

**MINUTES
COMMITTEE OF THE WHOLE MEETING
VILLAGE OF VERNON HILLS
MAY 2, 2006**

IN ATTENDANCE: President Byrne called the meeting to order at 7:20 p.m. The following Trustees were present: Hebda, Koch (arrived at 7:30 p.m.), Marquardt, Schultz, Schwartz and Williams.

Also present were Village Manager Allison, Assistant Village Manager Kalmar, Finance Director Nakrin, Police Chief Fleischhauer, Village Engineer Brown, Public Works Director Laudenslager, Building Commissioner Gerth, Attorney Citron and Deputy Clerk Pelletier.

1. APPROVAL OF 4/18/2006 COMMITTEE OF THE WHOLE MINUTES.

Motion by Trustee Williams, second by Trustee Schultz approval of the 4/18/2006 Committee of the Whole Minutes. Roll call vote:

AYES: 6-Marquardt, Schultz, Schwartz, Williams, Hebda, Byrne

NAYS: 0-None

ABSENT: 1-Koch

Motion declared carried.

2. GYMBOREE-CONSIDERATION OF SPECIAL USE PERMIT.

Motion by Trustee Hebda, second by Trustee Schultz approval of a Special Use Permit for Gymboree unanimously approved by the Planning and Zoning Commission at their April 19, 2006 hearing; and to direct staff to prepare the necessary ordinance approving the special use permit, subject to the following conditions:

1. Compliance with all ordinances and standards of the Village.
2. That if the parent optional program was offered, that periodic checks by the Building Division to confirm pager reception throughout the mall would occur.
3. The special use was granted only to ChildKorp, Inc. as long as Mr. and Mrs. Sulkin were actively involved with the corporation limited to the providing of Gymboree Play and Music Programming.
4. The Parent Optional classes shall end an hour before the mall closes.

Roll call vote:

Motion by Trustee Williams, second by Trustee Schultz approval of the 4/18/2006 Committee of the Whole Minutes. Roll call vote:

AYES: 6-Marquardt, Schultz, Schwartz, Williams, Hebda, Byrne

NAYS: 0-None

ABSENT: 1-Koch

Motion declared carried.

3. REQUEST FROM TAXMAN CORPORATION FOR A VARIANCE FROM CHAPTER 5 OF THE VILLAGE OF VERNON HILLS CODE OF ORDINANCES - BUILDING CODE FOR THE PROPOSED COLD STONE CREAMERY IN ASPEN POINTE SHOPPING CENTER.

Stacy Taxman from Aspen Partners had submitted a request for variance from Section 5-94 (d) of the Village's Code of Ordinances for the purpose of installing a single, uni-sex restroom in the Cold Stone Creamery Store proposed for the Aspen Pointe Shopping Center. The Illinois State Plumbing Code allowed business owners to determine the building capacity, which was used to calculate restroom facilities. The Village had adopted the provisions of the International Building Code (IBC)

to avoid insufficient restroom facilities and/or having future tenants incur expensive alterations. The Illinois Plumbing Code requires separate restrooms, for male and females, when the occupant load exceeded 10; this space was calculated at 22. Trustee Schultz could not support one uni-sex restroom. Ms. Taxman stated Cold Stone Creamery had ten locations that had uni-sex restrooms. President Byrne questioned if the size of this establishment was similar to Dairy Queen and was informed it was. Trustee Schwartz inquired if the uni-sex restroom was not allowed would the deal fall through and Ms. Taxman responded it would end the deal. Ms. Taxman added there was a ten-year lease for the space with Cold Stone Creamery. Counsel recommended adding a caveat if the leaseholder changed, the single uni-sex restroom would be voided. Motion by Trustee Williams, second by Trustee Marquardt to approve a variance from Section 5-94 (d) of the Village's Code of Ordinances and allow a single uni-sex restroom with the caveat as stated above. Roll call vote:

AYES: 6-Schwartz, Williams, Hebda, Koch, Marquardt, Byrne

NAYS: 1-Schultz

ABSENT: 0-None

Motion declared carried.

4. DISPOSAL OF DATED BUILDING PERMITS, PLANS, AND RECORDS PURSUANT TO THE ILLINOIS RECORDS ACT.

Building Commissioner Gerth stated a memorandum had previously been distributed to the Board in a transmittal packet regarding the disposal of dated building permits and plans, which could be disposed of after filing with the Illinois State Archives. Due to limited storage space, expensive storage cabinets, and the minimum value of old permit applications and plans, staff was requesting the disposal of records. The Community Development Department considered taking advantage of the disposal guidelines afforded by the Illinois Records Act, which allows for disposal of building permits and plans five years after expiration of said permit. The residential plans would be first to be reviewed and disposed. The commercial plans would be reviewed and the larger buildings would be retained. Asbuilts would be retained by the Engineering Division, which had been digitally scanned. Residential plans were considered a property of the architect. The only residents that could request copies of plans were the custom home owners, who had paid for them.

5. ADJOURNMENT

Motion by Trustee Schultz, second by Trustee Hebda to adjourn the Committee of the Whole Meeting to Closed Session for discussion of personnel-[Sec. 2(c)(1)] as allowed under the Open Meetings Act. Roll call vote:

AYES: 7-Williams, Hebda, Koch, Marquardt, Schultz, Schwartz, Byrne

NAYS: 0-None

ABSENT: 0-None

Motion declared carried.

Meeting adjourned at 7:45 p.m.

Linda Pelletier, Deputy Village Clerk

Roger L. Byrne, Village President