

**MINUTES OF THE REGULAR MEETING  
OF THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF WHEELING  
COOK AND LAKE COUNTIES, ILLINOIS 60090  
BOARD ROOM, 2 COMMUNITY BOULEVARD  
MONDAY, JUNE 6, 2016**

**CALL TO ORDER** President Argiris called the regular meeting of the Board of Trustees of the Village of Wheeling to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE** President Argiris led those present in the pledge.

**ROLL CALL FOR ATTENDANCE** Clerk Simpson called the roll and the following Board members were present:

Dean Argiris	Ken Brady	Mary Papantos	Joe Vito
Ray Lang	Mary Krueger	Dave Vogel	

Also present were: Jon Sfondilis, Village Manager; Jim Ferolo, Village Attorney; Mallory Milluzzi, Associate Village Attorney; Michael Mondschain, Finance Director; Andrew Jennings, Community Development Director; Jon Tack, Village Engineer; John Melaniphy, Economic Development Director; Shari Huizar, Human Services Director; Mark Janeck, Public Works Director; Chuck Spratt, Fleet Services Superintendent; Jamie Dunne, Police Chief; Keith MacIsaac; Fire Chief; and a representative of the Journal & Topics newspaper.

**APPROVAL OF MINUTES** Regular Meeting Minutes of May 2, 2016

A motion was made by Trustee Papantos and seconded by Trustee Krueger that the Regular Minutes of May 2, 2016 be approved as published.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

**CHANGES TO THE AGENDA**

A motion was made by Trustee Lang and seconded by Trustee Brady that Item #11, Consent Agenda, be moved to take place prior to Item #7, Appointments and Confirmations.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

## PROCLAMATIONS, CONGRATULATORY RESOLUTIONS AND AWARDS

**Proclamation:** Brian J. Logan, Wheeling High School Director of Bands. Clerk Simpson read the proclamation in its entirety. President Argiris presented the proclamation to Director Logan.

**Award:** ILEAS Preparedness Certificate. Jim Hutton with ILEAS presented this award to Police Chief Jamie Dunne.

## BREAK FOR RERESHMENTS

A motion was made by Trustee Brady and seconded by Trustee Krueger that the Regular Meeting be recessed.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes the motion was approved and the meeting recessed at 6:39 p.m.

A motion was made by Trustee Lang and seconded by Trustee Krueger that the Regular Meeting be reconvened.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes the motion was approved and the meeting reconvened at 6:55 p.m.

## CONSENT AGENDA

Clerk Simpson read the Consent Agenda titles into the record.

- A. Resolution 16-64** Supporting the Federal Railroad Administration's Proposed Rulemaking to Require Minimum Staffing on Trains
- B. Ordinance 5012** Amending Chapter 2.91 of the Wheeling Village Code Regarding the Senior Citizens Commission

A motion was made by Trustee Vogel and seconded by Trustee Papantos that the Consent Agenda items be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes the Consent Agenda was approved.

## **APPOINTMENTS AND CONFIRMATIONS**

### **Reappointment of Commissioners**

Paul Zangara, Plan Commission  
Samuel Bieber, Board of Health  
Linda Birnbaum, Board of Health  
Karen Premo, Board of Health  
Kathleen Pico, Senior Citizens Commission  
Neal Katz, Chicago Executive Airport Board of Directors

A motion was made by Trustee Vogel and seconded by Trustee Brady that the commissioners be reappointed.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

### **Appointment of Commissioners**

Joanie Purvin, Senior Citizens Commission  
Jackie Portnoy, Senior Citizens Commission  
Pat Miller, Senior Citizens Commission  
Gerald Malin, Senior Citizens Commission  
Roberta Vollriede, Senior Citizens Commission  
Kathy Gulyas, Senior Citizens Commission  
Marshal Kaplan, Senior Citizens Commission

A motion was made by Trustee Papantos and seconded by Trustee Krueger that the commissioners be appointed.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

## **ADMINISTRATION OF OATHS**

Paul Zangara, Plan Commission  
Samuel Bieber, Board of Health  
Linda Birnbaum, Board of Health  
Karen Premo, Board of Health  
Kathleen Pico, Senior Citizens Commission  
Joanie Purvin, Senior Citizens Commission  
Jackie Portnoy, Senior Citizens Commission

Gerald Malin, Senior Citizens Commission  
Roberta Vollriede, Senior Citizens Commission  
Marshal Kaplan, Senior Citizens Commission  
Neal Katz, Chicago Executive Airport Board of Directors

Clerk Simpson administered the oaths of office to the commissioners.

## **STAFF REPORTS**

Finance Director Mondschain stated that the Illinois Department of Revenue misallocated personal property replacement taxes to local governments from 2014 and 2015 due to a consolidation of their funds. The Village of Wheeling will need to return approximately \$32,000 to the Department of Revenue over the next two years. This will not have any significant impact on the Village's operations.

## **NEW BUSINESS**

- A. Resolution 16-65** in Support of the School Superintendent Association's *Redefining Ready* Campaign

Clerk Simpson read the resolution to the Board.

President Argiris expressed his personal support for this resolution and stated he met with Superintendent Schuler to learn more about the Redefining Ready campaign. He presented a copy of the resolution to Township High School District 214 School Board President Alva Kreutzer.

School Board President Alva Kreutzer explained that Redefining Ready prepares students for myriad jobs and does not base students' success on ACT or SAT scores alone. She thanked the Board for their support.

A motion was made by Trustee Brady and seconded by Trustee Vogel that Resolution 16-65 be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

- B. Resolution 16-66** Supporting the 11<sup>th</sup> Annual National Dump the Pump Day on June 16, 2016

Clerk Simpson read the resolution to the Board.

Manager Sfondilis explained that this legislation is in support of a federal initiative to encourage people to use public transportation in lieu of driving.

A motion was made by Trustee Krueger and seconded by Trustee Papantos that Resolution 16-66 be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

**C. Ordinance and Resolution Re:** Northgate Crossing Subdivision Planned Unit Development

Clerk Simpson read the titles to the Board.

Community Development Director Jennings stated that these ordinances approve an associated townhome development to the east side of Northgate Parkway and modification of a one-bedroom unit into a two-bedroom unit, which changes the parking calculations.

Petitioner Matt Nix was present to answer any questions.

Trustee Lang expressed pleasure with the way the development has come along.

Trustee Brady stated he is also pleased with the way the development looks. He would like to see the mechanical units hidden by landscaping.

Mr. Nix answered that it is an issue that his company is aware of and the mechanicals will be heavily screened.

- 1. Ordinance 5013** Amending Ordinance No. 4876 Which Granted Final Planned Unit Development Approval to the Northgate Crossing Multi-Family Development, 100-600 Burlington Circle, 100-300 Hudson Court, 100 Wabash Way, and 267 Northgate Parkway [Docket No. 2016-11]

A motion was made by Trustee Krueger and seconded by Trustee Papantos that Ordinance 5013 be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

- 2. Resolution 16-67** Approving the Final Plat of Northgate Crossing Phase 3 Subdivision, 267 Northgate Parkway [Docket No. PC 16-6]

A motion was made by Trustee Vogel and seconded by Trustee Lang that Resolution 16-67 be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

**D. Ordinance 5014** Amending Title 4, Taxes, Business Regulations and Licenses, of the Wheeling Municipal Code, Related to Hotel Inspections and Massage Establishment Licensing

Clerk Simpson read the ordinance to the Board.

Community Development Director Jennings explained that this item as well as Item #13.E have changes which relate to massage establishments. The amendments to Title 4 relate to hotel inspections which will be required annually instead of twice annually and to massage establishment business licensing. The Title 19 amendments relate strictly to zoning of massage establishments and create a separate use classification strictly for massage establishments. Both chapter amendments are meant to address a pattern of characteristics exhibited by establishments that were the subject of complaints regarding prohibited activities.

Trustee Papantos thanked staff for working quickly to make these amendments.

A motion was made by Trustee Lang and seconded by Trustee Papantos that Ordinance 5014 be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

**E. Ordinance 5015** Amending Title 19, Zoning, of the Wheeling Municipal Code, Relating to Massage Establishments [Docket No. 2016-10]

Clerk Simpson read the ordinance to the Board.

A motion was made by Trustee Lang and seconded by Trustee Brady that Ordinance 5015 be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

**F. Resolution 16-68** Accepting a Proposal from Ciorba Group for Storm Sewer Drainage Improvements to South Wheeling Road

Clerk Simpson read the resolution to the Board.

Public Works Director Janeck explained that the recently adopted Stormwater Master Plan points out improvements that the Village should study and plan for. This proposal is for a study of South Wheeling Road drainage and flooding which is a topic listed in the Stormwater Master Plan. Ciorba was the lowest bid for this work.

A motion was made by Trustee Brady and seconded by Trustee Lang that Resolution 16-68 be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

**G. Resolution 16-69** Accepting a Contract with Superior Road Striping, Inc. for the 2016 Pavement Markings Program

Clerk Simpson read the resolution to the Board.

Public Works Director Janeck explained that this is a yearly program and the contract for this year was bid through a municipal partnership. Superior Road Striping was the low bidder.

A motion was made by Trustee Krueger and seconded by Trustee Vogel that Resolution 16-69 be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

**H. Resolution 16-70** Accepting a Bid Contract for the Purchase of a Single Axle Snow and Ice Control Truck from Truck Centers, Inc. of Morton, Illinois

Clerk Simpson read the resolution to the Board.

Public Works Director Janeck stated that staff solicited bids to replace a 14-year old snow removal vehicle. This truck is a Navistar brand as opposed to International, which the Village has purchased in the past. Two bids were received and Truck Centers, Inc. was the low bidder.

A motion was made by Trustee Lang and seconded by Trustee Papantos that Resolution 16-70 be approved.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS: 0  
ABSENT: 0

There being seven affirmative votes, the motion was approved.

**I. DISCUSSION RE:** Concept Review of Dundee Commons Planned Unit Development, 430 West Dundee Road

Community Development Director Jennings explained that the Dundee Commons development was previously in front of the Board last July. Since that time the development team has been working to acquire the necessary land, which has been difficult due to issues with the property ownership. Because of that, they have revised their plan to remove the proposed townhome concept and continue to pursue that separately from the retail concept. At this time they are pursuing only the retail portion of the development on land which they do have control over. They are requesting a revised concept review so that they can move on with preliminary Planned Unit Development approval.

Petitioner Bill Hein presented the revised concept plan to the Board and indicated that they will be seeking TIF assistance for the property. This will be a phased development comprising a total of 5.5 acres. The first phase is a commercial building on Dundee Road which will supply services to the area. The current plan moves the building further towards Northgate Parkway to accommodate onsite flood detention. Mr. Hein stated that he believes everything is within Village Code and there is sufficient parking. In the future they would like to place a road on the north side of the property that would connect with Community Boulevard to alleviate traffic congestion.

Trustee Brady expressed concern that the drawings appeared to show block construction, which he did not want to see. He also felt a three lane entrance would be best and an entrance onto Northgate Parkway would be necessary.

Trustee Papantos expressed concerns with the floodplain and floodway. She inquired if there is a plan to place a road over the floodway.

Mr. Hein answered that it is a possibility, but they are looking at all the options.

Village Engineer Tack indicated that he has faith in the petitioner's engineer and that there are ways to construct a road in a floodway.

Trustee Lang stated that the plans included in the packet were confusing. He wanted to be sure that there would be more than one entrance into the development. Mr. Hein indicated that there will be an entrance onto Northgate Parkway, but the exact location is not yet determined.

President Argiris stated he would like to see this done right at one time and asked the petitioner to look at the whole development including all of the phases. He asked for a consensus to place retail at this site.

Yes: Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris

The Board was in favor of moving forward with the complete project and two entrances.

**J. PRESENTATION RE:** Enforcement of Municipal Code Requirements Regarding Home-Based Businesses

Manager Sfondilis gave a brief update to the Board on home-based businesses that are being brought into compliance with Village Code. He reminded residents with home-based businesses that they have until September 1 to reach out to the Village to come into compliance.

**OFFICIAL COMMUNICATIONS**

Trustee Lang gave condolences to the family of Wheeling resident Blanche Makowski who recently passed away.

Clerk Simpson announced that on June 11 the Saver's truck will be in front of Village Hall to collect items to help raise funds for the Wheeling Citizens Police Academy Alumni Association. She also announced that the Wheeling Garden Club will meet June 8 and the topic of discussion will be rain gardens.

**APPROVAL OF BILLS**      May 12–June 1, 2016

A motion was made by Trustee Vogel and seconded by Trustee Krueger that the bills in the amount of \$1,090,535.18 be approved.

On the roll call the vote was:

AYES:            7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS:            0  
ABSENT:        0

There being seven affirmative votes, the motion was approved.

**EXECUTIVE SESSION**

President Argiris asked for a motion to recess into Executive Session for the purpose of discussing Pending, Probable, and/or Imminent Litigation.

A motion was made by Trustee Krueger and seconded by Trustee Lang that the Board recess into Executive Session.

On the roll call, the vote was:

AYES:            7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris  
NAYS:            0  
ABSENT:        0

There being seven affirmative votes, the motion was approved and the Board recessed at 8:22 p.m.

A motion was made by Trustee Krueger and seconded by Trustee Papantos that the Regular Meeting reconvene.

The motion carried by voice vote. The meeting reconvened at 8:48 p.m.

There was a discussion regarding enforcement of home-based businesses.

President Argiris took a consensus of the Board to continue with enforcement in the Jackson Drive area.

No: Trustees Brady, Vogel, Vito

Yes: Trustees Papantos, Krueger, Lang

Trustee Vito was in favor of amending the code for home-based businesses, possibly to allow for more uses based on property acreage.

Trustee Brady felt the code could be amended for home-based businesses, but wanted to make sure property maintenance issues such as outdoor storage were addressed.

Trustee Vogel expressed frustration at the difficulty of citing home-based businesses throughout the Village.

Trustees Krueger, Lang, and Papantos expressed concerns about the code being enforced fairly throughout the Village and the implications of allowing home-based businesses only in certain areas.

President Argiris stated that there is currently an issue with code enforcement being handled Village-wide and wanted to be sure the code is enforced consistently.

#### **ADJOURNMENT**

President Argiris asked for a motion to adjourn the meeting. A motion was made by Trustee Brady and seconded by Trustee Vogel that the meeting adjourn.

On the roll call the vote was:

AYES: 7 – Trustees Brady, Vogel, Vito, Papantos, Krueger, Lang, & President Argiris

NAYS: 0

ABSENT: 0

There being seven affirmative votes, the motion was approved.

**ADJOURNMENT** 9:30 p.m.

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Elaine E. Simpson, Village Clerk

Approved this 18<sup>th</sup> day of July 2016 by the President and Board of Trustees