

MINUTES
VILLAGE OF ELBURN COMMITTEE OF THE WHOLE (COW)
NOVEMBER 7, 2022
AT ELBURN VILLAGE HALL

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

Board Members Absent: Patricia Schuberg

Staff Members Present: Asst Village Administrator Chris Ranney; Finance Director Doug Elder, Village Attorney Bill Thomas, Police Chief Nick Sikora; Building Commissioner Tom Brennan; Public Works Supt Phil VanBogaert; Village Engineers Julie Morrison & Peter Wallers

Others Present: Residents LeRoy Herra, Ken Gustafson, Connor Anderson, Thomas Gush, Tom Reynolds, Richard Temple; Unknown Representative for Variance Petitioner (Agenda item 11A) in lieu of Nikki Christenson; Elburn Herald Reporter Susan O'Neil

1. Call to Order – Mayor Walter called the meeting to order at 7:54 PM.
2. Roll Call – A roll call ensued.
3. Public Comment – Resident Thomas Gush inquired if the Village tried obtaining grants to cover some of the new police station cost. Chief Sikora answered there has been nothing, to date, the Village is eligible for. Resident Ken Gustafson suggested utilizing social platforms and newspapers to try and convince community leaders to influence support.
4. Discussion:
 - a. Route 38 & Anderson Road Traffic Lights – Village Engineer Morrison presented and explained the different funding scenarios whether STP, IDOT, Village or combination as well as estimated timelines. The federal process takes 1-1/2 to 3 years with construction funds available in 2027. Because IDOT owns two of the four legs of the intersection, the Village's cost request was cut in half. Input was requested from the Board. If the Board would like to pursue and accept STP funding, we should start the process soon. Due to the dangerous intersection and numerous accidents, Mayor Walter inquired if the Village could bear the cost to install the lights sooner rather than later. The IDOT traffic study has been completed. Required changes to the intersection were explained in order to install the lights. Morrison explained even if the Village decides to do the improvements themselves, IDOT will still be involved at a cost of approximately \$3.5M, \$3M with a DCEO grant and Rebuild funds. There was agreement this is out of the Village's financial reach and agreed to look forward with a grant from KKCOM, STP Funds, DCEO and Rebuild Illinois funds. We have not heard back from IDOT regarding a speed study—the Village has asked IDOT in the past to lower the speed limit on Route 38 between Anderson Road and Route 47. The Village is still working with Rep DeWitte for additional funding, who said this is a priority project. IDOT agrees the light is warranted. Chief Sikora stated, IDOT generally lowers speed limits in 10MPH increments, but could be more. Two previous studies have come back that 55MPH is the proper speed limit for the area. Morrison stated IDOT's budget does not include improvement of the intersection for the next five years. However, they look at their budget yearly and priorities could change. When asked if the State has an annual "streets program," Morrison will check to see when Route 38 is scheduled to be repaved. Engineer Waller said Phase 1 is important for land acquisition and final cost estimate for the project—which helps move IDOT along as well knowing they can rely on the Village for their share of the project.

STP funds are not available for Phase 1 and RFQs are not funded by STP funds. EEI would like to do all engineering in-house and prepare a PSA for Board consideration. Trustee Wilson would like an understanding of what we're looking at other than just lights—opportunity to put utilities on north side of Route 38 with recapture opportunities from future development, etc. It was asked that this be brought to the next COW with cost estimates and see what opportunities there are to extend utilities. Campton Township has been approached to participate and Campton Hills cannot participate because it is not within their village limits. Waller stated it is difficult to recapture with federal funding. For future development to the north, it could be managed with the annexation agreement. This will be further discussed at the next COW.

- b. Assistance for Sewer Hookups – Trustee Wilson would like thoughts regarding the sanitary sewer expansion on E Pierce Street. Rather than the additional expense and work for an unknown number of years before homeowners connect to the sewer, he inquired if there are any funding or financial incentives to entice residents to connect sooner rather than later. Trustee Anderson said the Health Department can require hookup if there is a septic failure and they are close enough to sanitary sewer. Public Works Supt VanBogaert said it could cost \$10-\$15K for each household to hook up and maybe more depending on each home's plumbing circumstances. Stubs would be installed to the property line. A low interest loan or a 50/50 option was suggested to encourage residents to connect sooner than later. On the other hand, if the septic systems are working great, why is the Village considering this at all? VanBogaert said the incentive is because the street will be replaced next year and would be the ideal time to install sanitary and storm sewers. There are nine homes affected. A survey of the nine homeowners was suggested to find out how old the tanks are vs. the average life of a septic tank, when the house was built, etc. When staff has the data, bring it back to a future COW to discuss whether to move forward.
- c. Outdoor Liquor Amendments – Mayor Walter stated there is some confusion in the liquor ordinance regarding outdoor service and outdoor consumption and the difference between permanent and temporary outdoor sales and consumption. Is the liquor license for the property or the building? There is a lot of confusion, and our ordinance is not clear. A red-line copy was distributed to Trustees to review for discussion at a future COW.
- d. Zoning Ordinance Text Amendment – Short-Term Rentals – Asst Village Admin Ranney stated the Village is aware of Airbnbs in town. There is nothing in the Zoning Ordinance to address them other than a reference to "Tourist Homes." This matter was reviewed by the Village Planning Commission who unanimously recommended the following: 1) delete "Tourist Homes" from the list of prohibited home occupations (Zoning Ordinance 4.16D(10)); 2) Add the definition of "Short-Term Rental" as "a lodging use, that is not a hotel or motel, or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty consecutive nights" (www.lawinsider.com/dictionary/short-term-rental); 3) Add "Short-Term Rental" as a "Special Use" in all residential districts, except where the subject property is immediately adjacent to the B-1 Central Business District (CBD), then it is a "permitted" use. Attorney Thomas stated municipalities are wrestling with short-term rentals and added the Planning Commission's discussion was very good.

Trustee Anderson likes the adjacency to B-1 zoning but not sure about Special Use in residential neighborhoods—many times, homes are someone's biggest investment and having a "business" next door is not desirable. Trustee Filek agreed with Trustee Anderson—Elburn is not a resort destination. There was agreement to remove "Tourist Homes" from the Zoning Ordinance, revise the code to allow short-term rentals adjacent to downtown B-1 zoning and eliminate Special Use as an option in other classifications.

5. Other Business – Regarding the Elburn Station Community Park project that failed to obtain a motion at the Village Board meeting earlier this evening, it was asked if Shodeen has committed any funds toward this improvement. Mayor Walter said Shodeen said no to help with this cost. There was discussion if there was a way to scale down the project to necessities. Engineer Morrison has already discussed with Public Works Supt VanBogaert and the contractor on how to lower the cost, including the Village completing the restoration and use of a different style pipe. Benefits of the path and the water main extension were discussed but perhaps scale down the project to only the flooding issue. However, if we pull out too much, the contractor may not be

interested in doing the job. VanBogaert acknowledged that pricing as of late has been out of proportion due to the economy. It was suggested the SSA pay for the path. Options to stay within or slightly over budget will be discussed and brought back to a future COW for discussion.

With Engineer Dennison out of town, the Water Master Plan will be discussed at the November 21, 2022 meeting.

6. Adjourn – Trustee Mondy moved to adjourn the meeting at 8:50 p.m. The motion was seconded by Trustee Grabarek and passed by a unanimous voice vote.

Respectfully Submitted,



Diane McQuilkin
Village Clerk