

Tuesday
February 15, 2022
6:00 p.m.



Council Chambers
7401 Meyer Road
Spring Grove, IL 60081

Village of Spring Grove – Village Board
Regular Meeting Agenda

1. Call to Order
2. Roll Call
3. President's Report
 - A. Consideration of the appointment of Mike Gajewski as Village Trustee and Architectural Review Commissioner
 - B. Consideration of the appointment of Mike Bukolt as Planning and Zoning Chairperson
 - C. Consideration of the appointment of Katie Fitzgerald as Planning and Zoning Commissioner and PZC Commissioner on the Architectural Review Commission
 - D. Consideration of the appointment of Jill Loring as Architectural Review Commissioner
4. Clerk's Report
5. Engineering Report
6. Building and Zoning Report
7. Public Works Report
8. Police Department Report
9. Committee Reports
10. Public Comment (*Public comment shall be limited to three minutes per speaker*)
11. Consent Agenda (*items listed on the Consent Agenda will be approved by a single vote of the Board unless a member of the Board requests that a separate vote be taken on any item*)
 - A. Approval of the January 18, 2022 Village Board Regular Meeting Minutes
 - B. Approval of the January 18, 2022 Village Board Closed Session Meeting Minutes
 - C. Approval of the January 2022 Bills Payable
 - D. Approval of a Resolution authorizing the execution of an Intergovernmental Agreement for a Police Social Worker Program between the Village and McHenry County
 - E. Consideration of a Resolution approving the 2022 General Consultation – Miscellaneous Charges Agreement with HR Green
12. Unfinished Business
13. New Business
 - A. Consideration of a pro-rated fee reduction for the video gaming terminals at Magic Moon Gaming & Wine Bar
 - B. Presentation for zoning request on Lot 9 on Mayo Court in the Holian Industrial Park
 - C. Consideration to waive the rental fee for the Spring Grove Storytelling Festival at Horse Fair and Spring Grove Parks (September 29-October 2, 2022)
14. Closed Session - Section 2(c)(11) of the Open Meetings Act to discuss imminent litigation
15. Other Business
16. Adjournment

MEETING MINUTES OF A REGULAR MEETING
OF THE VILLAGE OF SPRING GROVE
FEBRUARY 15, 2022

Council Chambers, Spring Grove, Illinois, February 15, 2022; a Regular Meeting of the Village Board was held this date at 6:03 p.m., at the Municipal Centre, 7401 Meyer Road; President Eisenberg presiding.

Roll Call. Roll call showed the following Board members present: President Mark Eisenberg; Trustees Mike Lee, Jeff Letzter, and Bob McMahon - 4. Absent: Trustees Pat Mazzanti and Tom Sanders - 2. Also present for the Village were: Bob Walczak, Building and Zoning Officer; Mike Frer, Public Works Supervisor, Mike Niedzwiecki, Police Chief; Mike Gajewski, Planning and Zoning Chair; Scott Puma, Village Attorney; Kelly Popelka, Deputy Clerk, and Sandi Rusher, Village Clerk.

President's Report - Consideration of the appointment of Mike Gajewski as Village Trustee and Architectural Review Commissioner. President Eisenberg recommended the appointment of Mike Gajewski to replace former Trustee Kelly Popelka, who resigned last month, effective February 17, 2022. Trustee Lee moved, seconded by Trustee McMahon to accept, and approve the recommendation. Roll call vote: Ayes: Eisenberg, Lee, Letzter, and McMahon - 4. Nays: None. Motion carried.

Consideration of the appointment of Mike Bukolt as Planning and Zoning Chairperson. President Eisenberg recommended the appointment of Mike Bukolt to replace Mike Gajewski effective February 17, 2022. Trustee McMahon moved, seconded by Trustee Letzter to accept, and approve the recommendation. Roll call vote: Ayes: Eisenberg, Lee, Letzter, and McMahon - 4. Nays: None. Motion carried.

Consideration of the appointment of Katie Fitzgerald as Planning and Zoning Commissioner and PZC Commissioner on the Architectural Review Commission. President Eisenberg recommended the appointment of Katie Fitzgerald to replace Mike Gajewski effective February 17, 2022. Trustee McMahon moved, seconded by Trustee Lee to accept, and approve the recommendation. Roll call vote: Ayes: Eisenberg, Lee, Letzter, and McMahon - 4. Nays: None. Motion carried.

Consideration of the appointment of Jill Loring as Architectural Review Commissioner. President Eisenberg recommended the appointment of Jill Loring to replace Katie Fitzgerald effective February 17, 2022. Trustee Letzter moved, seconded by Trustee Lee to accept, and approve the recommendation. Roll call vote: Ayes: Eisenberg, Lee, Letzter, and McMahon - 4. Nays: None. Motion carried.

Clerk's Report. An update on business registration compliance was given.

Engineering Report. The village engineer was excused from the meeting.

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Building and Zoning Report. The Illinois Department of Public Health has approved the water main expansion permit for the Casey's gas station.

Public Works Report. An updated on the department's activities was provided.

Police Department Report. An update on vehicle sticker compliance was given.

Committee Report. None.

Public Discussion. *President Eisenberg then opened the meeting up for discussion by the public.*

Neil Anderson, resident of Spring Grove, questioned the Plat of Consolidation requirements as to why someone owns two contiguous lots and wants to construct a home that will straddle the two lots has to go through this process that just adds time and expense to the project. He did not see the risk to the Village as someone cannot sell either lot when the house straddles the two lots. He agreed that a Plat of Consolidation should be required if an individual owns two contiguous lots wants to build a house on one lot and an accessory building on the other. In this instance, it would be possible to sell the house without selling the accessory building and the village should be protected to prevent such a scenario. After some discussion, it was the consensus of the Board to amend the Subdivision Control Ordinance to allow someone owns two contiguous lots and wants to construct a home that will straddle the two lots without going through the Plat of Consolidation process so long as it is written correctly to prevent an individual from building a house on one lot and an accessory building on the other. Attorney Puma was directed to prepare an ordinance for the Board's approval at the next meeting.

Consent Agenda. Trustee McMahon moved, seconded by Trustee Letzter to accept the consent agenda. Roll call vote: Ayes: Eisenberg, Lee, Letzter, and McMahon - 4. Nays: None. Motion carried.

- A. Approval of the January 18, 2022 Village Board Regular Meeting Minutes
- B. Approval of the January 18, 2022 Village Board Closed Session Meeting Minutes
- C. Approval of the January 2022 Bills Payable
- D. Approval of a Resolution authorizing the execution of an Intergovernmental Agreement for a Police Social Worker Program between the Village and McHenry County
- E. Consideration of a Resolution approving the 2022 General Consultation – Miscellaneous Charges Agreement with HR Green

Trustee McMahon moved, seconded by Trustee Letzter to approve the consent agenda. Roll call vote: Ayes: Eisenberg, Lee, Letzter, and McMahon - 4. Nays: None. Motion carried.

Unfinished Business. None.

New Business.



Consideration of a pro-rated fee reduction for the video gaming terminals at Magic Moon Gaming & Wine Bar. In attendance was Moon Phillips, owner of Magic Moon Gaming & Wine Bar, requesting the video gaming terminal fee be prorated. The three month license fee for the six (6) terminals is \$1,500 and if it was prorated the fee would be \$375. The Board supported the business but it did not support the prorating of the fees as it is a privilege to have a video gaming license, by law the fee is split 50-50 between the terminal company and the business owner, and the increase in revenue from increasing the terminal will be used to help pay for the unfunded state mandated police social worker program. In addition, the Board also would like to see the prorating of the liquor license fee be abolished. Trustee Letzter moved, seconded by Trustee Lee to approve the prorated fee reduction for the video gaming terminals. Roll call vote: Ayes: None. Nays: Eisenberg, Lee, Letzter, and McMahon - 4. Motion failed.

Presentation for zoning request on Lot 9 on Mayo Court in the Holian Industrial Park. In attendance were Robert Mueller and Joseph Rubino of Outdoor Living Properties, LLC with their attorney Neil Anderson seeking direction for the zoning relief for the property that involves the constructing a 6,000 sq. ft. building for their high end landscape business that would include retails sales and outdoor storage and display areas. They have no intent to sell landscape products wholesale or retail. The overgrown trees at the rear of the property adjacent to Route 12 would be cleaned up to create a Route 12 presence but there would be no entrance off of Route 12.

The property is currently zoned B-2, General Business. Per the Zoning Ordinance, a landscape business is only allowed in I, Industrial, and per the special use standards on-site retail sales is prohibited. Staff recommended the property be rezoned to I, Industrial, with a text amendment to remove the standard prohibiting the on-site retail sales as this is one of the main reasons for building at this location. The rezoning would make the most sense since the adjoining properties are all zoned industrial and it would not be advantageous for the Village to allow landscape businesses in the B-2 zoning district due to their strong presence of outdoor storage.

A special use permit is required for the outdoor storage of landscape materials, vehicles, trailers, and equipment as well as for the outdoor display areas. The outdoor display areas would feature a water less pond and waterfall features, wood framed gazebos and pergolas, outdoor furniture, etc. They also provide snowplowing services and would like to store salt, no more than a semi load, in the winter months on site, which is only allowed if expressly authorized by the Village Board.

Two site plans for the development of the property were presented. Site Plan S3 would require a variance to the Zoning Ordinance to reduce the street setback from 50 feet to approximately 29 feet. Site Plan S4 would require a variance to the Subdivision Control Ordinance to allow a principle structure and outdoor storage, parking, and display areas in the landscape easement. The building would be approximately 24 feet into the landscape easement.

In response to the exterior elevation presentation, Trustee Letzter informed the applicants that metal buildings are not allowed unless a variance is granted and he would personally like to see more masonry incorporated into the building since they want a Route 12 presence.



After much discussion, it was the consensus of the Board to rezone the property to I, Industrial, and the text amendment to remove the standard prohibiting the on-site retail sales with Site Plan S4 preferred. As for the storage of salt, President Eisenberg and Trustee Letzter were opposed to the storage of salt on the property and Trustee Lee was open to the plan so long as it can be contained onsite.

Consideration to waive the rental fee for the Spring Grove Storytelling Festival at Horse Fair and Spring Grove Parks (September 29-October 2, 2022). In attendance were Elise Livingston, Treasurer, and Ruth Buralli, President, of the newly formed Spring Grove Storytelling looking for the Village's support for their one-day festival held on October 1st at both Spring Grove and Horse Fair Parks by waiving the rental fees. This would be the first storytelling event in 20 years in Spring Grove. It was questioned why the one day event needs to reserve both parks for four (4) days. Ms. Livingston explained the tent company has perimeters for setting up the tents but she is also looking at using another company. While the Board was glad to see the festival come back to the community, it did not support the waiving of the fees because they are used to maintain the parks and the waiving of the fees sets a precedence. Trustee Lee moved, seconded by Trustee Letzter to waive the rental fees. Roll call vote: Ayes: None. Nays: Eisenberg, Lee, Letzter, and McMahon - 4. Motion failed.

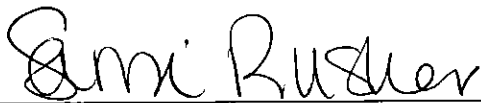
Closed Session - Section 2(c)(11) of the Open Meetings Act to discuss imminent litigation. Trustee Letzter moved, seconded by Trustee Lee to convene into closed session under Section 2(c)(11) of the Open Meetings Act to discuss imminent litigation. Roll call vote: Ayes: Eisenberg, Lee, Letzter, and McMahon - 4. Nays: None. Motion carried. The Board adjourned into closed session at 7:11 p.m.

Trustee Letzter moved, seconded by Trustee McMahon to reconvene from closed session. Roll call vote: Ayes: Eisenberg, Lee, Letzter, and McMahon - 4. Nays: None. Motion carried. The Board reconvened at 7:28 p.m. with all members present as the original roll call.

Other Business. None.

There being no further business, Trustee Letzter moved, seconded by Trustee Lee to adjourn the meeting at 7:29 p.m. All ayes, motion carried.

Respectfully Submitted,



Sandi Rusher, Village Clerk