

MINUTES  
VILLAGE OF ELBURN BOARD OF TRUSTEES  
AUGUST 21, 2023  
AT ELBURN VILLAGE HALL

Board Members Present: President Jeff Walter, Trustees: Bill Grabarek, Chris Hansen, Luis Santoyo, Matt Wilson

Board Members Absent: Ken Anderson, Patricia Schuberg

Staff Members Present: Village Administrator John Nevenhoven, Asst Village Administrator & HR Chris Ranney, 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: Resident LeRoy Herra; Kane County Chronicle reporter Susan O'Neill; Lauterbach & Amen rep Jennifer Martinson; Obscurity reps Luke Goucher & Brandon Harris

1. Call to Order – Village President Jeff Walter called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance – Trustee Wilson led the assembly in the Pledge of Allegiance.
3. Roll Call – A roll call ensued.
4. Public Comment, Awards & Presentations – None
5. 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>August 7, 2023</i>
<i>*Committee of the Whole</i>	<i>August 7, 2023</i>
<i>*Executive Session</i>	<i>August 7, 2023</i>

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

6. Mayor
  - a. Mayor Walter read aloud a proclamation for International Overdose Awareness Day.
  - b. Mayor Walter thanked everyone for a great Elburn Days weekend. Continuous improvement efforts are in place for next year.
7. Village Attorney – No report
8. Village Clerk – No report
9. Village Engineer – Village Engineer Morrison advised the Streets Program is complete except for crack sealing and punch list items. The Manhole Rehab project is underway.
10. Administration – Village Admin Nevenhoven presented the following:
  - a. Discuss and Approve the Downtown Lighting License Agreement – Nevenhoven advised when the contract is approved, all downtown business owners will be contacted. A motion to approve

was made by Santoyo and seconded by Wilson. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.

- b. Discuss and Approve the Purchase of Downtown Lights from Brilliant Illuminations \$32,509 – Nevenhoven stated this is a budgeted expense. This cost will be split 50/50 with the Chamber of Commerce. Nevenhoven is applying for a grant from ComEd to cover some of the cost. Discussion with business owners will occur prior to purchasing. A motion to approve was made by Santoyo and seconded by Wilson. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.
- c. Discuss and Approve Resolution 202-08 Appointing an ADA Coordinator and Adopting a Grievance Procedure – Asst Village Admin & HR Coordinator Ranney stated organizations with 50+ employees should have a coordinator. While the Village does not have 50+ employees, it is close when all board and commission members are factored in. Regardless, it is a good idea to have an ADA Coordinator on staff. This is not an appointed position. A motion to approve was made by Trustee Wilson and seconded by Trustee Grabarek. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.
- d. Executive Session: (5 ILCS 120/2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees – A motion was made by Trustee Hansen and seconded by Trustee Santoyo to leave regular session and enter into executive session. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.

In regular session, a motion was made by Trustee Hansen and seconded by Trustee Grabarek to leave executive session and re-enter regular session. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.

- e. Discuss and Approve Resolution 2023-10 Authorizing the Execution of a Collective Bargaining Agreement between the Village of Elburn and Fraternal Order of Police (FOP) for Full-time Police Officers and Sergeants – A motion to approve was made by Grabarek and seconded by Santoyo. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.

#### 11. Building and Zoning

- a. Discuss and Approve Ordinance 2023-25 for a Zoning Map Amendment (Obscurity Property) – Nevenhoven presented and described the property, the requested zoning, and the intended use. Obscurity Brewing has requested to rezone four parcels of land west of the brewery. Two of the parcels are currently zoned CM and were previously owned by Elburn Co-Op/CHS. The other two parcels were previously owned by the C&NW Railroad/Union Pacific Railroad and were never assigned a zoning classification. The petitioner has a number of uses planned in the “Warehouse on North” and wants to make sure the property is properly zoned. The proposal was reviewed by the Planning Commission at a public hearing and recommended approval. Trustee Grabarek expressed concern about the rezoning—shouldn’t the railroad property go through an annexation process? Just because it was sold to a private individual doesn’t mean it was annexed. Nevenhoven agreed the parcel was sold to FS/Co-Op and the Village’s boundary map shows it is within the borders of Elburn. The railroad maintains the right to use the spur. Mayor Walter added this is only a request to rezone the property, not develop it, and there will be no formal proceeding to abandon the property until the railroad no longer needs/wants the spur. Grabarek asked if the Village subscribes to the State and Federal register to keep up to date on these parcels. Village Attorney Thomas said we don’t subscribe but we do have access to the information. Trustee Hansen asked for confirmation if there are any development plans for this property. Nevenhoven said no, the only use is what it is being used for now. Trustee Grabarek inquired if witnesses are sworn in at public hearings. Nevenhoven said yes. A motion to approve was made by Trustee Wilson and seconded by Trustee Hansen. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.
- b. Discuss and Approve Ordinance 2023-26 for a Zoning Test Amendment – Commercial Event Centers and Game Rooms – Nevenhoven stated the purpose of this zoning text amendment is to add “commercial event center” and “game rooms” to the list of permitted uses in B-1 zoning. In addition, the removal of “game rooms” from the list of Special Uses in the B-1 zoning will occur. Definitions for the new uses have been added to the zoning code. Note: “game rooms” are for

amusement only and do not include video gaming. A motion to approve was made by Trustee Grabarek and seconded by Trustee Santoyo. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.

12. Finance Department

- a. Presentation of the FY2022-23 Audit – Finance Director Elder introduced Jennifer Martinson from Lauterbach & Amen to present the findings of the audit to the Board. Martinson summarized specific aspects of the report and stated an unmodified opinion (the highest opinion possible) has been issued. She thanked Elder and the Finance Department Staff for their good work and cooperativeness. A motion to approve the audit as presented was made by Trustee Santoyo and seconded by Trustee Hansen. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.

13. Police Department – Chief Sikora reported on the following:

- a. An ad for full-time officer eligibility testing has been posted. The initial test will take place on September 30, 2023.
- b. New full-time Officer Pearson graduates from the police academy on Friday, August 25, 2023. Chief Sikora and Mayor Walter will attend the graduation.
- c. Elburn Days this last weekend went well, with no arrests.
- d. Hope to have the drug take-back box in operation this week so it is available before Drug Take-Back Day. Some testing of the box will be done and perhaps issue a press release.
- e.

14. Public Works Department – Public Works Supt. VanBogaert presented the following:

- a. Discuss and Approve Payout #1 to Builders Paving LLC - \$300,295.54 – A motion to approve was made by Trustee Wilson and seconded by Trustee Hanson. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.
- b. The dam in Blackberry Creek has been inspected and the report will be sent to DNR.
- c. Trustee Hanson asked if speed bumps will be installed on Third Street as they were before being repaved. VanBogaert said speed bumps will not be replaced. If there is a problem, temporary speed bumps can be put in place for warmer months only.

15. Bills

- a. Approve the Bills List – A motion was made by Trustee Grabarek and seconded by Trustee Hansen to approve the bills for Monday, August 21, 2023 for \$416,735.60. A roll call vote ensued. Ayes: Grabarek, Hansen, Santoyo, Wilson. Nays: None. Motion carried.

16. Other Business – None

17. Adjourn - Trustee Hansen motioned to adjourn the meeting at 7:47 p.m. with Trustee Santoyo seconding the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,



Diane McQuilkin  
Village Clerk