



Village of Fox River Grove

MINUTES OF THE REGULAR BOARD MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES TUESDAY, MAY 2, 2023

CALL TO ORDER AND ROLL CALL

Village President McLaughlin called the meeting to order at 6:30 p.m. in the Municipal Center. Present at roll call were Trustees Curtiss, Knar, Migdal, and Wall. Trustee Schladt was absent. Also, present were Administrator Soderholm, Assistant Administrator Bechler, Operations Manager Reese, Chief Waitrovich, and Village Clerk Caesar.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

SWEARING IN: VILLAGE TRUSTEE KIRSTEN WALL AND OFFICER ERIC BARHM

Village President McLaughlin administered the swearing in of Village Trustee Kirsten Wall and Chief Waitrovich administered the swearing in of Officer Eric Barham.

PUBLIC COMMENT

None.

VILLAGE PRESIDENT AND TRUSTEE REPORTS

None.

1. APPROVAL: CONSENT AGENDA – APPROVAL VIA ONE VOTE FOR ALL

- A. Village Board Meeting Minutes – April 18, 2023
- B. Accounts Payable – May 2, 2023
- C. Ordinance 2023-06, Text Amendment – Short-Term Rentals
- D. Ordinance 2023-07, Number of Liquor Licenses by Classification
- E. Waive Bids, Enter into Contract – Roof Replacements
- F. Waive Bids, Authorize Truck Purchase
- G. Waive Park, Sound and Temporary Liquor License Permit Fees, Lions Club - Fireworks July 8, 2023 and Arts & Crafts Fair July 22, 2023.

Trustee Curtiss made a motion to approve consent agenda items A – G. Trustee Migdal seconded.

Roll Call: Trustee Curtiss, Knar, Migdal, and Wall—all “yes.” MOTION PASSED.

2. APPROVAL: ORDINANCE 2023-08, NUMBER OF LIQUOR LICENSES BY CLASSIFICATION

Administrator Soderholm stated petitioners Fred and Debbie Cardella’s were back to answer any questions that the Board members may have regarding the vision and floor plan they submitted in response to the Boards request at the April 18 meeting, in regards to the new food & beverage business at 104 N.W. Highway.

Village President Marc McLaughlin

Trustees Jennifer Curtiss / Steve Knar / Andrew Migdal / Melissa Schladt / Kirsten Wall

Mr. Bruce Kaplan with Premier Reality addressed the Board stating that he is in support of the petitioners. Mr. Kaplan said that the Cardella's couldn't reach terms for an agreement at the old Armenentti's location, which brought them to the 104 N.W. Hwy location. It is a vacant building, that has been on and off the market for the past 10 years.

Trustee Knar thanked Mr. Kaplan for coming and stated that while he supports a free business market, his biggest concern was the limited parking and whether it may end up overflowing onto the streets and in to the neighborhood.

Trustee Migdal feels the menu is limited indicating the new business could potentially end up being another gaming location versus a restaurant establishment.

Trustee Curtiss thanked the Cardellas for their interest in Fox River Grove, but shared concerns regarding parking and the vision.

Mrs. Cardella addressed the Boards concerns stating the message she was trying to express in the vision statement was to draw people in for food and cocktails and hope they stay. They plan on creating a nice, comfortable venue, with the little plate idea, high end cocktails, flatbreads, paninis, chicken wings, fries etc., but would not pursue the pizza business as they respect Dead End's business menu and they do not want to infringe upon that. Ms. Cardella stated that they are looking at investing \$20 - \$25K worth of equipment in the kitchen area and that both she and her husband have years of experience and know what needs to be done to succeed.

President McLaughlin stated that the total investment to open would be around \$50-\$75K, that the name of the business is undetermined at this time. He stated the Village should take into consideration that the Cardella's are interested in turning a vacant location into a viable business. If they were to denied the opportunity, what message is being sent to other potential business candidates looking for a new location.

Trustee Knar asked the Cardella's if they felt they would be able to sell \$250,000 annually in food and beverages. The petitioners responded that achieving the \$250k annually in food and beverages should not be a problem.

Trustee Knar made a motion for approval of Ordinance 2023-08, with an amendment to open a class A-1 liquor license to the Number of liquor licenses by classification. Trustee Migdal seconded. Roll Call: Trustee Curtiss – No. Trustee Knar, Migdal, Wall and President McLaughlin—all “yes.” MOTION PASSED.

3. DISCUSSION: ZONING CASE 2023-01, 1001 ROUTE 22 – VARIANCE TO ALLOW BUSINESS OUTSIDE ENCLOSED STRUCTURE; SOLID FENCE IN SIDE YARD ADJOINING A STREET

Assistant Administrator Bechler stated that Case 2023-01 was tabled at the April 18 Village Board meeting, so that the petitioner could return with his tenant and business owner Pavlo Bilyk, at the Board members request to answer some questions about his business. Assistant Administrator Bechler stated that this variance request is for the back lot, behind the small engine repair shop located along Doyle Rd.

Trustee Knar asked Pavlo to explain to the Board what his business is and why it was in need of more parking than what they already have at their 1005 Rte. 22 location.

Pavlo stated his business is a transportation company that moves cars and is in the process of opening parts store. The store will sell trailer/truck parts and diesel filters.

Trustee Knar stated that the only way he would consider approval of the variance to allow parking of trucks and trailers in the back lot, behind the small engine repair shop, is if the petitioner were to construct a fence along Doyle Rd. with landscaping.

Administrator Soderholm stated that the variance goes with the property, so if petitioner ever sells, the next owner can continue to exercise the variance as approved. Administrator Soderholm recommended the Board be very specific in the types/sizes of trucks and trailers that could be parked in the lot, should they approve the variance.

The general consensus of the Board was to recommend Ordinance 2023-01 for approval to the Village Board for the following variance conditions.

Variances:

- To store vehicles and equipment in the open between the hours of 6:00 p.m. and 8:00 a.m.;
- To allow business to be conducted outside of a completely enclosed building

Conditions:

- Same conditions set for the in Ordinance 2021-05 for the 1005 Route 22 property.
- Construct an 8 ft. fence all along Doyle Rd. up to the wetlands and across the back of the property (North Road side), but in front of berm.
- Plant landscaping foliage along Doyle Rd. side of the fence.
- All work or operations on the Subject Property that creates noise (such as loading of materials into trucks, backup safety alarms, banging of dump truck gates, or other noises of a similar nature) that could disturb the surrounding property owners shall be restricted to the following hours of operation:
 - Monday through Friday: 6:30 AM to 6:00 PM
 - Saturday: 7:30 AM to 5:00 PM
 - Sunday: Prohibited
- All equipment utilized by the Petitioner shall be equipped with ambient back up alarms (if necessary) to help minimize the noise generated from operations on the Subject Property

4. DISCUSSION: ZONING CASE 2023-02, 1005 ROUTE 22 – AMENDING ORDINANCE 2021-05 TO ALLOW STORAGE OF VEHICLES AND EQUIPMENT IN FRONT OF FENCE ON PROPERTY DURING DAYLIGHT HOURS

Assistant Administrator Bechler recapped Zoning Case 2023-02 tabled from the April 18 Board meeting, stating that petitioner James Corty is seeking a variance to amend a condition previously applied to his property in a 2021 Ordinance, stating that all trucks and trailers associated with his tenant's business that are stored outside the building must be parked behind the fence located on the property at 1005 Route 22. Due to the nature and growth of the business, there is a need to create more space for maneuvering, loading and unloading cars from trailers and therefor the petitioner is seeking to amend the conditions of the existing variance to allow trucks and trailers to be stored temporarily in front of the fence on the property during business hours. Assistant Administrator Bechler stated that the business has received tickets for cars/trucks being parked outside for 2-3 days at a time and to eliminate future violation fines, the petitioner is seeking the amendment.

The Planning & Zoning Commissions recommendation to the Board was to allow storage of trucks and equipment in front of the fence on the Subject Property during the following hours:

- **Monday through Friday: 6:30 AM to 6:00 PM**
- **Saturday: 7:30 AM to 5:00 PM**
- **Sunday: Prohibited**

A discussion was held.

A motion was made by Trustee Knar for Staff to draft an Ordinance to deny the Planning & Zoning Commission's recommendations in Case 2023-02, 1005 Route 22 to approve amending Ordinance 2021-05 to allow storage of vehicles and equipment in front of fence on property during daylight hours. Trustee Curtiss seconded. Roll Call: Trustee Curtiss, Knar, Migdal, and Wall—all "yes." MOTION PASSED.

5. DISCUSSION: PICNIC GROVE PARK

Administrator Soderholm stated that Staff plans to enforce existing park rules this summer. As directed from the Board, bollards and chains were installed to prevent unlawful boat launching in the park. Additional measures such as weekend park maintenance and additional police presence at the park will be instituted.

In response to Trustee Knar's question about having over-time opportunities last season, Chief Waitrovich stated that officer's response was not measurable due to it being so late in the season when presented.

Trustee Knar would like to see a restricted residents only parking plan implemented sooner than the park master plan proposal, as he feels the master plan is too far out to provide an immediate solution to the current parking issues at the park for residents.

6. OTHER BUSINESS:

Administrator Soderholm informed the Board that the Army Corps. has given their approval for a 2" asphalt add on to the bike path, providing the lift it will need to avoid future flooding. The project will cost approximately \$15k.

The general consensus of the Board was to authorize staff to move forward fixing the flooding issue.

President McLaughlin introduced Mr. Devin Hester whom was present in the audience as his recommendation to fill the vacant Trustee seat.

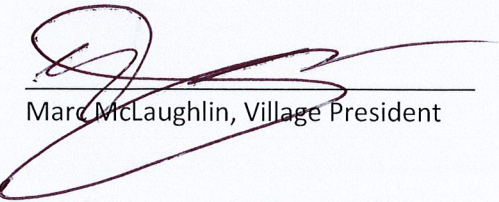
Mr. Hester addressed the Board providing some background on himself as a 17-year English teacher at Cary-Grove High School along with his wife who also teaches Choir at Cary-Grove High School. Mr. Hester has been a Fox River Grove resident for the past 9-years and loves the community.

Trustee Curtiss, Knar, Migdal and Wall all welcomed Mr. Hester. Trustee Schladt, whom was absent, confirmed her full support of Mr. Hester, with President McLaughlin prior to the meeting.

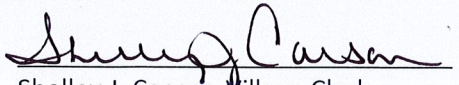
Mr. Hester will be sworn in at the May 16, Village Board Meeting.

ADJOURNMENT

Trustee Knar made a motion to adjourn the Village Board meeting at 8:14 p.m. Seconded by Trustee Curtiss. A voice vote was taken. Trustees Curtiss, Knar, Migdal, and Wall – all "yes". MOTION PASSED.


Marc McLaughlin, Village President

5-16-2023
Date


Shelley J. Caesar, Village Clerk