

**VILLAGE OF ROSCOE**  
**10631 Main Street**  
**Roscoe, Illinois 61073**  
**Village Board Meeting Minutes**  
**Tuesday, April 20, 2021**  
**6:30 PM (started at 8:59pm)**

**NOTE: PURSUANT TO SECTION §7(e)(2) OF THE ILLINOIS OPEN MEETINGS ACT  
THE VILLAGE BOARD AND MEMBERS OF THE PUBLIC ARE ABLE TO  
PARTICIPATE IN THIS MEETING REMOTELY VIA VIDEO AND  
TELECONFERENCE.**

**REMOTE ATTENDANCE INFORMATION WILL BE MADE AVAILABLE AT:  
VILLAGEOFROSCOE.COM**

Minutes

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**  
Present: President Szula, Trustee Mallicoat, Keene, Gustafson, Plock, Dunn and Petty  
Absent: None
- 4. PUBLIC COMMENT (Limited to 3 minutes per speaker)**  
President Szula entertained public comment, stating that since a public hearing on the proposed annexation of 13276 White School Road had just concluded, he requested that the same information not be repeated.
- 5. PRESIDENT'S REPORT – Mark Szula**  
None
- 6. TREASURER'S REPORT – Mark Olson**
  - 6.1. Cash Report and Bills**  
The total bills to be submitted for approval are expenditures per list of **\$113,883.85**  
Payroll expenses: **\$80,213.00**  
Cash on hand after payment of bills: **\$4,952,469.94**  
Motor Fuel expenditures: **\$59,398.00**  
Cash on hand in the Motor Fuel fund is: **\$673,965.00**
  - 6.2. Approval of Bills**  
Approval of Bills President Szula entertained a **motion**,  
Trustee Petty made a **motion to approve**;  
Seconded by Trustee Mallicoat  
Discussion: None

Roll Call Vote: Trustee Dunn, Keene, Mallicoat, Plock, Petty and Gustafson - YES.  
**Motion Passed: 6-0-0**

Trustee Gustafson inquired when the auditor report would be completed, and Treasure stated it would be completed sometime in the middle of June. Trustee Gustafson requested that everyone receive hard copies of the report this year.

7. **CONSENT AGENDA (NO DISCUSSION REQUIRED)**

President Szula entertained the following:

7.1. Approval of Minutes from the **April 6, 2021** Village Board Meeting

7.2. Approval of **Resolution 2021-R21** Approval of Final Plat 6 of Prairie Business Center.

7.3. Approval of **Resolution 2021-R22** authorizing the purchase of a new Utility Terrain Vehicle (UTV) for the lowest quotes price of **\$8,545.15**

7.4. Approval of hiring a part-time officer, acknowledging previous completion of pre-requisite qualifications per 33.082 (H): Part Time Officers, Selection Process.

7.5. Approval of modifications to the Pandemic Emergency Staffing Plan (adopted March 19, 2020) (Laid over Board Meeting on 04-06-21)

President Szula stated that Resolutions as well as Approvals would be voted on as one:

President Szula entertained a **motion,**

Trustee Plock made a **motion to approve;**

Seconded by Trustee Dunn

Discussion: NONE

Roll Call Vote: Trustee Mallicoat, Dunn, Plock, Gustafson, Petty, and Keene - YES.

**Motion Passed: 6-0-0**

8. **MOTIONS AND RESOLUTIONS (FINAL ACTION)**

8.1. Approval of **Ordinance 2021-O03**, approving the execution of an annexation agreement with Seed Real Estate LLC, related to the annexation of approximately 30.24 acres of land owned by the Seed Real Estate LLC, and commonly known as 13276 White School Road (PIN 04-23-251-005)

President Szula entertained a **motion,**

Trustee Gustafson made a **motion to approve;**

Seconded by Trustee Dunn

Discussion: Trustee Plock stated that he had composed a list and emailed all the trustees over the weeked of all the complaints and concerns he had received. Trustee Plock publicly apologized to anyone he had not gotten back to either via email or returned phone call. Trustee Plock read a list of the concerns and suggestions he had:

1. **Hours of Operation** - Trustee Plock proposed that the hours Mon-Thur 10am - 9pm, Friday 10am - 11pm, Saturday 9am -11pm and Sundays 9am to 9pm. Trustee Plock feels this is more appropriate to avoid the school bus schedules and a 9pm close is more respectful to the neighbors. Trustee Plock proposed that the Village be notified when an event is being held to ensure they have a police officer there 30 minutes before and after for public safety.

Discussion:

2. **Capacity Limit** - Trustee Plock proposed and recommended several capacity limits:
  - 60 for Indoor Structure; Trustee Plock stated that this capacity limit matches up with the Health Department and Fire Department. Hours through the week (Mon-Thur) Noise- capacity for bar and tavern (orange structure) to 60 which is what the building can hold.
  - 150 for the entire event; Trustee Plock recommended a capacity limit for events Friday - Sunday reduced to 150 anything over should be a special permit and advanced planning.

Discussion:

Trustee Petty wanted to add she spoke to Jay Alms of the Harlem Roscoe Fire department, he did not put a 60 person capacity on the indoor structure she stated he did not know if it was for the top or entire. Trustee Petty proposed to use special event permits which are enforceable. Her understanding is that it is 60 for the top of the barn, but she isn't sure. Trustee Petty throughout the number of 100 for capacity of the barn.

Trustee Dunn requested to increase the capacity limit to 200, said limiting to 150 is too low and wanted to know if the limit includes staff as well? Administrator Sanders stated it was exclusive of staff per what is written in the annexation agreement. Trustee Dunn pointed out that a bride could have 100 family members and that the number was too low. He proposed 225. Trustee Dunn stated we are restricting a business and its design. He stated there should be a difference between the indoor and outdoor for capacity. He said he would go along with 100, and doesn't feel that we should be reducing the capacity and hours of operation. Stated there should be a difference between capacity and outside.

Trustee Gustafson inquired if the limit to the barn is 60 for both floors? It was stated yes, she verified the hours that were proposed. Trustee Gustafson addressed the concern of the noise and the responsibility to the residents in the area. She feels that the hours proposed are fine and stated the deck and outdoor area was built for the events on the weekends.

Trustee Mallicoat stated that the number is fine, that we aren't restricting them the use of outdoor patios or gardens but its a capacity level no different than the other establishments like Poison Ivy or Firehouse Pub.

President Szula addressed Mallicoat and Keene if they had any input: Trustee Keene stated he didn't have any disagreement with 60 capacity for indoor. Trustee Mallicoat stated that 60 is a good number for inside. President Szula addressed all members individually; it was agreed 60 is a good number.

After further discussion, the board agreed unanimously that 225 was acceptable for the event on the weekend, anything over would require a special use permit.

3. **Noise-** Decibel Meters should be purchased for the police department. DJ and Band Music should cease 1 hour prior to event closing on the weekend (Friday and Saturday). Ambiance music till close. Sunday music must end by 9pm . No explosive celebration meaning fireworks would be considered with a special permit for events with planning.
4. **Intersection** - Trustee Plock proposes another light at the intersection, currently there are 3 but add another pulse a solar flashing stop sign. He noted that would need to be addressed with the county.
5. **North Part of Property-** Trustee Plock didn't see the need for a fence but some trees or shrubs to help. (Trustee Plock presented visual image of property and where trees should be planted)
6. **Parking** - Proposed parking area, Trustee Plock suggested added trees shrubs to screen the vehicle's / headlights. To eliminate all the headlights shining north.
7. **Annexation Agreement-** the limit is set for 20 years  
Discussion:  
Trustee Petty, suggested the agreement be set for 10 years not 20  
Trustee Gustafson suggested as well for 10 years  
Attorney Kurlinkas stated that the 20 years gives the Village extra control.

Kerry Frank 7505 E Rockton Road.

Ms. Frank addressed the board that she needs to pay bills, not here to make a million dollars but the restrictions the board is adding is blowing up her business plan. Ms Frank met with the fire chief, and he stated to her that there is no set limitation for outdoor venues. Ms Frank stated that the barn was not set with limitation the load bearing is 60 upstairs and 40/50 downstairs. Ms Frank stated that the barn itself is envisioned to be used as getting a drink then going outside. Ms Frank stated the time changes she is open, she feels that 10pm no noise at all is not acceptable. Why is her business being held at a different standard. Ms Frank asked the board to review. Ms Frank asked for consideration regarding Mon- Thur indoor music only, Ms Frank asked that they allow acoustic guitar on the patio she would like the board to re-think inside music. Ms Frank stated she is happy to coordinate with the police and pay for that. Ms. Frank stated she is willing to make concessions and be reasonable but she also needs to cover her costs. President Szula asked her what an acceptable amount is since based on the bathrooms health department says 60. Ms. Frank said 60 people on 30 acres of property is not within her business needs. Ms. Frank stated that it is difficult to sign a contract for a wedding when the capacity is so low and having to get a special use permit. She stated that there should be violations for both permit and false reporting. Trustee Plock addressed the number 60 as what was given, and that he has a hard time pushing to 225 for the week because of the opposition. He asked if 150 would work for the business plan? And anything higher requires a special use permit. Ms Frank stated that that is 5 people an acre, asked for 225 for weddings and 150 for week days and anything higher for special use permit. President Szula stated that there is that 1 event per weekend. She wanted it to be clear that a small party or family reunion not be considered an event. Trustee Petty asked if it is 225 where will they all park? Ms. Frank stated that many weddings would be families and that it would be restricted to 75 cars. They would accommodate signs to say no street parking. Trustee Gustafson stated that she is having a hard time as people congregate and they talk and she feels for the residence and the numbers keep going all over the place. Trustee Gustafson stated when Ms. Frank first approached it as 150 and now it keeps changing. Trustee Gustafson also stated that the building capacity, and this is still more noise etc. Trustee Dunn said he does not have an issue with 225. Trustee Plock addressed that the noise is going to be an issue at that number, he is hesitant and that you have people talking, they congregate and the noise. He would prefer to stay at 200. Ms. Kerry stated but I have to comply with the noise decibel so what is the difference and she is being restricted.

Trustee Petty stated she would like to see these changes written out and she is not going to vote on this until it is done. Trustee Petty asked when her first event is booked it was stated May 15th.

President Szula addresses Trustee Mallicoat if he is comfortable with 225 once a weekend? Trustee Mallicoat said if it is the special permit, she should just be able

to make phone calls and the Village can monitor and keep numbers down. Trustee Mallicoat said he could come off the 60 some but not 225 for the week. President Szula addressed Trustee Keene. Trustee Keene stated he is in agreement with Trustee Mallicoat. President Szula addressed Trustee Gustafson. Trustee Gustafson stated 225 for the week one event on the weekend for whatever day booked. The other events during the week she agrees with Stacy and she doesn't want to have that many people during the week. Trustee Gustafson wants this all written out with several days to look at it before voting. President Szula addressed Trustee Dunn, stated 225 for weekends and 150 during week and acoustic music non amplified music. President Szula addressed Trustee Petty. Trustee Petty stated she will go along with 225 and that she still wants to see 100 during the week. Trustee Petty stated that she still wants to see the annexation agreement go to 10 years.

Attorney Kurlinkas wanted to address the alcohol, they would need a special use permit. Attorney Kurlinkas stated that the special permit alcohol use would expire on sale of property.

President Szula asked Attorney Kurlinkas what the steps were to table? It was stated that he would need motion to table 8.1-8.6 for a special meeting.

Ms. Kerry addressed President Szula if they are in agreement can they pass and not do another hearing while the attorneys clean up the legal documents. President Szula stated that they will not sign anything until the documents are cleaned up and details updated between parties.

Trustee Gustafson stated she does not wish to approve anything until she sees it in writing. Trustee Gustafson stated that she needs clarification and that the numbers are still all over the place and she is not comfortable with approving anything until she sees the new document.

President Szula addressed Trustee Dunn how he feels, and Trustee Dunn stated he would prefer to see the document.

**President Szula motioned to Table for special meeting on Friday April 30th;**

- 8.2. Approval of **Ordinance 2021-O04**, approving the annexation of and establishing the P/C Public/Conservancy Zoning District for approximately 30.24 acres of land

owned by Seed Real Estate LLC and commonly known as 13276 White School Road (PIN 04-23-251-005)

**President Szula motioned to Table;**

- 8.3. Approval of **Ordinance 2021-O05**, approving a Special Use Permit for operation of a restaurant in the P/C (Public/Conservancy) District subject to the approval of an Annexation for property commonly known as 13276 White School Road (PIN: 04-23-251-005)

(Motion to Approve with conditions passed at ZBA 4-0-1-1 on 04-14-21)

**President Szula motioned to Table;**

- 8.4. Approval of **Ordinance 2021-O06**, approving a Special Use Permit for operation of a bar/tavern in the P/C (Public/Conservancy) District subject to the approval of an Annexation for property commonly known as 13276 White School Road (PIN: 04-23-251-005)

(Motion to Approve with conditions failed at ZBA 3-1-1-1 on 04-14-21)

**President Szula motioned to Table;**

- 8.5. Approval of **Ordinance 2021-O09**, approving a Special Use Permit for continued use of a single-family residence in the P/C (Public/Conservancy) District subject to the approval of an Annexation for property commonly known as 13276 White School Road (PIN: 04-23-251-005)

(Motion to Approve with conditions passed at ZBA 4-0-1-1 on 04-14-21)

**President Szula motioned to Table;**

- 8.6. Approval of **Ordinance 2021-O10**, approving a Variance to the adopted parking lot design standards, waving the requirement for curb and gutter, pavement, and striping in conjunction with an event venue in the P/C (Public/Conservancy) District subject to the approval of an Annexation for property commonly known as 13276 White School Road (PIN: 04-23-251-005)

(Motion to Approve with conditions passed at ZBA 4-0-1-1 on 04-14-21)

**President Szula motioned to Table;**

**President Szula** entertained a **motion to move to layover 8.1-8.6 to special call meeting Friday April 30th at 6:30pm**

Trustee Dunn made a **motion to approve to table;**

Seconded by Trustee Plock

Roll Call Vote: Trustee Gustafson, Dunn, Keene, Mallicoat, Petty and Plock- YES.

**Motion Passed: 6-0-0**

**No Vote on 8.1 thru 8.6 moved to special meeting**

9. **NEW BUSINESS (FIRST READING or SUSPEND RULES)**
10. **OLD BUSINESS**  
None
11. **PUBLIC COMMENT (Limited to 3 minutes per speaker)**  
None
12. **EXECUTIVE SESSION (if necessary)**

13. **ADJOURNMENT**

**President Szula** entertained a **motion to move to adjournment**,  
Trustee **Dunn** made a **motion to approve**;

Seconded by Trustee **Petty**

Roll Call Vote: Trustee **Plock**, **Mallicoat**, **Keene**, **Gustafson**, **Petty** and **Dunn** **YES**.

**Motion Passed: 6-0-0**

**Meeting adjourned at 10:44pm**

*Approved May 4, 2021  
Stephanie Johnston  
Clerk*





