



# AGENDA

## REGULAR VILLAGE BOARD MEETING

February 25, 2020

7:00 PM

### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE

INVOCATION (PASTOR LEANDRO NOGUEIRA, VILLAGE POINT CHURCH)

### 3. APPROVAL OF MINUTES OF FEBRUARY 11, 2020

### 4. MAYOR & BOARD OF TRUSTEES' REPORT

### 5. ACCOUNTS PAYABLE WARRANT: FEBRUARY 25, 2020 \$ 401,032.84

### 6. CONSENT AGENDA

- a. Consideration to renew a professional service contract to Lauterbach & Amen, LLP of Naperville, IL to perform the Village's annual audit in an amount not to exceed \$36,050.

(This renewal extends the contract with Lauterbach & Amen, LLP to audit the financial statements for the fiscal year ending April 30, 2020 with the option to renew for one additional year.

(This fourth year represents a 1.8% increase from the previous year.

(Lauterbach & Amen, LLP audits many municipalities with personnel specializing in governmental accounting. They have demonstrated their commitment by providing a high level of quality service with technically competent personnel.

(Their expertise is critical for the adoption of new accounting pronouncements issued by the Governmental Accounting Standards Board (GASB).

(Adequate funds are budgeted in the FY 2020-21 budget.

(The Library will retain the same auditor as the Village under a separate contract.

(The Director of Finance recommends approval.)

- b. Consideration to award a professional services contract to Gallagher Bassett of Rolling Meadows, IL to administer the workers' compensation claims in the amount of \$40,295.

(A proposal was solicited from Gallagher Bassett for the administration of the workers' compensation claims which include: claim review and reporting, utilization reviews, correspondence with the injured employee, correspondence and follow up with medical professionals, and annual filing of mandated Medicare report.

(The Director of Finance recommends approval.)

- c. Consideration of a request to extend a landscape services contract to Fleck's Landscaping of Wheeling, IL for one additional year for the 2020 Turf and Landscape Bed Maintenance - Business Park contract in the amount of \$126,102.91 from the Business Leaders Fund.

(On February 24, 2015, the Village Board awarded a contract to Fleck's Landscaping of Wheeling, IL for the Turf and Landscape Bed Maintenance - Business Park contract. (Fleck's Landscaping performed satisfactorily throughout the first five years of the contract.

(The one-year contract extension period is from March 1, 2020 through February 28, 2021.

(The contract amount reflects a 2.2% increase over the previous year's contract.

(The Director of Public Works recommends approval.)

- d. Consideration of a request to extend a landscape services contract with Sebert Landscaping of Elk Grove Village, IL for one additional year for the 2020 Turf and Landscape Bed Maintenance - Residential contract in the amount of \$180,863.90.

(On February 24, 2015, the Village Board awarded a contract to Sebert Landscaping of Elk Grove Village, IL for the Turf and Landscape Bed Maintenance - Residential.

(The original term of the contract was from March 1, 2015 through February 28, 2016, with the option of four (4) annual renewals through February 28, 2020.

(Sebert Landscaping performed satisfactorily throughout the first five years of the contract.

(The one-year contract extension period is from March 1, 2020 through February 28, 2021.

(The contract amount reflects 2.2% increase over the previous year's contract.

(The Director of Public Works recommends approval.)

- e. Consideration to concur with prior authorization of a request to hold a Public Hearing before the Plan Commission to consider the petition submitted by Shapra Group II, LLC for a variation from the required parking in the B-2 Business District at 25 Innovation Drive.

(Shapra Group II, LLC is seeking a variation from the required parking for a hotel development at 25 Innovation Drive.

(The Public Hearing has been scheduled for Monday, March 9, 2020 with Village Board concurrence.)

- f. Consideration of a request from the Rotary Club of Elk Grove Village for the following:

- To authorize a \$22,000 contribution to the 2020 RotaryFest event that takes place from June 17, 2020 through June 21, 2020;
- To authorize the Rotary Club to host a fireworks display on Saturday, June 20, 2020;
- To waive the fee for a temporary Class A liquor license (\$2,900), a carnival license (\$500), and a food caterer's license fee (\$100) for a total amount of \$3,500; and
- To waive the permit fee for the use of a fire hydrant for non-firefighting purposes in the amount of \$75.

(The fees requested to be waived are for the Class A liquor license (\$2,900), a carnival

license (\$500), a food caterer's license (\$100), and fire hydrant deposit and connection (\$75).

(It has been past practice of the Village Board to approve these requests for the annual RotaryFest event. The Village provides street sweeping services for the parking lots utilized by the Rotary Club at the conclusion of the RotaryFest.

(Adequate funds have been budgeted and are available for this purpose.)

- g. Consideration to adopt Ordinance No. 3652 amending Section 7-2-10 of the Village Code regarding backflow prevention.

(The Illinois Plumbing Code, 77 Ill. Adm. Code 890.Subpart I, requires protection of the potable water system from contamination due to backflow or backsiphonage of contaminants through the water service connection; and

(The Illinois Environmental Protection Agency, 35 Ill. Adm. Code 607.104, et seq.

requires an active program of cross-connection control which will prevent the contamination of all potable water supply systems; and

(In order to accomplish these goals, it is necessary to introduce restrictions that describe in detail specific procedures and requirements for cross-connection control.

(The Director of Public Works recommends approval.)

- h. Consideration to adopt Resolution No. 12-20 authorizing the continued participation in the Northern Illinois Municipal Electric Cooperative (NIMEC) and authorizing the Village Manager to approve a contract with the lowest cost electricity provider.

(The Village has used the Northern Illinois Municipal Electric Cooperative (NIMEC) since 2008 to jointly purchase electricity from a third-party vendor in response to the deregulation of this industry in the State of Illinois.

(NIMEC is preparing to seek competitive pricing in March 2020 for electrical purchase at these locations.

(Similar to previous years, the Village is required to accept the market-price bid by the end of the business day.

(The Director of Public Works Recommends Approval.)

- i. Consideration to concur with prior Village Board authorization to adopt Resolution No. 13-20 providing for direction to the Cook County Zoning Board of Appeals opposing variation requests for property located at 2545 Landmeier Road, Elk Grove Village, Illinois 60007.

(On February 5, 2020 the Cook County Zoning Board of Appeals held a public hearing to consider multiple fence variation requests from GISS Inc. for the property located at 2545 Landmeier Road.

(Elk Grove Village abuts the subject property on the west, east and south sides and opposes the variation requests due to the potential adverse effect on adjacent properties and roadways.

(The Village must adopt a Resolution, per the Cook County Zoning Ordinance, to oppose the variation requests.)

## **7. REGULAR AGENDA**

- a. Consideration of a request from Brixmor Property Group of Chicago, IL to install a temporary leasing sign at the Elk Grove Town Center.

(Section 7B-5-8 of the Elk Grove Zoning Ordinance requires all applications for sign permits in the B-5 Town Center Shopping District to be reviewed and approved by the Mayor and Board of Trustees.

(Brixmor Property Group has requested approval to install a temporary leasing sign adjacent to the north Town Center entrance on Arlington Heights Road.

(The temporary leasing sign will meet the allowable area permitted by the Village's Sign Ordinance.

(The Director of Community Development recommends approval.)

#### **8. PLAN COMMISSION - Village Manager Rummel**

- a. PC Docket 20-1 - A Public Hearing for a Special Use Permit to operate an Automobile Repair Garage in an I-2 Industrial Zoning District at property located at 2382 United Lane. (PH 02-24-2020)
- b. A request for a Public Hearing for the petition submitted by Welbiz IV Elk Grove 1463 LLC for a Special Use Permit for the operation of a truck and trailer repair shop at 1463 Lunt Avenue. (The Public Hearing date has not yet been established.)
- c. A request for a Public Hearing to consider the petition submitted by the Elk Grove Park District for a Special Use Permit to reconstruct the clubhouse and maintenance buildings at Fox Run Golf Links located at 333 Plum Grove Road. (The Public Hearing date has not yet been established.)

#### **9. ZONING BOARD OF APPEALS - Village Manager Rummel**

#### **10. YOUTH COMMITTEE - Trustee Franke**

#### **11. BUSINESS LEADERS FORUMS - Trustee Lissner**

#### **12. CABLE TELEVISION COMMITTEE - Trustee Lissner**

#### **13. HEALTH & COMMUNITY SERVICES - Trustee Czarnik**

#### **14. INFORMATION COMMITTEE - Trustee Lissner**

#### **15. RECYCLING & WASTE COMMITTEE - Trustee Feichter**

#### **16. PARADE COMMITTEE - Trustee Czarnik**

#### **17. PERSONNEL COMMITTEE - Trustee Franke**

#### **18. JUDICIARY, PLANNING AND ZONING COMMITTEE - Trustee Prochno**

a. Telecommunication Facilities

**19. CAPITAL IMPROVEMENTS COMMITTEE - Trustee Czarnik**

**20. AIRPORT UPDATE**

**21. MID-SUMMER CLASSICS CONCERT SERIES UPDATE - Mayor Johnson**

**22. SPECIAL EVENTS COMMITTEE - Mayor Johnson**

**23. LIQUOR COMMISSION - Mayor Johnson**

**24. REPORT FROM VILLAGE MANAGER**

**25. REPORT FROM VILLAGE CLERK**

**26. UNFINISHED BUSINESS**

**27. NEW BUSINESS**

**28. PUBLIC COMMENT**

**29. ADJOURNMENT**

In compliance with the Americans with Disabilities Act and other applicable Federal and State laws, the meeting will be accessible to individuals with disabilities. Persons requiring auxiliary aids and/or services should contact the Village Clerk, preferably no later than five days before the meeting.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 7-2-10 OF THE VILLAGE CODE REGARDING BACKFLOW PREVENTION**

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**WHEREAS**, the Illinois Plumbing Code, 77 Ill. Adm. Code 890. Subpart I, requires protection of the potable water system from contamination due to backflow or backsiphonage of contaminants through the water service connection; and

**WHEREAS**, the Illinois Environmental Protection Agency, 35 Ill. Adm. Code 607.104, et seq. requires an active program of cross-connection control which will prevent the contamination of all potable water supply systems; and

**WHEREAS**, the Director of Public Works has determined it necessary to amend the Village's existing backflow prevention regulations accordingly; and

**WHEREAS**, the Mayor and Board of Trustees, after having reviewed the recommendation of the Director, find and believe it to be in the best interests of the Village to amend the Village Code as recommended.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois as follows:

**Section 1:** That Section 7-2-10 of the Village Code is hereby amended in its entirety to read as follows:

**7-2-10 Cross Connection Backflow Prevention**

- A. That all plumbing installed within the Village of Elk Grove, shall be installed in accordance with the Illinois Plumbing Code, 77 Ill. Adm. Code 890. That, if in accordance with the Illinois Plumbing Code or in the judgment of the Director of Public Works or designated representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the Director will give notice to the water customer to install such an approved device immediately. The water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the Illinois Plumbing Code and local regulations.
- B. That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the Village of Elk Grove may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Director of Public Works or designated representative and the Illinois Environmental Protection Agency.

- C. That it shall be the duty of the Director of Public Works or designated representative to cause surveys and investigations to be made of industrial, institutional, commercial, and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every three years, or as often as the Director of Public Works or designated representative shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five years.
- D. That the Director of Public Works or designated representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Village of Elk Grove for the purpose of verifying the presence or absence of cross-connections or testing backflow devices or assemblies, and that the Director of Public Works or designated representative or his authorized agent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Village of Elk Grove for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessees or occupants of any property so served shall furnish to the Director of Public Works or designated representative any information that he may request regarding the piping system or systems, or water use on such property. The refusal of such information, when demanded, shall, in the discretion of the Director of Public Works or designated representative, be deemed evidence of the presence of improper connections as provided in this ordinance and shall require that backflow protection be installed on the service line to the premises.
- E. That the Director of Public Works or designated representative is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this ordinance is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this ordinance, and until a reconnection fee of \$75.00 is paid to the Village. Immediate disconnection with verbal notice can be effected when the Director of Public Works or designated representative is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the reason for disconnection. Immediate disconnection without notice to any party can be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the Director of Public Works or designated representative or the Illinois Environmental Protection Agency, such action is required to prevent actual or potential contamination or pollution of the public water supply. Neither the Village Director of Public Works, or designated representative or its agents or assigns, shall be liable to any customer for any injury, damages or lost revenues which may result from termination of said customer's water supply in accordance with the terms of this ordinance, whether or not said termination was with or without notice.

- F. Any person who has knowledge of a backflow into any potable water system or the public water system must report that backflow to the water department immediately upon becoming aware of the backflow. Any person responsible for any substance that enters the potable water system through backpressure or backsiphonage, or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed, maintained or repaired device, or a device that has been bypassed, must bear the cost of clean-up of the potable water supply system.
- G. The Village of Elk Grove Cross Connection Control Policy Manual, a copy of which is on file with the Village Clerk, is hereby incorporated into this Ordinance.

**Section 2:** If any provision of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of the ordinance which can be given effect without the invalid application or provision, and to this end the provisions of each ordinance enacted after the effective date of this ordinance are severable, unless otherwise provided by the ordinance.

**Section 3:** That the Village Clerk is hereby authorized to publish this Ordinance in pamphlet form.

**Section 4:** That this ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

**VOTE: AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSENT: \_\_\_\_\_**

**PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.**

**APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.**

**APPROVED:**

\_\_\_\_\_  
**Mayor Craig B. Johnson**  
**Village of Elk Grove Village**

**ATTEST:**

\_\_\_\_\_  
**Loretta M. Murphy, Village Clerk**

**PUBLISHED in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_ 2020.**



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CONTINUED PARTICIPATION IN THE NORTHERN ILLINOIS MUNICIPAL ELECTRIC COOPERATIVE (NIMEC) AND AUTHORIZING THE VILLAGE MANAGER TO APPROVE A CONTRACT WITH THE LOWEST COST ELECTRICITY PROVIDER**

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**WHEREAS**, during fiscal year 2008, the Village of Elk Grove Village joined the Northern Illinois Municipal Electric Cooperative (NIMEC) to jointly purchase electricity from a third-party vendor in response to the deregulation of this industry in the State of Illinois; and

**WHEREAS**, the Village of Elk Grove Village has selected the Northern Illinois Municipal Electric Cooperative (NIMEC) to serve as the Village's broker relative to the acquisition of electrical energy due to NIMEC'S municipal experience and the fact that NIMEC is a municipal cooperative which will be pooling the energy needs of members of the Cooperative in order to secure more competitive pricing based on higher volumes than can be provided individually to a single municipality; and

**WHEREAS**, NIMEC is preparing to seek competitive pricing for electricity for several municipal facilities and street light systems; and

**WHEREAS**, due to the bidding procedures required, the Village Manager or in his absence the Director of Public Works will need to have the authority to sign a contract with the electricity provider, which is deemed most favorable for the Village within hours of the bids being received by NIMEC.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois;

**Section 1:** That the Northern Illinois Municipal Electric Cooperative (NIMEC) is hereby appointed as the Village's broker for purposes of obtaining a supply of electricity for the Village's municipal needs, and the Village Manager and Director of Public Works are hereby

directed to take all actions necessary to establish said broker relationship.

**Section 2:** That the Village Manager and Director of Public Works are authorized to discuss and negotiate energy rates directly with suppliers in an effort to secure a lower energy cost for the Village of Elk Grove Village.

**Section 3:** That in light of the time constraints applicable to the acceptance of a competitive bid for a supply of electricity, once the bids are received by NIMEC, the Village Manager and Director of Public Works are hereby authorized to sign the contract with the lowest bidder, with Village Staff being hereby directed to place said contract on the first available Village Board regular meeting following the execution thereof by the Village Manager, for ratification by the Village Board.

**Section 4:** That this Resolution shall be in full force and effect from and after its passage and approval according to law.

**VOTE: AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSENT: \_\_\_\_\_**

**PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.**

**APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.**

**APPROVED:**

\_\_\_\_\_  
**Mayor Craig B. Johnson**  
**Village of Elk Grove Village**

**ATTEST:**

\_\_\_\_\_  
**Loretta M. Murphy, Village Clerk**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION PREVIOUSLY AUTHORIZED BY THE CORPORATE AUTHORITIES FOR DIRECTION TO THE COOK COUNTY BOARD OF COMMISSIONERS, COOK COUNTY ZONING BOARD OF APPEALS, AND THE COOK COUNTY CLERK FOR TRANSMIT TO THE COOK COUNTY BOARD OF COMMISSIONERS IN RESPONSE TO THE PUBLIC HEARING HELD BY THE COOK COUNTY ZONING BOARD OF APPEALS ON FEBRUARY 5, 2020 REGARDING THE ZONING VARIATION TO PERMIT THE CONSTRUCTION OF A FENCE WHICH EXCEEDS THE HEIGHT AND LOCATION REGULATION SET FORTH IN THE COOK COUNTY ZONING ORDINANCE, ON PROPERTY LOCATED AT 2545 LANDMEIER ROAD, ELK GROVE VILLAGE, ILLINOIS 60007**

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**WHEREAS**, the applicant, acting on behalf of Dolores Kowolski, the owner of the property commonly known as 2545 Landmeier Road (PIN 08-26-402-011-0000 & 08-26-402-012-0000) has petitioned for a variation to construct a fence which exceeds the height and location regulations set forth in the Cook County Zoning Ordinance; and

**WHEREAS**, said variation would permit the construction of a fence located in the front yard from the maximum allowed three feet (3') to a proposed eight feet (8'), increase the height of a fence located in the rear yard of a through lot from the maximum allowed three feet (3') to a proposed eight feet (8'), increase the height of the fence located in the right interior side yard from the maximum allowed six feet (6') to a proposed eight feet (8') and increase the height of a fence located in the left interior side yard from the maximum allowed six feet (6') to a proposed eight feet (8'); and

**WHEREAS**, said case has been docketed as Docket Number V-19-31 by the Cook County Zoning Board of Appeals; and

**WHEREAS**, the corporate boundaries of the Village of Elk Grove Village are directly contiguous to the property; and

**WHEREAS**, on February 15, 2020, the Corporate Authorities authorized the execution of this Resolution directing an objection to said variation request.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois as follows:

**Section 1:** That the Village of Elk Grove Village does hereby register objection to the petitioner's application for the variation at the subject property described above for the following reasons:

- a. The parcel of property is surrounded by the corporate limits of Elk Grove Village to the west, east and south.
- b. Per section 13.6.3 Standards. (A) of the Cook County Zoning Ordinance, the property's physical surroundings, shape and topographical condition do not result in a hardship upon the owner. The property is similar in nature to surrounding industrial properties and has no constraints to warrant the alleviation from complying with the current Cook County Zoning Ordinance.

- c. Per section 13.6.3 Standards. (B) of the Cook County Zoning Ordinance, the property must display conditions that are unique and are not applicable to other properties within the same zoning classification. The subject property has no unique characteristics which distinguishes itself from other properties in the same zoning classification.
- d. Per section 13.6.6 Standards. (F) of the Cook County Zoning Ordinance, the variance shall not substantially increase congestion in the public street. Based upon the location of the existing fence and entrance gates, the potential to have trucks queuing in the adjacent roadways along Higgins Road and Landmeier Road is drastically increased. Higgins Road has been designated by the State of Illinois as a Strategic Regional Arterial (SRA) Route and traffic back-ups from this site will negatively impact the motoring public.

This will adversely affect both customers, businesses and visitors of Elk Grove Village.

- e. The fence is currently installed in locations that violate section 8.7.1 of the Cook County Zoning Ordinance in which no record exists that a previous variation was granted to permit the fence.
- f. The location of the fence is a violation of section 7E-9 of the Elk Grove Village Zoning Ordinance which does not permit fences to be constructed in any front yard or ahead of the building setback line. Additionally, the gate mechanism located off of the Higgins Road entrance into the subject property exceeds the eight (8') feet requested by the petitioner and was not sufficiently addressed or discussed at the public hearing conducted on February 5, 2020.
- g. The height of the proposed fence is in violation of section 7E-9 of the Elk Grove Village Zoning Ordinance which does not permit fences in excess of six (6') feet in height.

**Section 2:** That this resolution shall be in full force and effect from and after its passage and approval according to law.

**Section 3:** That the Village Clerk's Office is hereby directed to submit the foregoing Resolution to all governmental bodies that have jurisdiction and/or interest in the development of the premises as set forth above and set forth in the caption thereto.

**VOTE: AYES: \_\_\_\_\_ NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_**

**PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.**

**APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.**

**APPROVED:**

\_\_\_\_\_  
**Mayor Craig B. Johnson**  
**Village of Elk Grove Village**

**ATTEST:**

\_\_\_\_\_  
**Loretta M. Murphy, Village Clerk**  
 Res-CookZoningBoardOppos