

**MINUTES
COMMITTEE OF THE WHOLE MEETING
VILLAGE OF VERNON HILLS
JANUARY 5, 2005**

IN ATTENDANCE: President Byrne called the meeting to order at 7:15 p.m. The following Trustees were present: Duros, Hebda, Koch, Schwartz. Trustees Marquardt and Williams were absent.

Also present were Manager Allison, Assistant Manager Kalmar, Finance Director Nakrin, Building Commission Gerth, Police Chief Fleischhauer, Public Works Director Laudenslager, Village Engineer Brown, Attorney Shapiro and Acting Village Clerk Udesky.

1. APPROVAL OF 12/02/2004 SPECIAL COMMITTEE OF THE WHOLE MINUTES.

Motion by Trustee Hebda, second by Trustee Duros to approve the 12/02/2004 Special Committee of the Whole Minutes. Roll call vote:

AYES: 4-Duros, Hebda, Koch, Schwartz

NAYS: 0-None

ABSENT: 2-Williams, Marquardt

Motion declared carried.

2. COUNTRYSIDE/LINCOLNSHIRE RIVERWOODS FIRE PROTECTION DISTRICTS – IMPACT FEES.

Manager Allison introduced Deputy Chief Tony Ugaste of Lincolnshire Riverwoods Fire District and Chief Jim Spiegel of Countryside Fire District. Deputy Chief Tony Ugaste outlined issues that the Lincolnshire Riverwoods Fire District were facing with regards to the extent of their boundaries and the rationale for imposing fees on developers and homeowners on new development to finance fire district needs for replacement and expansion of capital equipment and facilities.

Chief Spiegel stated with the completion of Station 2 on Deerpath Drive, their revenues were depleted and new revenues would be needed to replace a vehicle purchased in 1980 and for the construction of Station 1 on Midlothian Road. Funds for Station 2 were provided by the Illinois 1st Program as well as donations from local businesses.

Deputy Chief Ugaste stated Lincolnshire Riverwoods was looking to build a 3rd station to reduce response time to calls. Operating expenses have increased over the years as well as the department protects three TIF districts where no additional tax monies were being generated. Mr. Ugaste referred to the BACOG formula that was adopted in the Barrington area, which allowed them to increase revenues without increasing service fees. The location of a station needed accessibility and routing plans for providing services.

Chief Spiegel state the Village of Vernon Hills had purchased outdoor warning sirens (OWS). The other communities and unincorporated areas in the fire districts would need to be purchase the warning sirens. The funding could come from collection of fees listed on building permit applications. The suggested fee would be \$0.20 per square foot for new development. Countryside Fire District has implemented this formula with Long Grove, Indian Creek, Hawthorn Woods and the unincorporated areas in their district. Vernon Hills was the only community not collecting a fee.

Village President Byrne inquired what the projected revenues that would be generated and was informed enough revenue was collected to cover the debt service for replacement of fire apparatus,

but the revenues were not sufficient to build a new fire station. Mr. Spiegel stated the Hawthorn Mall expansion had come as a surprise and was not accounted for in the district's long-range plan, which was needed to project revenue sources.

Trustee Koch inquired if creating this fee would help make up for the revenues lost in the TIF districts. Mr. Ugaste stated that the two fire districts had different needs. The revenues generated by property tax on new development were not seen for at least 12 – 18 months after completion. Developer contributions had been done by request and establishing a fee would stabilize revenues with no surprises.

President Byrne inquired if the \$0.20 a square foot formula was applicable to the northeast corner of Route 60 and Milwaukee Ave. Mr. Spiegel stated the fee would be for the structures and not on the selling price of the land. Mr. Spiegel continued that communities from Antioch to Sugar Grove had different formulas, with Sugar Grove having the highest. Property tax revenues that are generated were always delineated to the schools first.

Chief Spiegel stated an ordinance was created that was used for Countryside communities and unincorporated areas in their district. Vernon Hills was not included. Deputy Chief Ugaste stated no ordinance had been adopted by Lincolnshire Riverwoods.

Trustee Duros inquired if a donation was required from Aspen Pointe and Manager Allison stated it was still an open issue. Trustee Koch concurred with Chief Spiegel that donations had always been done case by case, variances, or through annexation agreements.

Attorney Shapiro stated there was no authority to enact an ordinance or require an impact fee by state statute. The City of Naperville had enacted an ordinance, but to date there were challenges to the ordinance. Mr. Spiegel and Mr. Ugaste requested that the term "impact fees" not be used.

Trustee Koch requested counsel to work on a document that was best worded, so there would be no opposition.

3. VHAC CONCESSIONS-COUGAR PROPOSAL.

Village Manager Allison referred to his 1/4/2005 memo that outlined issues regarding the Vernon Hills Athletic Complex Concessions. Mr. Allison stated the Village could contract and operate vending machines to defray the operation costs at the site. The Cougar organization would operate the concession stand with volunteers and operate the concessions during the AYSO tournament in 2006. President Byrne suggested that a six-month use of vending machines would not generate much revenue.

Mr. Randy Weinberg and Mr. Pat Steininger were introduced as part of the committee that represented the youth sports association made up of baseball, softball, football and basketball families. Currently, no revenue sharing agreement has been established. Mr. Weinberg stated the Park District was not interested in traveling teams. The parents would volunteer to operate the concessions during the sports season. The association would be responsible for staffing, operating and inventorying the concessions. Additional food service equipment may be needed later and the association would pay for it. Mr. Weinberg suggested that an outside vending company, such as Pepsi or Coca-cola could provide the beverage. Mr. Weinberg stated they had participated in tournaments last year, which gave them experience in the operations of events.

Trustee Hebda favored the plan provided health department guidelines were followed and the grounds were kept clean; and added, she had no problem with companies advertising as long as it is was done tastefully.

Village Manager Allison requested general direction and would meet with Mr. Weinberg and attorney to outline some sort of agreement.

4. **CONSIDERATION OF A REPORT AND RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION REGARDING PETLAND INC. SPECIAL USE PERMIT – 700 NORTH MILWAUKEE AVENUE, UNIT 138.**

Assistant Village Manager Kalmar referred to information from the petitioner and the verbatim minutes of the Planning and Zoning Commission for the Petland, Inc. request for a Special Use Permit. Mr. Kalmar noted that the petitioner Dan Hamilton and his wife were present. Also attending were several women who had given testimony to deny the request at the 12/08/04 Planning and Zoning Commission hearing. Mr. Whitman, a representative of Petland, Inc. was present at this evening's meeting.

The consensus of the Planning and Zoning Commission was the petitioner failed to meet the conditions as set forth in the Zoning Ordinance, Section 18.3-Standards. They felt that the proposed location was not appropriate due to the existence of several restaurants or eating establishments.

The Planning and Zoning Commission had reviewed the matter and, on a motion to approve the request for special use permit, subject to certain conditions in the staff report, the motion failed five to one. The petitioner submitted a letter dated January 4, 2005 in response to the Planning and Zoning Commission's action and further requested the Committee to recommend approval of their request, without any conditions. Mr. Kalmar requested the Committee to direct staff in preparing the necessary ordinance granting approval and incorporate the recommendations of the Planning and Zoning Commission for the 1/18/2005 Board meeting. Motion by Trustee Duros, second by Trustee Koch to accept the recommendation of the Planning and Zoning Commission to **deny** the request of the special use permit to Petland, Inc., 700 N. Milwaukee Ave., Unit 138. Roll call vote:

AYES: 5 – Hebda, Koch, Duros, Schwartz, Byrne

NAYS: 0 – None

ABSENT: 2 – Williams, Marquardt

Motion declared carried.

5. **ADJOURNMENT**

Motion by Trustee Duros, second by Trustee Koch to adjourn the Committee of the Whole. Roll call vote:

AYES: 5 – Schwartz, Duros, Hebda, Koch, Byrne

NAYS: 0 – None

ABSENT: 2 – Williams, Marquardt

Motion declared carried.

Meeting adjourned at 8:15 p.m.

Holly D. Udesky, Acting Village Clerk

Roger L. Byrne, Village President