

MINUTES
VILLAGE OF ELBURN BOARD OF TRUSTEES
DECEMBER 7, 2020
VIA ZOOM VIRTUAL MEETING

Board Members Present: President Jeff Walter, Trustees: Ken Anderson, Sue Filek, Bill Grabarek, Chris Mond, Patricia Schuberg, Matt Wilson

Board Members Absent:

Staff Members Present: Village Administrator John Nevenhoven; Finance Director Doug Elder, Village Attorney Bill Thomas, Police Chief Nick Sikora; Building Commissioner Tom Brennan; Public Works Supt Phil VanBogaert; Village Engineer Julie Morrison

Others Present: KC Chronicle reporter Jake Bartelson; Bob Skidmore

1. Call to Order – Village President Jeff Walter called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance – The assembly recited the Pledge of Allegiance.
3. Roll Call – A roll call ensued.

Mayor Walter announced this is a virtual meeting. Due to the COVID pandemic, conducting the meeting in person is not practical or prudent at this time.

4. Conduct the Truth in Taxation Public Hearing for the 2020 Village of Elburn Property Tax Levy – A motion to open the public hearing was made at 7:05 by Grabarek and seconded by Filek. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mond, Schuberg, Wilson. Nays: None. Motion carried. Finance Director Elder announced this hearing is being held as required by the Truth in Taxation Act. The hearing is being held via Zoom virtual meeting due to the ongoing COVID pandemic and it is not practical or prudent to conduct the hearing in person. Notice of this hearing was published in the Kane County Chronicle and on the Village website. Elder gave a brief presentation explaining the reason and process for a levy. Mayor Walter inquired three times if there was any input from the public. Village Admin Nevenhoven stated no public comment was received via the Public Hearing email address. Being no questions from the public, a motion to close the public hearing was made by Wilson and seconded by Schuberg at 7:12pm. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mond, Schuberg, Wilson. Nays: None. Motion carried.
5. Public Comment, Awards & Presentations – None
6. Omnibus Agenda (Omnibus Vote) – All items listed with an asterisk (*) are considered to be routine by the Village Board or were recommended unanimously by the Committee of the Whole and will be enacted by one motion. There will be no separate discussion on these items unless a Board Member or citizen so requests in which event the item will be removed from the Omnibus (Consent) Agenda and considered in its normal sequence on the Agenda.

*Minutes

| | |
|--------------------------------|--------------------------|
| <i>*Village Board</i> | <i>November 16, 2020</i> |
| <i>*Committee of the Whole</i> | <i>November 16, 2020</i> |

A motion was made by Trustee Anderson and seconded by Trustee Schuberg to approve the Omnibus Agenda. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mond, Schuberg, Wilson. Nays: None. Motion carried.

7. Mayor
 - a. Mayor Walter stated due to the extensive Village Board agenda this evening, the Sugar Grove boundary discussion will be held at the next COW on December 21, 2020. Mayor Walter confirmed a quorum of Trustees will be present at the next meeting. Trustee Anderson will be absent.
 - b. Mayor Walter thanked everyone involved (Public Works, Parks Commissioners, Trustees) for their work to install park benches, bike racks, trash cans, etc. throughout town. Donations have been received to cover the cost of some of these items.
 - c. EEI and the Elburn American Legion is collecting for Toys for Tots. A drop box is at Village Hall and the Legion. Rise N Dine and the Legion are also collecting for other veteran causes.
8. Village Attorney – Village Attorney Thomas reported on an opinion issued by the Attorney General's Office recently regarding FOIA and OMA complaints. For virtual meetings, any member of the public should be able to hear all discussion, testimony and roll call votes with no sidebar discussions. Unless in closed session, once a meeting is called to order, all discussion should be open and projected to the public until the meeting is adjourned.
9. Village Clerk – Clerk McQuilkin reported the Consolidated Election Filing Period begins next week thru December 21. The filing periods have been published in the Kane County Chronicle newspaper, posted on the Village website and on the front window at Village Hall.
10. Village Engineer – Engineer Morrison reported the Anderson Road intersection will be fully open on December 15. Temporary traffic signals will be used for the time being. There was consensus from the Board not to hold a ribbon cutting ceremony for the opening.
11. Administration
 - a. Discuss and Approve the 2021 Meeting Calendar – A motion to approve was made by Grabarek and seconded by Anderson. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mond, Schuberg, Wilson. Nays: None. Motion carried.
 - b. Discuss and Approve Ordinance 2020-37 Amending the Sign Code – This was discussed at the last meeting and changes discussed are in the packet this evening. A motion to approve was made by Schuberg and seconded by Filek. Trustee Filek noted there is an illustration that needs to be updated on page 23. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mond, Schuberg, Wilson. Nays: None. Motion carried. Nevenhoven will work with EEI to create a formal map.
 - c. Discuss and Approve 2020-39 Amending Section 804.04(11) Endorsements of Outdoor Retail Sales – Nevenhoven explained brew pubs were not included in the ordinance and this is a correction to add endorsements for outside beverage sales for Class G establishments. A motion to approve was made by Filek and seconded by Schuberg. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mond, Schuberg, Wilson. Nays: None. Motion carried.
 - d. Discuss and Comment on Anderson Animal Shelter Request for Rezoning (PIN's 08-34-100-007 and 08-34-300-001) – This is a request from Kane County for a parcel located within the Village's 1-1/2 mile jurisdiction for use by Anderson Animal Shelter. After brief discussion, there were no objections noted and Nevenhoven was directed to respond to Kane County that the Village of Elburn is in favor of the rezoning.
12. Building and Zoning
 - a. Discuss and Approve Ordinance 2020-38 a Variance to the Sign Code – J&R Herra, 210 E North St – Building Commissioner Brennen presented and gave a brief background on the request for a backlit sign within the downtown sign district. The Village Planning Commission unanimously recommended approval with the contingency that the sign must be turned off each night by 10:00pm (which is the same requirement for the Elburn Radiator backlit sign to the south). A motion to approve was made by Anderson and seconded by Mond. Regarding the 10:00pm turn off enforcement, Brennan will coordinate with the Police Department to report any violations. It is speculated that there shouldn't be many more similar variances in this particular district. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mond, Schuberg, Wilson. Nays: None. Motion carried.

13. Finance Department – Finance Director Elder presented the following.
 - a. Discuss and Approve Ordinance 2020-26 Tax Levy Ordinance – A motion to approve was made by Grabarek and seconded by Schuberg. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondí, Schuberg, Wilson. Nays: None. Motion carried.
 - b. Discuss and Approve Ordinance 2020-27 SSA 1 Tax Levy – A motion to approve was made by Schuberg and seconded by Grabarek. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondí, Schuberg, Wilson. Nays: None. Motion carried.
 - c. Discuss and Approve Ordinance 2020-28 SSA 2 Tax Levy – A motion to approve was made by Filek and seconded by Grabarek. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondí, Schuberg, Wilson. Nays: None. Motion carried.
 - d. Discuss and Approve Ordinance 2020-29 SSA 3 Tax Levy – A motion to approve was made by Schuberg and seconded by Filek. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondí, Schuberg, Wilson. Nays: None. Motion carried.
 - e. Discuss and Approve Ordinance 2020-30 SSA 4 Tax Levy – A motion to approve was made by Schuberg and seconded by Grabarek. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondí, Schuberg, Wilson. Nays: None. Motion carried.
 - f. Discuss and Approve Ordinance 2020-31 SSA 5 Tax Levy – A motion to approve was made by Schuberg and seconded by Filek. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondí, Schuberg, Wilson. Nays: None. Motion carried.
 - g. Discuss and Approve Ordinance 2020-32 SSA 6 Tax Levy – A motion to approve was made by Schuberg and seconded by Grabarek. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondí, Schuberg, Wilson. Nays: None. Motion carried.

14. Police Department – Chief Sikora reported the following.
 - a. Chief Sikora advised the US Department of Justice requires use of force certification in order for a department to be eligible for funding. Not only did the Elburn Police Department pass the two mandatory measures, they also passed all ten discretionary measures. As a result, Elburn Police Department is now eligible to receive federal grant funding.
 - b. Regarding the Anderson Road Extension opening on December 15, Chief Sikora offered Police Department assistance until the signals are working and barricades are removed.

15. Public Works Department – Public Works Superintendent VanBogaert presented the following.
 - a. Discuss and Approve Purchase of a Hoop Building in an Amount of \$99,334.43 – A motion to approve was made by Anderson and seconded by Wilson. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondí, Schuberg, Wilson. Nays: None. Motion carried.
 - b. Discuss and Approve Purchase of a Service Truck in an Amount of \$75,000 – VanBogaert reported the Village Board approved the purchase of this vehicle in March (but was put on hold due to COVID) and decided to split the cost between water, sewer and streets departments. The truck will be silver in color. A motion to approve was made by Anderson and seconded by Wilson. When asked, VanBogaert stated the aluminum (vs. stainless steel) service body will last longer, the truck is 4 wheel drive and he does not intend to put a plow on it. This vehicle will eventually have a crane and compressor on it, making it top heavy, and will be set up for repairs and maintenance. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondí, Schuberg, Wilson. Nays: None. Motion carried.
 - c. Discuss and Approve a Professional Services Agreement with EEI for Thryselius Drive – This is for design engineering and hope to go out for construction bid next spring. Next year's streets program will include resurfacing in the Cambridge area and it makes sense to do Thryselius and Cambridge at the same time. It has been decided not to use Rebuild Illinois funds on this project—it makes more sense to use for Anderson Road. A motion to approve was made by Schuberg and seconded by Mondí. Construction will be budgeted in FY2022 funds. It was asked if the Village is seeking fund recapture with adjacent property owners since they will benefit. Staff will research the history and the Village's recapture authority and report back to the Board. It was suggested action be postponed this evening pending the recapture outcome especially with the storage facility. Some Trustees recalled discussion of this when the storage facility petitioned the Village several years back. When asked if Thryselius Road will be engineered for heavy truck traffic (considering truck traffic from the South Street Business Development), Village Engineer Morrison said yes, it can be. Paving of Thryselius will be a benefit not only for Cambridge residents, but for many others (e.g., festival participants, local businesses, etc.). It is believed the

fire department will want an additional access created to the storage facility for safety—Chief Sikora stated the police department does also since it is such a long stretch. Trustees Schuberg and Mondy agreed to table their motion and second until the December 21 meeting. Nevenhoven and VanBogaert will research.

- d. VanBogaert stated candidates for the two open laborer positions have been interviewed. There are several good candidates and conditional offers should be extended soon.

16. Bills

- a. Approve the Bills List – A motion was made by Trustee Grabarek and seconded by Trustee Schuberg to approve the bills for Monday, December 7, 2020 for \$538,463.13. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondy, Schuberg, Wilson. Nays: None. Motion carried. Unanimous roll call vote.

17. Other Business – Mayor Walter will pick up the Village’s COVID relief check from Kane County tomorrow.

18. Adjourn - Trustee Mondy motioned to adjourn the meeting at 8:18 p.m. with Trustee Grabarek seconding the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,



Diane McQuilkin
Village Clerk