Mr. Cavanaugh

DELIBERATIONS:

Mr. Luszczyk stated the fence was there already and understands the need for privacy and security.

Mr. Cavanaugh stated the only complaint is for the additional encroachment into the front yard so keep where it is. He stated the contractor can figure out the heat issue.

Mr. McGinn stated the only issue is with the immediate neighbor (1907) who is ok with it and there is no sight line impacts so meet standards.

Ms. Wood stated she is not a fan of vinyl but that's her preference. She pointed

out the neighborhood has a good amount of fences close to the lot lines so would be conforming to the area. She stated the petitioners have good reason with burglary and coyotes so makes sense for safety.

Ms. Roth-Wurster agreed with Ms. Wood.

Ms. Wood summarized that this request has met the standards and was unanimously approved as amended by a vote of 6-0. This item will tentatively go to Village Council on October 10, 2022.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Jerry Luszczak, Commissioner
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog

Consider an Ordinance Decreasing the Number of Class D Liquor Licenses by One for El Rancho Alegre, 1160 E. Dundee Road

BACKGROUND:

Azucena Zetina, owner of El Rancho Alegre restaurant notified the Village on September 16, 2022, that the business is closed. Therefore, it is appropriate to reduce the number of Class D Liquor Licenses from 36 to 35.

KEY ISSUES:

It is appropriate to remove their Class D liquor license from the Code. An ordinance has been prepared reducing the number of Class D liquor licenses by one.

ALTERNATIVES:

1. Approve the ordinance.
2. Do not approve the ordinance.

RECOMMENDATION:

Staff recommends approval of the ordinance.

BUDGET IMPACT:

Class D liquor license annual fee of \$3,854.

ACTION REQUIRED:

Motion to approve the ordinance decreasing the number of Class D liquor licenses by one.

ATTACHMENTS:

- ORD Decrease Class D Liq El Rancho Alegre

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Greg Solberg

ORDINANCE NO. _____

**CONSIDER AN ORDINANCE DECREASING THE NUMBER OF
CLASS D LIQUOR LICENSES PURSUANT TO CHAPTER 3, SECTION 3-37
OF THE VILLAGE OF PALATINE CODE OF ORDINANCES FOR
GARCIA'S MEXICAN FOOD CO. D/B/A EL RANCHO ALEGRE LOCATED AT
1160 E. DUNDEE ROAD**

BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine,
Cook County, Illinois, acting in the exercise of their home rule power:

SECTION 1: That the number of Class D (Restaurant) Liquor Licenses shall
decrease by one from thirty-six (36) to thirty-five (35), for El Rancho Alegre, 1160 E.
Dundee Road, Palatine, IL

SECTION 2: That all ordinances or parts of ordinances in conflict herewith
are hereby repealed.

SECTION 3: That this ordinance shall be in full force and effect from and
after its passage and approval as provided by law.

PASSED this _____ day of _____, 2022

AYES: _____ **NAYS:** _____ **ABSENT:** _____ **PASS:** _____

APPROVED by me this _____ day of _____, 2022

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this

_____ day of _____, 2022

Village Clerk

Consider a Motion to Award a Contract for the Smith Street Bike Path Connection Project

BACKGROUND:

One of the few remaining components of the implementation of the Village's Bike Plan is the connection of the bikeway system to the Deer Grove Forest Preserve at the intersection of Smith Street and Dundee Road. The proposed path will connect the existing bike route on Smith Street to the path in the Deer Grove East Forest Preserve. In addition, Smith Street will be signed as a bike route between Dundee Road and Cunningham Drive.

KEY ISSUES:

- On Tuesday, September 13, 2022, two bids were received, ranging from a high of \$279,231.00 to a low of \$244,940.60.
- The low responsive and responsible bidder was A Lamp Concrete Contractors, Incorporated of Schaumburg, Illinois in the amount of \$244,940.60.
- The Engineer's estimate was \$220,162.

ALTERNATIVES:

1. Award the contract for the Smith Street Bike Path Connection to A Lamp Concrete Contractors.
2. Refer back to Staff with comments.

RECOMMENDATION:

It is recommended that the contract for the Smith Street Bike Path Connection Project be awarded to A Lamp Concrete Contractors.

BUDGET IMPACT:

Funding is available in the 2022 Capital Improvement Program to accommodate this work. The cost will be offset by reimbursements from Cook County and the Palatine Park District. The County will reimburse \$115,000 of the total project cost and the Park District will reimburse all costs for the improvements above \$115,000 equally with the Village. Both reimbursements would be received after the project is complete.

ACTION REQUIRED:

Motion to award the contract for the Smith Street Bike Path Connection Project to A Lamp Concrete Contractors, Incorporated of Schaumburg, Illinois in the amount of \$244,940.60.

ATTACHMENTS:

- Bid Tabulation
- Location Map

RESULT: **APPROVED BY VOICE VOTE [UNANIMOUS]**
MOVER: Doug Myslinski, District 3 Councilman
SECONDER: Brad Helms, District 6 Councilman
AYES: Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT: Greg Solberg

VILLAGE OF PALATINE

Bidding Summary

Smith Street Bike Path Connection

11:00 AM Tuesday, September 13, 2022

	Bidding Contractors	As Read Bid Amount	As Corrected Bid Amount
1	A Lamp Concrete Contractors	\$ 244,940.60	Correct as Read
2	Schroeder Asphalt Services, Inc.	\$ 279,231.00	Correct as Read

Bid open: 11:00 AM Tuesday, September 13, 2022

Location: Village Hall

VILLAGE OF PALATINE - DEPARTMENT OF PUBLIC WORKS

TABULATION OF BIDS

FOR

Smith Street Bike Path Connection

DPW- 2219

Section # N/A

COMPUTED BY: Matt Grenning

6.B.1.a

Red unit price = unit price is above median unit price Blue unit price = unit price is equal to median unit price Green unit price = unit price is below median unit price				Cost Estimate		Low Bidder		2					
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
20100110	TREE REMOVAL (6 TO 15 UNITS DIAMETER)	UNIT	60	\$150.00	\$9,000.00	\$21.00	\$1,260.00	\$57.00	\$3,420.00				
20101000	TEMPORARY FENCE	FOOT	900	\$4.00	3,600.00	\$0.01	9.00	5.50	4,950.00				
20101100	TREE TRUNK PROTECTION	EACH	17	\$150.00	2,550.00	\$50.00	850.00	210.00	3,570.00				
*20101200	TREE ROOT PRUNING	EACH	7	\$200.00	1,400.00	\$115.00	805.00	210.00	1,470.00				
*20101300	TREE PRUNING (1 TO 10 INCH DIAMETER)	EACH	3	\$200.00	600.00	\$80.00	240.00	160.00	480.00				
*20101350	TREE PRUNING (OVER 10 INCH DIAMETER)	EACH	4	\$200.00	800.00	\$125.00	500.00	210.00	840.00				
20200100	EARTH EXCAVATION	CU YD	20	\$40.00	800.00	\$72.00	1,440.00	103.00	2,060.00				
20201200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CU YD	250	\$40.00	10,000.00	\$41.00	10,250.00	65.00	16,250.00				
20800150	TRENCH BACKFILL	CU YD	3	\$60.00	180.00	\$70.00	210.00	70.00	210.00				
21001000	GEOTECHNICAL FABRIC FOR GROUND STABILIZATION	SQ YD	600	\$3.50	2,100.00	\$2.50	1,500.00	3.00	1,800.00				
21101615	TOPSOIL FURNISH AND PLACE, 4"	SQ YD	500	\$9.00	4,500.00	\$5.75	2,875.00	10.50	5,250.00				
25000210	SEEDING, CLASS 2A	ACRE	0.1	\$10,000.00	1,000.00	\$10,000.00	1,000.00	14,750.00	1,475.00				
25000312	SEEDING, CLASS 4A	ACRE	0.1	\$10,000.00	1,000.00	\$12,500.00	1,250.00	13,825.00	1,382.50				
25100630	EROSION CONTROL BLANKET	SQ YD	500	\$4.00	2,000.00	\$4.25	2,125.00	3.15	1,575.00				
25200200	SUPPLEMENTAL WATERING	UNIT	4	\$100.00	400.00	\$25.00	100.00	55.00	220.00				
28000400	PERIMETER EROSION BARRIER	FOOT	250	\$4.00	1,000.00	\$1.00	250.00	6.00	1,500.00				
28000500	INLET AND PIPE PROTECTION	EACH	3	\$200.00	600.00	\$15.00	45.00	200.00	600.00				
31101200	SUBBASE GRANULAR MATERIAL, TYPE B 4"	SQ YD	65	\$9.00	585.00	\$11.50	747.50	16.00	1,040.00				
35101800	AGGREGATE BASE COURSE, TYPE B 6"	SQ YD	20	\$14.00	280.00	\$17.50	350.00	18.00	360.00				
35102000	AGGREGATE BASE COURSE, TYPE B 8"	SQ YD	580	\$16.00	9,280.00	\$23.50	13,630.00	18.00	10,440.00				
40600275	BITUMINOUS MATERIALS (PRIME COAT)	POUND	1300	\$0.10	130.00	\$0.01	13.00	0.01	13.00				
40603335	HOT-MIX ASPHALT SURFACE COURSE, MIX "D", N50	TON	100	\$135.00	13,500.00	\$150.00	15,000.00	195.00	19,500.00				
42400200	PORTLAND CEMENT CONCRETE SIDEWALK 5 INCH	SQ FT	750	\$15.00	11,250.00	\$12.75	9,562.50	25.00	18,750.00				
42400800	DETECTABLE WARNINGS	SQ FT	66	\$50.00	3,300.00	\$25.00	1,650.00	48.00	3,168.00				
44000500	COMBINATION CURB AND GUTTER REMOVAL	FOOT	90	\$10.00	900.00	\$9.50	855.00	32.00	2,880.00				

Attachment: Bid Tabulation (Smith Street Bike Path Connection Project)

Bid open: 11:00 AM Tuesday, September 13, 2022

Location: Village Hall

VILLAGE OF PALATINE - DEPARTMENT OF PUBLIC WORKS

TABULATION OF BIDS

FOR

Smith Street Bike Path Connection

DPW- 2219

Section # N/A

COMPUTED BY: Matt Grenning

6.B.1.a

Red unit price = unit price is above median unit price Blue unit price = unit price is equal to median unit price Green unit price = unit price is below median unit price				Cost Estimate		Low Bidder		2					
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
44000600	SIDEWALK REMOVAL	SQ FT	300	\$3.00	900.00	\$2.75	825.00	16.00	4,800.00				
*44201723	CLASS D PATCHES, 6 INCH, SPECIAL	SQ YD	70	\$80.00	5,600.00	\$116.00	8,120.00	125.00	8,750.00				
542A0220	PIPE CULVERTS, CLASS A, TYPE 1 15"	FOOT	19	\$125.00	2,375.00	\$157.00	2,983.00	200.00	3,800.00				
542C0213	PIPE CULVERTS, CLASS C, TYPE 1 8"	FOOT	32	\$90.00	2,880.00	\$123.00	3,936.00	180.00	5,760.00				
54213660	PRECAST REINFORCED CONCRETE FLARED END SECTIONS 15"	EACH	2	\$1,000.00	2,000.00	\$3,600.00	7,200.00	5,000.00	10,000.00				
*60603800	COMBINATION CONCRETE CURB AND GUTTER, TYPE B-6.12	FOOT	90	\$60.00	5,400.00	\$51.50	4,635.00	105.00	9,450.00				
66900200	NON-SPECIAL WASTE DISPOSAL	CU YD	160	\$100.00	16,000.00	\$25.00	4,000.00	65.00	10,400.00				
66900530	SOIL DISPOSAL ANALYSIS	EACH	1	\$2,500.00	2,500.00	\$2,250.00	2,250.00	2,000.00	2,000.00				
66901001	REGULATED SUBSTANCES PRE-CONSTRUCTION PLAN	LSUM	1	\$7,500.00	7,500.00	\$3,400.00	3,400.00	2,500.00	2,500.00				
66901003	REGULATED SUBSTANCES FINAL CONSTRUCTION REPORT	LSUM	1	\$7,500.00	7,500.00	\$1,350.00	1,350.00	2,000.00	2,000.00				
66901006	REGULATED SUBSTANCES MONITORING	CAL DA	5	\$500.00	2,500.00	\$100.00	500.00	1,100.00	5,500.00				
67100100	MOBILIZATION	LSUM	1	\$10,000.00	10,000.00	\$14,600.00	14,600.00	10,000.00	10,000.00				
72000100	SIGN PANEL - TYPE 1	SQ FT	38	\$50.00	1,900.00	\$35.00	1,330.00	27.00	1,026.00				
72900200	METAL POST - TYPE B	FOOT	110	\$20.00	2,200.00	\$35.00	3,850.00	15.00	1,650.00				
78000200	THERMOPLASTIC PAVEMENT MARKING - LINE 4"	FOOT	20	\$10.00	200.00	\$5.00	100.00	6.00	120.00				
78000400	THERMOPLASTIC PAVEMENT MARKING - LINE 6"	FOOT	20	\$15.00	300.00	\$10.00	200.00	7.00	140.00				
78000650	THERMOPLASTIC PAVEMENT MARKING - LINE 24"	FOOT	320	\$25.00	8,000.00	\$12.00	3,840.00	10.00	3,200.00				
78300202	PAVEMENT MARKING REMOVAL - WATER BLASTING	SQ FT	65	\$20.00	1,300.00	\$10.00	650.00	54.00	3,510.00				
81028200	UNDERGROUND CONDUIT, GALVANIZED STEEL, 2" DIA.	FOOT	73	\$32.00	2,336.00	\$62.00	4,526.00	60.00	4,380.00				
*85000200	MAINTENANCE OF EXISTING TRAFFIC SIGNAL INSTALLATION	EACH	1	\$2,200.00	2,200.00	\$3,175.00	3,175.00	3,100.00	3,100.00				
87301215	ELECTRIC CABLE IN CONDUIT, SIGNAL NO. 14 2C	FOOT	542	\$0.90	487.80	\$3.10	1,680.20	3.00	1,626.00				

Attachment: Bid Tabulation (Smith Street Bike Path Connection Project)

Bid open: 11:00 AM Tuesday, September 13, 2022

Location: Village Hall

VILLAGE OF PALATINE - DEPARTMENT OF PUBLIC WORKS

TABULATION OF BIDS

FOR

Smith Street Bike Path Connection

DPW- 2219

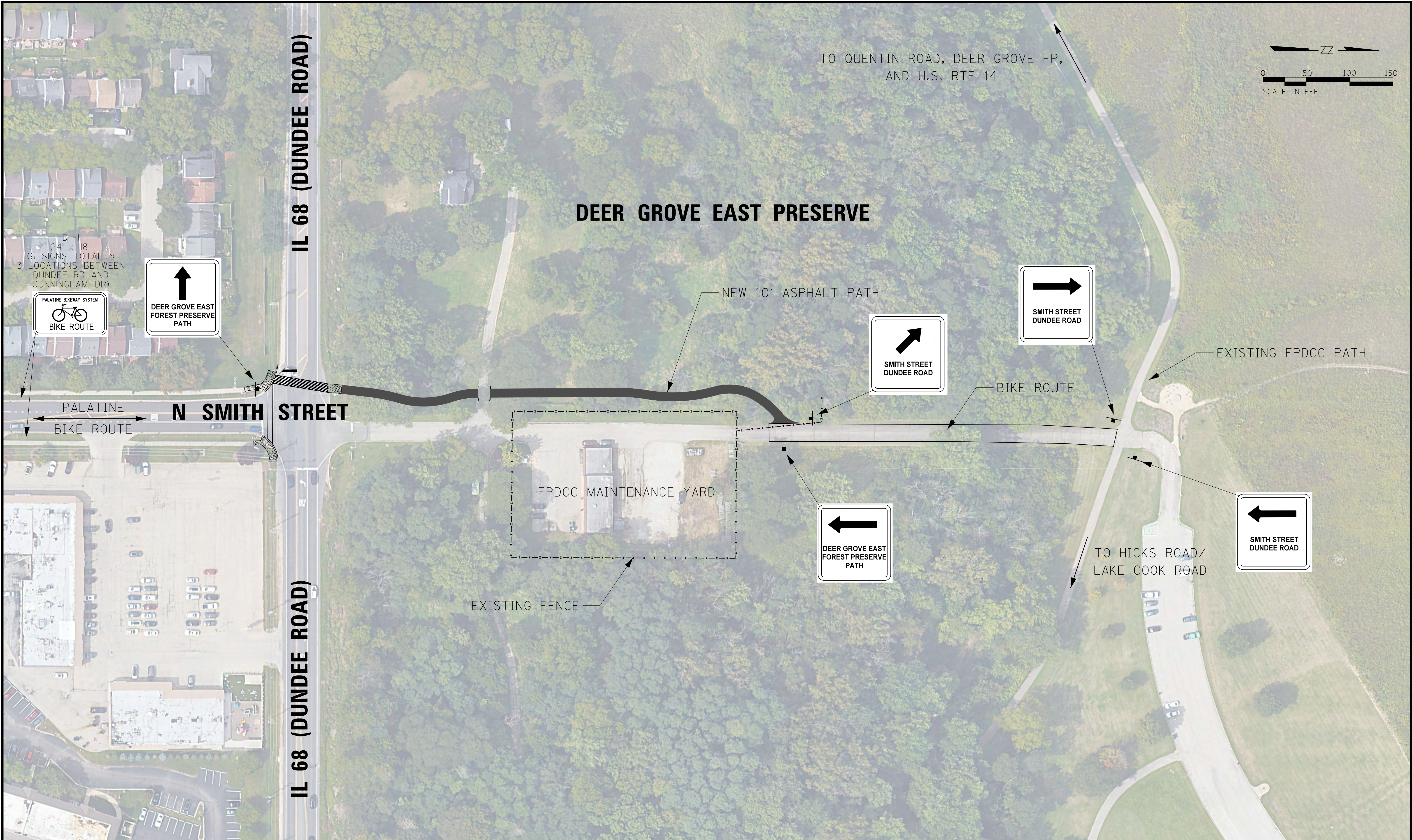
Section # N/A

COMPUTED BY: Matt Grenning

6.B.1.a

Red unit price = unit price is above median unit price Blue unit price = unit price is equal to median unit price Green unit price = unit price is below median unit price				Cost Estimate		Low Bidder		2					
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
87301225	ELECTRIC CABLE IN CONDUIT, SIGNAL NO. 14 3C	FOOT	570	\$1.10	627.00	\$3.50	1,995.00	3.25	1,852.50				
87301900	ELECTRIC CABLE IN CONDUIT, EQUIPMENT GROUNDING CONDUCTOR, NO. 6 1C	FOOT	132	\$1.60	211.20	\$3.75	495.00	3.50	462.00				
87900200	DRILL EXISTING HANDHOLE	EACH	4	\$325.00	1,300.00	\$550.00	2,200.00	535.00	2,140.00				
88102717	PEDESTRIAN SIGNAL HEAD, LED, 1-FACE, BRACKET MOUNTED WITH COUNTDOWN TIMER	EACH	4	\$650.00	2,600.00	\$850.00	3,400.00	825.00	3,300.00				
89502200	MODIFY EXISTING CONTROLLER	EACH	1	\$1,000.00	1,000.00	\$1,675.00	1,675.00	1,625.00	1,625.00				
*X0324599	ROD AND CLEAN EXISTING CONDUIT	FOOT	240	\$1.00	240.00	\$0.10	24.00	0.15	36.00				
*X1400367	PEDESTRIAN SIGNAL POST, 10 FT.	EACH	4	\$1,300.00	5,200.00	\$2,100.00	8,400.00	2,050.00	8,200.00				
*X2070304	POROUS GRANULAR EMBANKMENT, SPECIAL	CU YD	20	\$50.00	1,000.00	\$72.00	1,440.00	80.00	1,600.00				
*X7010216	TRAFFIC CONTROL AND PROTECTION, SPECIAL	LSUM	1	\$10,000.00	10,000.00	\$48,000.00	48,000.00	20,000.00	20,000.00				
*X8760200	ACCESSIBLE PEDESTRIAN SIGNALS	EACH	4	\$1,375.00	5,500.00	\$2,150.00	8,600.00	2,000.00	8,000.00				
*X8780012	CONCRETE FOUNDATION, TYPE A 12-INCH DIAMETER	FOOT	16	\$200.00	3,200.00	\$375.00	6,000.00	350.00	5,600.00				
*X8950212	*X8950212 MODIFY EXISTING CONTROLLER CABINET, SPECIAL	EACH	1	\$1,200.00	1,200.00	\$2,250.00	2,250.00	2,200.00	2,200.00				
*Z0013798	CONSTRUCTION LAYOUT	LSUM	1	\$6,000.00	6,000.00	\$2,750.00	2,750.00	10,000.00	10,000.00				
*Z0017400	DRAINAGE & UTILITY STRUCTURES TO BE ADJUSTED	EACH	2	\$800.00	1,600.00	\$850.00	1,700.00	600.00	1,200.00				
*Z0073509	PERMANENT TRAFFIC SIGNAL TIMING	EACH	1	\$650.00	650.00	\$1,344.40	1,344.40	1,100.00	1,100.00				
*N/A	ITEMS ORDERED BY THE ENGINEER	UNIT	15000	\$1.00	15,000.00	\$1.00	15,000.00	1.00	15,000.00				
TOTAL BID AS READ						\$ 244,940.60		\$ 279,231.00					
TOTAL BID AS CORRECTED				\$ 220,162.00									
PROPOSAL GUARANTEE						5.00%		5.00%		5.00%		5.00%	

Attachment: Bid Tabulation (Smith Street Bike Path Connection Project)



Attachment: Location Map (Smith Street Bike Path Connection Project)



CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 W. Higgins Road, Suite 600
Rosemont, Illinois 60018
(847) 823-0500

CLIENT:



				DSGN.		
				DWN.		
				CHKD.		
				SCALE:	50'	
				PLOT DATE:	8/26/2022	
				CAD USER:	nmorel	
				MODEL:	Default	
NO.	DATE	NATURE OF REVISION			CHKD.	
FILE NAME	N:\Palatine\210024\Civil\CONNECTION\EXHIBIT_210024.SHT					

TITLE:

**PATH CONNECTION
SMITH STREET TO DEER GROVE EAST
FOREST PRESERVE PATH
SIGNAGE PLAN**

PROJ. NO. 210024
DATE: 8/26/2022
SHEET 8 OF 23
DRAWING NO.

Consider a Motion to Approve a 10-Year Sewer Capital Investment Plan

BACKGROUND:

Over the last 15+ years, the Village has focused on flood control for the storm sewer system and basic maintenance for the sanitary sewer system. While the Village operates separate sewer systems for storm and sanitary flows, similar equipment and staff are used to maintain and improve these facilities. After a period of large investment and debt repayment (including the early redemption of \$1.84M in outstanding bonds saving \$182,810 in interest payments), staff recommends an investment strategy which strives to become more proactive than reactive while addressing our regulatory requirements which have expanded in the last 20 years.

KEY ISSUES:

At the September 12, 2022, Village Council meeting, remaining bonds for the Flood Control Surcharge were authorized for early redemption. This action, while saving the Village \$182,810, also allowed the current Flood Control Surcharge to be re-purposed, reduced or eliminated. With the anticipated retirement of the bonds, staff was committed to undertaking a review of our current sewer maintenance and management system and recommend a new 10-year program.

The new program will address both mandates from MWRD and the Illinois Environmental Protection Agency as well as take a more proactive approach to managing storm water.

From a regulatory or mandate standpoint, the 10-year plan will address:

- The MWRD watershed management program has inflow and infiltration requirements. The requirements pertain to satellite entities that have separated sewers. Part of the requirements are for a long-term operating and maintenance program. This program requires the Village to maintain a planned and unplanned maintenance and reporting program of the sewer system. Part of the maintenance program is to inspect the entire sewer system in a 10-year period, or at a minimum of 2% a year.
- The Municipal Separate Storm Sewer System (MS4) is an Illinois Environmental Protection Agency (IEPA) Permit that requires regular inspection of facilities and best management practices (BMPs). This permit requires the Village to enforce the Illicit Discharge and Connection Ordinance which prohibits non-storm water discharges into the storm system. This unfunded mandate started in the last 20 years with permit expansions included annually.

From a proactive standpoint, the 10-year plan will include:

- Expansion in reoccurring programs including spot drainage improvements, creek bank stabilization, creek outfall repairs, storm inlet repairs/replacements, right of way ditch improvements, sewer expansions, slip-lining, residential cost sharing programs, and lift station repairs/maintenance.
- New programs include drainage improvements with road reconstruction, right of

way improvements partnered with the sidewalk maintenance program, and vehicle expansions.

- Equipment purchases proposed in the plan include a Truck Mounted Sewer Jetter to expand the Village's ability to clean sewers, a Televising Van to improve the Village's in-house capabilities for inspection and condition assessment, and a Sewer Cleaner to vacuum catch basins in accordance with regulatory requirements and best management practices.
- Expenditures also tentatively include the addition of a Public Works employee as soon as 2024 to address the increase in effort.

Staff is recommending that this 10-year proactive plan be funded through the existing revenues as well as a portion of the former Flood Control Surcharge. The Surcharge was \$10 every two months. Staff is recommending a reduction of \$2.50 or 25% and the funds be titled a Storm Water Management Fee. This results in savings to all our utility customers and significantly increases our investments moving forward.

During the upcoming year, staff would further review the fee structure with the possibility of further shifting to a “per unit” fee rather than a “per address” fee. This would have larger multi-family residents paying a fee more in line with single-family homes.

ALTERNATIVES:

1. Approve the 10-year Sewer Capital Investment Plan.
2. Refer back to Staff with comments.

RECOMMENDATION:

It is recommended that the Village Council approve the 10-year Sewer Capital Investment Plan.

BUDGET IMPACT:

This program is fully funded with the removal of the \$5 per month Flood Control Surcharge and replaced with the \$3.25 per month Storm Water Management Fee. This will be applied equally to all account holders in 2023. As an initiative in 2023, staff will be reviewing unit counts in multi-family dwelling units so each unit pays their equal share for this program.

ACTION REQUIRED:

Motion to approve the 10-year Sewer Capital Investment Plan and include the plan in the 2023 Annual Budget and Capital Investment Program.

ATTACHMENTS:

- 610 - Sewer Fund 10 Year CIP

RESULT: **APPROVED BY VOICE VOTE [UNANIMOUS]**
MOVER: Tim Millar, District 1 Councilman
SECONDER: Jim Schwantz, Mayor
AYES: Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT: Greg Solberg

Village of Palatine
Sewer (610) Fund
Expenditure Projections
Table 3

		CY 2020	CY 2021	CY 2022		CY 2023	CY 2024	CY 2025	CY 2026	CY 2027	CY 2028	CY 2029	CY 2030	CY 2031	CY 2032	CY 2033
		Actual	Actual	Budget	YTD 6-30	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projecte
565	Repair & Maintenance															
565.30	R&M Utility System	8,016	8,490	9,000	4,156	9,000	9,045	9,095	9,145	9,195	9,245	9,295	9,345	9,395	9,445	9
565.95	R&M Veh Maint Charge	87,165	87,165	80,820	40,410	112,560	115,000	117,500	120,000	122,500	125,000	127,500	130,500	133,500	136,500	139
	Subtotal	95,181	95,655	89,820	44,566	121,560	124,045	126,595	129,145	131,695	134,245	136,795	139,845	142,895	145,945	148
575	Other															
575.05	Sm Tools & Equip	4,507	1,655	4,450	1,679	4,450	4,475	4,500	4,525	4,550	4,575	4,600	4,625	4,650	4,675	4
	Subtotal	4,507	1,655	4,450	1,679	4,450	4,475	4,500	4,525	4,550	4,575	4,600	4,625	4,650	4,675	4
	Capital Outlay															
BF 0006	CSF Maint Projects	-	28,299	1,154	-	-	-	-	750,000	750,000	-	-	-	-	-	-
FC 0001	Spot Drainage Improv	-	74,088	131,231	16,051	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175
FC 0002	Creek Stabilization	41,285	(10,996)	564,716	-	-	500,000	-	-	-	-	500,000	-	-	-	500
FC 0003	Creek Outfall	94	-	17,460	7,460	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30
FC 0004	Storm Inlet	-	-	-	-	-	-	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100
FC 0005	Bridge & Culvert	94,560	26,855	158,030	-	70,000	300,000	60,000	60,000	210,000	75,000	75,000	75,000	100,000	100,000	100
FC 0006	Ditch Rehab	-	-	222,500	-	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	-	-
FC 0007	Storm Swr & Drantile Rep	346,264	195,024	351,282	38,166	100,000	100,000	100,000	100,000	200,000	200,000	200,000	200,000	200,000	200,000	200
FC 0010	Storm Swr Sliplining	55,844	78,381	60,000	48,265	60,000	60,000	60,000	60,000	100,000	100,000	100,000	100,000	100,000	100,000	100
FC 0011	Sub-Watershed Analysis	21,097	11,850	175,508	-	-	-	-	-	-	50,000	-	-	-	50,000	-
FC 0013	Res Drainage Improv	15,243	21,250	32,402	-	30,000	30,000	40,000	40,000	40,000	40,000	40,000	50,000	50,000	50,000	50
SS 0001	San Swr Sliplining	145,228	150,000	150,000	141,388	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200
SS 0003	Lift Stat Imp	15,376	-	2,660,636	-	100,000	100,000	100,000	100,000	100,000	500,000	100,000	100,000	500,000	100,000	100
ST 0004	Resurfacing	-	-	-	-	-	-	125,000	-	-	-	-	-	-	-	-
ST 0005	Street Reconst	-	-	-	-	1,000,000	-	-	-	-	-	-	-	-	-	-
VE 0003	Vehicles	-	-	-	-	350,000	260,000	600,000	-	-	-	-	-	-	-	-
	YTD Budget Amend	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Subtotal	734,991	574,751	4,524,919	251,330	2,315,000	1,955,000	1,790,000	1,815,000	2,105,000	1,670,000	1,720,000	1,230,000	1,655,000	1,105,000	1,555
	Debt Service															
705.00	Principal	1,044,000	1,085,000	2,965,000	74,000	157,000	164,000	174,000	-	-	-	-	-	-	-	-
710.00	Interest	183,383	146,538	111,585	56,531	22,800	14,875	6,550	-	-	-	-	-	-	-	-
715.00	Paying Agent Fees	900	1,650	1,500	250	500	500	500	-	-	-	-	-	-	-	-
	Subtotal	1,228,283	1,233,188	3,078,085	130,781	180,300	179,375	181,050	-	-	-	-	-	-	-	-
	Transfers															
905	Trf to Cap Equip	300,000	305,000	310,000	154,998	325,500	342,000	359,500	377,500	396,500	416,500	437,500	459,500	482,500	507,000	532
	Subtotal	300,000	305,000	310,000	154,998	325,500	342,000	359,500	377,500	396,500	416,500	437,500	459,500	482,500	507,000	532

Attachment: 610 - Sewer Fund 10 Year CIP (Sewer 10-year Capital Investment Plan)

Consider a Motion for the Final Special Use Operational Review for Madcats at 117 W. Slade Street

BACKGROUND:

The approved Special Use for Madcats included conditions relative to the use of security cameras, compliance with a smoking plan, and limitations about the use of the auxiliary dining room. There were also two required Village Council Special Use reviews (the first was completed in March 2022, without any additional recommended conditions).

Since Madcats has been open and operational, Staff has not received any complaints. Staff also contacted the surrounding business in the 117 building, who participated in the Special Use process. They indicated that everything has worked out well and that "...they have great communication with Madcats."

As part of this process, the Police Department also reviewed the calls for service associated with Madcats. There were 7 calls for service since March 2022. This included the following calls: 1 ambulance assists, 1 Fire Alarm, 1 theft dispute, 1 reported battery, and 3 non-specific disturbances. The Police Department confirmed that they do not have any specific concerns about these calls for service.

ALTERNATIVES:

1. Accept the 9-month review of operations.
2. Do not accept the 9-month review of operations.

RECOMMENDATION:

Staff recommends acceptance of the 9-month review, without recommending any additional Special Use conditions.

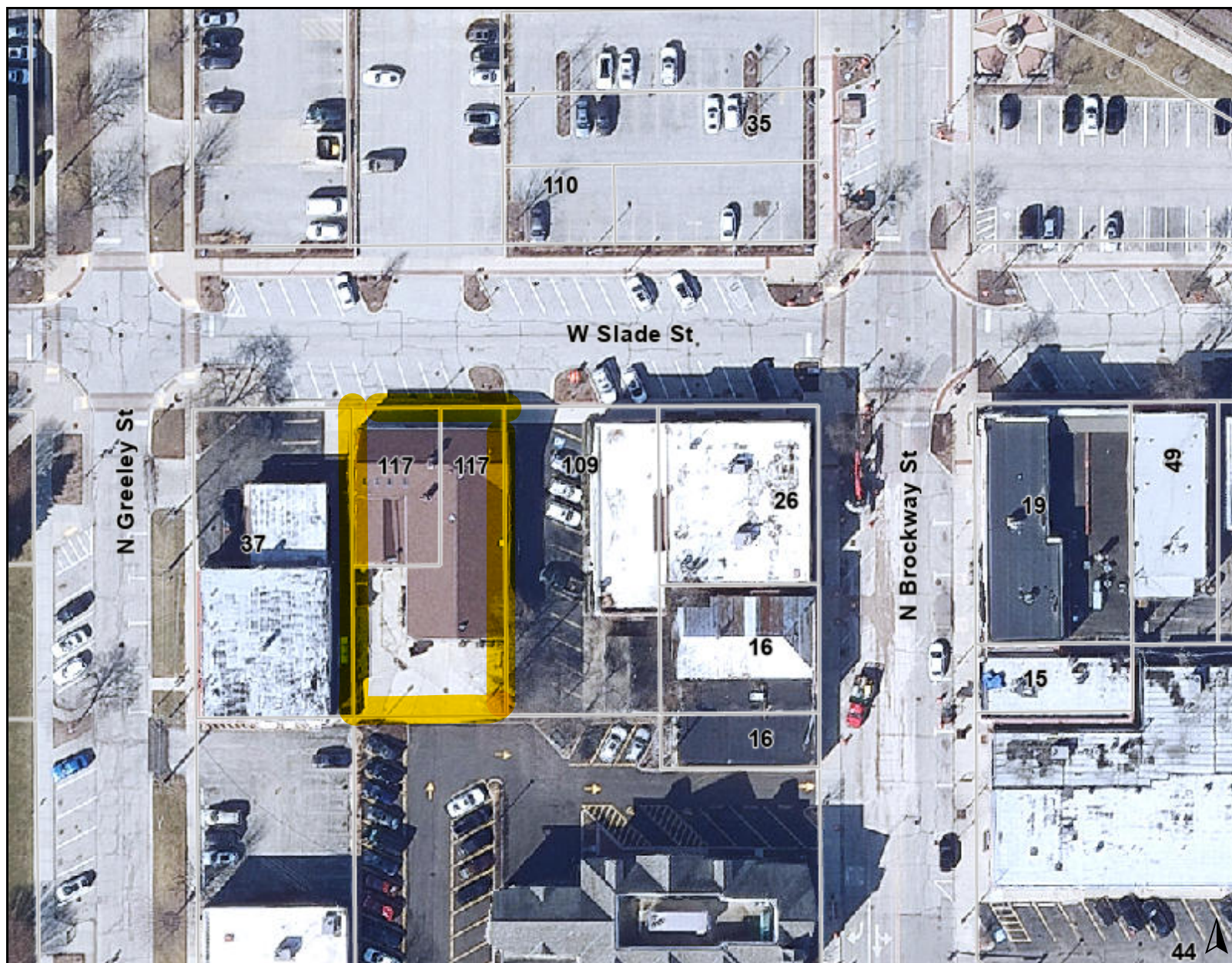
ACTION REQUIRED:

A motion to accept the final review of operations for Madcats at 117 W. Slade Street.

ATTACHMENTS:

- Aerial Map
- 1117 W Slade Street - Madcats Special Use Ordinance

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Greg Solberg

Legend

0 100 200
ft

Print Date: 10/5/2022

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

ORDINANCE NO. O-15-21

**AN ORDINANCE GRANTING A SPECIAL USE
117 W. SLADE STREET**

Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
on February 1, 2021

ORDINANCE NO. 015-21

**AN ORDINANCE GRANTING A SPECIAL USE
117 W SLADE STREET**

WHEREAS, pursuant to a petition and public hearing on December 22, 2020, of which public notice was given as required by law, the Zoning Board of Appeals of the Village of Palatine, in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, has held such public hearing and reported their findings relative to a request for a Special Uses to permit a restaurant/bar with Live Entertainment pursuant to Section 11.02 (d) (11) & (19) of the Palatine Zoning Ordinance, on the following legally described property:

Lot 3 in Block "K" in the Town of Palatine, according to the map of Joel Woods Subdivision of part of the Southeast 1/4 of Section 15, Township 42 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois, recorded December 7, 1855 in Book 96 of Maps, Page 28, in Cook County, Illinois.

Commonly known as 117 W. Slade Street (02-15-429-003).

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power that:

SECTION 1: Special Uses to permit a restaurant/bar with Live Entertainment pursuant to Section 11.02 (d) (11) & (19) of the Palatine Zoning Ordinance, is hereby granted, subject to the following condition(s):

- 1. The Special Use shall substantially conform to the revised business operations plan submitted by the Petitioner on 01/26/21 and floor plan prepared by Warren Johnson Architects initially dated 10/20/20, last revised on 01/26/21, attached hereto except as such plans shall be revised to conform to Village Codes and Ordinances.**

2. The smoking plan shall utilize the designated outdoor area in the rear of the property and to the west of the building, in compliance with Code. Per the smoking management plan, the Petitioner shall install signage in the building directing patrons to the compliant smoking area and discouraging smoking anywhere else. MadCats' staff will inspect the smoking area no less than every 30 minutes to monitor for any disturbances or nuisances. Staff will also monitor the sidewalk on the north side of the building and area on the east side of the property for smoking compliance, in compliance with Code.
3. All employees shall enroll in and utilize the Downtown Employee parking program.
4. All doors to the Subject Property shall remain closed when the business is open to the Public, other than for when an employee or patron passes through the doorways.
5. The exit door on the west side of the building shall be equipped with an alarm that notifies MadCats' Staff of the opening of the door.
6. The common hallway shall be equipped and maintained with a security camera system in a manner acceptable to the Village Manager.
7. Any approval shall be subject to a three-month and nine-month review before the Village Council following their opening and ongoing operations. The Village Council reserves the right to impose any additional conditions on the Special Use without further public hearing at such time of the three-month and nine-month review. Nothing shall preclude the Village from any other enforcement and/or compliance actions afforded under the Code of Ordinances.
8. The auxiliary dining room shall only provide liquor service and/or allow liquor for customer dining. No private events shall involve liquor in the auxiliary dining room, until further review and approval of the Village Council and Palatine Liquor Commission. Said review shall not take place until authorized by the Village Manager. In no circumstances shall it be prior to the three-month review of operations.

9. A Staff review of the Live Entertainment component of this Special Use shall be conducted in conjunction with the three-month and nine-month review referenced in condition 7 to determine if additional noise control measures are necessary, at the discretion of the Village. The Village reserves the right to impose additional conditions to the Live Entertainment component of the Special Use.

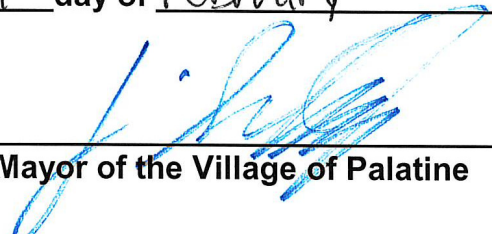
SECTION 2: That a copy of the public notice is attached hereto and form a part of this ordinance.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED: This 1 day of February, 2021

AYES: 5 NAYS: 0 ABSENT: 1 PASS: 0

APPROVED by me this 1 day of February, 2021

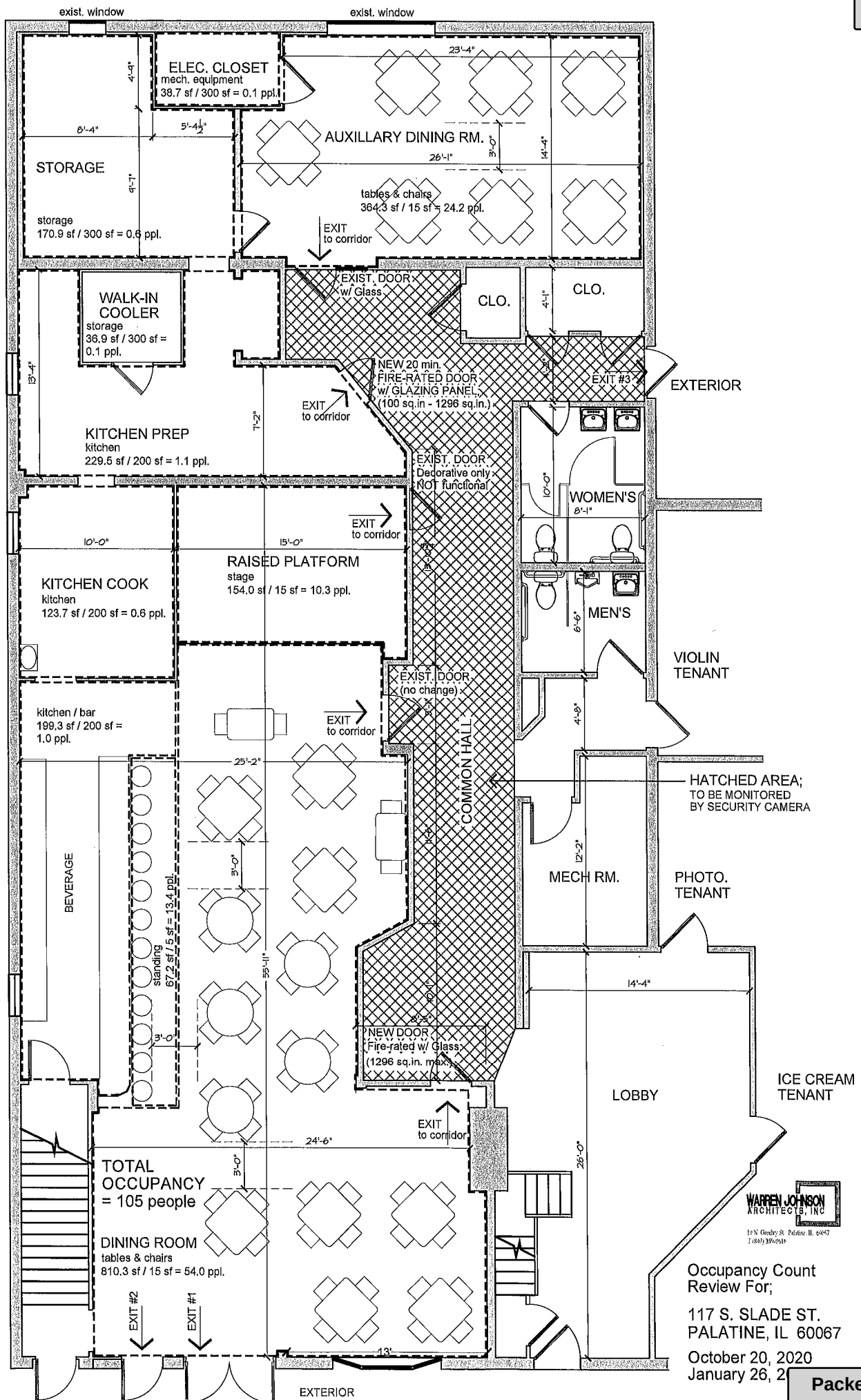


Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this
1 day of February, 2021



Village Clerk



PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, December 22, 2020 at 7:00 P.M. in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following: Special Uses to permit a restaurant/bar with Live Entertainment pursuant to Section 11.02 (d) (11) & (19) of the Palatine Zoning Ordinance.

The property is commonly known as 117 W. Slade Street (02-19-429-303).

The Petitioner is proposing to open a restaurant/bar with live entertainment, MadCats.

The above petition has been filed by Wisewolf L.L.C and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 20-49
VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 7th day of December, 2020
Published in Daily Herald
December 7, 2020(4555359)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the **DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 12/07/2020 in said **DAILY HERALD**.

IN WITNESS WHEREOF, the undersigned, the said **PADDOCK PUBLICATIONS, Inc.**, has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Authorized Agent

Control # 4555359

Attachment: 1117 W Slade Street - Madcats Special Use Ordinance (117 W. Slade Street - Mad Cat's Final Special Use Review)

Consider an Ordinance Granting a Variation to Permit a Generator to be Located in the Side Yard Abutting a Street at 906 S. Willow Walk Drive

BACKGROUND:

The Petitioner is proposing to install a generator within the required 35-foot side yard abutting a street (Illinois Avenue). The proposed generator will be set back approximately 26.5 feet from Illinois Avenue and be screened with landscaping. Therefore, the Petitioner is requesting approval of the following:

Variation to permit a generator to be located within the required side yard abutting a street yard, with a minimum 26-foot setback

KEY ISSUES:

- The Subject Property, zoned R-1A Single-Family Residential, is approximately 16,500 square feet. It is located within the Willow Walk Unit Two subdivision. The lot is uniquely situated, as it abuts a street on three sides (Roselle Road to the west), Illinois Avenue to the north, and Willow Walk Drive to the east).
- The Petitioner is proposing to install a generator in the required side yard abutting a street (Illinois Avenue). Per Code, generators are not considered a permitted obstruction in a required side yard abutting a street and therefore a variation is required. The generator will be set back approximately 26.5 feet from the Illinois Avenue property line.
- Per the application, the Subject Property has experienced numerous power outages; thus prompting the proposed generator installation. The proposed location is directly next to the gas meter and electrical panel (north side of the house). While alternate permissible locations were reviewed by the Petitioner, the proposed location was deemed the most efficient and effective unobtrusive location for a generator.

ALTERNATIVES:

1. Approve the Variation to permit a generator to be located in the side yard abutting a street.
2. Do not approve the Variation to permit a generator to be located in the side yard abutting a street.

RECOMMENDATION:

Public Hearing: ZBA meeting on September 27, 2022.

Residents testifying: None.

Vote: The ZBA voted unanimously to recommend approval of the Special Use and Staff concurs.

ACTION REQUIRED:

A motion to approve the ordinance granting a Variation to permit a generator to be located within a side yard abutting a street yard, with a minimum 26-foot setback, at 906 S. Willow Walk Drive.

RESULT: **APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER: Scott Lamerand, District 2 Councilman
SECONDER: Doug Myslinski, District 3 Councilman
AYES: Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT: Greg Solberg

Consider an Ordinance Granting a Special Use for a Fence in the Front Yard at 901 E. Holly Way

BACKGROUND:

The Petitioner proposes to construct a fence encroaching into the 30-foot required front yard of the Subject Property. The proposed 6-foot solid vinyl privacy fence is located within the required front yard along Ivy Place. Therefore, the Petitioner is requesting approval of the following:

Special Use to permit a fence in the required front yard.

KEY ISSUES:

- The Petitioner is proposing to replace an existing 4-foot tall chain link fence with a 6-foot tall solid vinyl fence. The existing chain link fence encroaches 2 feet into the required front yard of the Subject Property. The Petitioner initially applied for a Special Use to allow the new fence setback to be expanded out toward the Ivy Place property line by an additional 2 feet (encroaching 4 feet into the required front yard and 26-foot setback from the front property line).
- There is an existing buffer of substantial landscaping and trees between the proposed fence and said property line. This is proposed to remain with the placement of the new fence. The driveway of the adjacent property to the south, 1907 N. Ivy Place, is approximately 60 feet from the shared property line. Staff does not have any line of sight concerns, as the proposed fence will not extend beyond the existing landscaping on the Subject Property.
- Staff reviewed the initial proposal and determined that there was not adequate justification to further encroach into the required front yard of the Subject Property. At the ZBA meeting, the Petitioner revised the Special Use request to be located where the existing fence is currently placed (28-foot setback from the front lot line).

ALTERNATIVES:

1. Approve the Special Use to permit a fence in the required front yard.
2. Do not approve the Special Use to permit a fence in the required front yard.

RECOMMENDATION:

Public Hearing:	ZBA meeting on September 27, 2022.
Residents testifying:	None.
Vote:	The ZBA voted unanimously to recommend approval of the Special Use to permit the 6-foot solid vinyl fence at the existing fence location (encroaching 2 feet into the required 30-foot front yard). Staff initially recommended denial of the initially proposed 4-foot encroachment into the required front yard. Staff concurs with the ZBA recommendation for the revised Special Use request.

ACTION REQUIRED:

A motion to approve the ordinance granting a Special Use to permit a fence in the required front yard at 901 E. Holly Way,

RESULT: **APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER: Scott Lamerand, District 2 Councilman
SECONDER: Doug Myslinski, District 3 Councilman
AYES: Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT: Greg Solberg

Consider an Ordinance Decreasing the Number of Class D Liquor Licenses by One for El Rancho Alegre, 1160 E. Dundee Road

BACKGROUND:

Azucena Zetina, owner of El Rancho Alegre restaurant notified the Village on September 16, 2022, that the business is closed. Therefore, it is appropriate to reduce the number of Class D Liquor Licenses from 36 to 35.

KEY ISSUES:

It is appropriate to remove their Class D liquor license from the Code. An ordinance has been prepared reducing the number of Class D liquor licenses by one.

ALTERNATIVES:

1. Approve the ordinance.
2. Do not approve the ordinance.

RECOMMENDATION:

Staff recommends approval of the ordinance.

BUDGET IMPACT:

Class D liquor license annual fee of \$3,854.

ACTION REQUIRED:

Motion to approve the ordinance decreasing the number of Class D liquor licenses by one.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Greg Solberg

Consider a Motion to Award a Contract for the Smith Street Bike Path Connection Project

BACKGROUND:

One of the few remaining components of the implementation of the Village's Bike Plan is the connection of the bikeway system to the Deer Grove Forest Preserve at the intersection of Smith Street and Dundee Road. The proposed path will connect the existing bike route on Smith Street to the path in the Deer Grove East Forest Preserve. In addition, Smith Street will be signed as a bike route between Dundee Road and Cunningham Drive.

KEY ISSUES:

- On Tuesday, September 13, 2022, two bids were received, ranging from a high of \$279,231.00 to a low of \$244,940.60.
- The low responsive and responsible bidder was A Lamp Concrete Contractors, Incorporated of Schaumburg, Illinois in the amount of \$244,940.60.
- The Engineer's estimate was \$220,162.

ALTERNATIVES:

1. Award the contract for the Smith Street Bike Path Connection to A Lamp Concrete Contractors.
2. Refer back to Staff with comments.

RECOMMENDATION:

It is recommended that the contract for the Smith Street Bike Path Connection Project be awarded to A Lamp Concrete Contractors.

BUDGET IMPACT:

Funding is available in the 2022 Capital Improvement Program to accommodate this work. The cost will be offset by reimbursements from Cook County and the Palatine Park District. The County will reimburse \$115,000 of the total project cost and the Park District will reimburse all costs for the improvements above \$115,000 equally with the Village. Both reimbursements would be received after the project is complete.

ACTION REQUIRED:

Motion to award the contract for the Smith Street Bike Path Connection Project to A Lamp Concrete Contractors, Incorporated of Schaumburg, Illinois in the amount of \$244,940.60.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Greg Solberg

Consider a Motion to Approve a 10-Year Sewer Capital Investment Plan

BACKGROUND:

Over the last 15+ years, the Village has focused on flood control for the storm sewer system and basic maintenance for the sanitary sewer system. While the Village operates separate sewer systems for storm and sanitary flows, similar equipment and staff are used to maintain and improve these facilities. After a period of large investment and debt repayment (including the early redemption of \$1.84M in outstanding bonds saving \$182,810 in interest payments), staff recommends an investment strategy which strives to become more proactive than reactive while addressing our regulatory requirements which have expanded in the last 20 years.

KEY ISSUES:

At the September 12, 2022, Village Council meeting, remaining bonds for the Flood Control Surcharge were authorized for early redemption. This action, while saving the Village \$182,810, also allowed the current Flood Control Surcharge to be re-purposed, reduced or eliminated. With the anticipated retirement of the bonds, staff was committed to undertaking a review of our current sewer maintenance and management system and recommend a new 10-year program.

The new program will address both mandates from MWRD and the Illinois Environmental Protection Agency as well as take a more proactive approach to managing storm water.

From a regulatory or mandate standpoint, the 10-year plan will address:

- The MWRD watershed management program has inflow and infiltration requirements. The requirements pertain to satellite entities that have separated sewers. Part of the requirements are for a long-term operating and maintenance program. This program requires the Village to maintain a planned and unplanned maintenance and reporting program of the sewer system. Part of the maintenance program is to inspect the entire sewer system in a 10-year period, or at a minimum of 2% a year.
- The Municipal Separate Storm Sewer System (MS4) is an Illinois Environmental Protection Agency (IEPA) Permit that requires regular inspection of facilities and best management practices (BMPs). This permit requires the Village to enforce the Illicit Discharge and Connection Ordinance which prohibits non-storm water discharges into the storm system. This unfunded mandate started in the last 20 years with permit expansions included annually.

From a proactive standpoint, the 10-year plan will include:

- Expansion in reoccurring programs including spot drainage improvements, creek bank stabilization, creek outfall repairs, storm inlet repairs/replacements, right of way ditch improvements, sewer expansions, slip-lining, residential cost sharing programs, and lift station repairs/maintenance.
- New programs include drainage improvements with road reconstruction, right of

way improvements partnered with the sidewalk maintenance program, and vehicle expansions.

- Equipment purchases proposed in the plan include a Truck Mounted Sewer Jetter to expand the Village's ability to clean sewers, a Televising Van to improve the Village's in-house capabilities for inspection and condition assessment, and a Sewer Cleaner to vacuum catch basins in accordance with regulatory requirements and best management practices.
- Expenditures also tentatively include the addition of a Public Works employee as soon as 2024 to address the increase in effort.

Staff is recommending that this 10-year proactive plan be funded through the existing revenues as well as a portion of the former Flood Control Surcharge. The Surcharge was \$10 every two months. Staff is recommending a reduction of \$2.50 or 25% and the funds be titled a Storm Water Management Fee. This results in savings to all our utility customers and significantly increases our investments moving forward.

During the upcoming year, staff would further review the fee structure with the possibility of further shifting to a “per unit” fee rather than a “per address” fee. This would have larger multi-family residents paying a fee more in line with single-family homes.

ALTERNATIVES:

1. Approve the 10-year Sewer Capital Investment Plan.
2. Refer back to Staff with comments.

RECOMMENDATION:

It is recommended that the Village Council approve the 10-year Sewer Capital Investment Plan.

BUDGET IMPACT:

This program is fully funded with the removal of the \$5 per month Flood Control Surcharge and replaced with the \$3.25 per month Storm Water Management Fee. This will be applied equally to all account holders in 2023. As an initiative in 2023, staff will be reviewing unit counts in multi-family dwelling units so each unit pays their equal share for this program.

ACTION REQUIRED:

Motion to approve the 10-year Sewer Capital Investment Plan and include the plan in the 2023 Annual Budget and Capital Investment Program.

RESULT: **APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER: Scott Lamerand, District 2 Councilman
SECONDER: Doug Myslinski, District 3 Councilman
AYES: Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT: Greg Solberg

Consider a Motion for the Final Special Use Operational Review for Madcats at 117 W. Slade Street

BACKGROUND:

The approved Special Use for Madcats included conditions relative to the use of security cameras, compliance with a smoking plan, and limitations about the use of the auxiliary dining room. There were also two required Village Council Special Use reviews (the first was completed in March 2022, without any additional recommended conditions).

Since Madcats has been open and operational, Staff has not received any complaints. Staff also contacted the surrounding business in the 117 building, who participated in the Special Use process. They indicated that everything has worked out well and that "...they have great communication with Madcats."

As part of this process, the Police Department also reviewed the calls for service associated with Madcats. There were 7 calls for service since March 2022. This included the following calls: 1 ambulance assists, 1 Fire Alarm, 1 theft dispute, 1 reported battery, and 3 non-specific disturbances. The Police Department confirmed that they do not have any specific concerns about these calls for service.

ALTERNATIVES:

1. Accept the 9-month review of operations.
2. Do not accept the 9-month review of operations.

RECOMMENDATION:

Staff recommends acceptance of the 9-month review, without recommending any additional Special Use conditions.

ACTION REQUIRED:

A motion to accept the final review of operations for Madcats at 117 W. Slade Street.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Lamerand, Myslinski, Kozlowski, Helms
ABSENT:	Greg Solberg