### VILLAGE OF ROSCOE 10631 Main Street Roscoe, Illinois 61073

### Village Board Minutes Tuesday, June 20 2023 6:30 PM

### MEMBERS OF THE PUBLIC ARE ENCOURAGED TO PARTICIPATE IN THIS MEETING IN PERSON OR REMOTELY VIA VIDEO OR TELECONFERENCE.

### REMOTE ATTENDANCE INFORMATION IS AVAILABLE AT: VILLAGEOFROSCOE.COM

# **MINUTES**

# 1. CALL TO ORDER

# 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL Present: Trustee Babcock, Mallicoat, Petty, Plock, Sima and Wright

# 4. **PUBLIC COMMENT (Limited to 3 minutes per speaker)**

President Gustafson called on those for public comment:

- Nick Graham, Mr. Graham stated he and his fiancé supports Founders Park and the Pavilion. Mr. Graham feels the multi-purpose venue is good and he understands you can't please everyone. He stated that the management of Prairie Rose has been against the venue and have spent a lot of time and energy to gather support from their residents. Mr. Graham stated the management sends out daily texts for updates as well as the newsletter. They have been providing the residents of the board meetings, along with township meetings and zoning meetings. Mr. Graham feels that the worries will never happen, and that what is being offered is good for the community and has been planned accordingly.
- Diane Wallace, she lives off Frances Lane, and has been a resident in the house for 55 years. Her and her husband are very excited to have the venue and feel that the Township has provided good information and answered all the questions. They support the Founders Park and Pavilion.
- Laura McAffee Zwart, President of the Roscoe Historical Society, she is here to support Founders Park. The focus of the park has always been to share the history of Roscoe and hope to shed a light on the history of Roscoe with this facility. She hopes it will be utilized by every member of the community. She hopes the board will approve the project.

- Carolyn Dryden, stated that she supports the Founders Park, and hopes it will not be moved. She doesn't expect any loud music and looks forward to seeing children and families gathering there. She is excited to see the museum and thrilled with the park. She has lived in their home for over 25 years, it is a family-oriented neighborhood and see the park as being the same.
- David and Hope Collins, Mr. Collins stated they are present to speak against on the agenda in reference to the 2 family units. Mr. Collins requested that the board take into consideration of voting against this zoning change. Mr. Collings stated this is a quiet neighborhood, and was built in the late 90's which consists of 37 homes and 4 commercial lots. Mr. Collins also opposes the zoning change for the car lot that is in consideration which is also on the agenda. He respectfully requests that the board vote against these two changes.
- Nick Blevins, Mr. Blevins stated he wanted to voice his support for the Pavilion at Founders park.
- Elizabeth Lindquist, had a letter which was read to the board in support of the pavilion from a community member who could not attend. Doris Hunter, who is located in Roscoe. She is supporting the pavilion and the location at Founders Park. She lives near Leland Park and is excited to see a park that will not host team sports.
- Janet Lock, Ms. Lock wanted to voice her support for Founders Park and their Pavilion. She is excited for the Pavilion, she loves the walking path and agrees the sound will go towards the grassy area along with Hononegah Road. She stated that there will not be amplified music which is good and supports the Pavilion.

# 5. PRESIDENT'S REPORT – Carol Gustafson

5.1 Presentation: Main Street Development Plan – Seth Gronewold / Fehr-Graham & Associates, LLC Seth Gronewold presented the board with update on the Main Street Development. Exhibits were presented to the board, and overview presented to the board of the background of the project. The reconstruction is North of McDonald Road to Elevator Road and it contains reconstructing the road into a manor to meet urban standards. There are drainage concerns and currently plans are being worked to improve the radii and intersections. They are also looking at adjusting the parking, moving to parallel parking for safety concerns. They are currently working on the pedestrian bridge and this is being looked at with IDOT/IDNR. Administrator Sanders presented the board with visual aid to help

board understand the design. The project has been divided into three different sections. President Gustafson stated she is excited for this the downtown area of Roscoe, and wanted to know when does the Village begin the grant process? It has always been ongoing, and always looking at grants that the project would fit into to apply. Trustee Babcock asked what the 9 months is for, is it for the design or project. Mr. Gronewold stated it is just for the design and permits. Trustee Sima asked if this would be available for the public to see, is there a vision board or available on line? Administrator Sanders stated its not a final approval, and there will be more refinements to this and a living document. Administrator Sanders stated ComEd is currently putting together a cost estimate for the wires to go underground. The board stated they are excited.

- 5.2. **Presentation:** Community Solar Project – Trajectory Energy President Gustafson introduced Hal Sprague, who is the Community Engagement Manager for Trajectory Energy to discuss the project. Mr. Sprague introduced himself and gave an overview of the project. The objective this evening is to promote community awareness. Stating that the project allows the Roscoe community to have access to solar. Community solar opens access to residents, non-profits, and public sectors to participate in the solar project and receive community solar credits on their utility bill for energy produced from the solar fields that are being proposed in Roscoe. Currently this is being proposed on approximately 20 acres in the Village of Roscoe. The project should produce enough energy to power over 400 homes and will provide a savings to community solar subscribers. How it works is community solar customers can either buy or lease a portion of the solar panels and they would in return receive an electric bill credit for the electricity generated by their share. Basically, this allows you to participate without having solar panels installed on your home. Under Illinois' community solar program, subscribers enter into an agreement that helps fund a solar installation somewhere in their utility's service territory in exchange for a credit on their bills. How does it work?
  - 1. A community solar developer builds, operates, and maintains a solar farm. The solar energy is sent **directly to the power grid**, helping to reduce the state's dependence on fossil fuels.
  - 2. Residents and other entities subscribe to a portion of the solar system depending on their electricity needs.
  - 3. In return for supporting renewable energy, subscribers receive solar bill credits on their utility bills, reducing the cost.

Trustee Sima asked if this is just for the people of Roscoe? Mr. Sprague stated it would be open to allow anyone who has ComEd not just for Roscoe. It is first come first served, for those who want solar. Trustee Wright asked if there is a minimum customer needed for sign up for this? Mr. Sprague stated they start soliciting when

the project is half built. Mr. Sprague stated that it isn't easy to get people to understand and sign up for solar. However, there are waiting lists for some of the other solar sights built in Illinois. The subscription is based on how much you use, and can be up to twice as much you use in a year. Administrator Sanders presented the board with a view of where the solar field would be located and identified that the line drawn to the north is serviced by Rock Energy Company and to the south is ComEd and Nicor. Mr. Sprague addressed the board stating if they had further questions to please feel free to reach out to him.

# 5.3. Appointments to Office by Village President

5.3.1. Appointment and Confirmation of **Samuel Haw**ley as **Chief of Police** for the Village of Roscoe, Illinois

President Gustafson entertained a **motion**, Trustee Petty made a **motion to approve appointment and confirmation**, **Second** by Trustee Babcock, Roll Call Vote: Trustee Babcock, Petty, Plock, Mallicoat, Sima and Wright - YES. Motion Passed: 6-0-0

# 5.3.2. Appointment and Confirmation of Scott Sanders as Zoning Administrator for the Village of Roscoe, Illinois

President Gustafson entertained a motion,

Trustee Plock made a **motion to approve appointment and confirmation**, **Second** by Trustee Mallicoat, Roll Call Vote: Trustee Wright, Sima, Plock, Petty, Mallicoat and Babcock - YES.

Motion Passed: 6-0-0

# 5.3.3. Appointment and Confirmation of **Mark Olson** as **Village Treasurer** for the Village of Roscoe, Illinois

President Gustafson entertained a **motion**, Trustee Mallicoat made a **motion to approve appointment and confirmation**, **Second** by Trustee Sima, Roll Call Vote: Trustee Mallicoat, Sima, Wright, Babcock, Petty and Plock - YES. Motion Passed: 6-0-0

5.3.4. Appointment and Confirmation of **Josef R. Kurlinkus** - Kurlinkus Law Office, LLC as **Village Attorney** for the Village of Roscoe, Illinois

President Gustafson entertained a motion,

Trustee Mallicoat made a **motion to approve appointment and confirmation**, **Second** by Trustee Plock,

Roll Call Vote: Trustee Sima, Wright, Mallicoat, Petty, Plock and Babcock - YES. Motion Passed: 6-0-0

5.3.5. Appointment and Confirmation of Fehr-Graham & Associates, LLC as Village Engineer for the Village of Roscoe, Illinois

President Gustafson entertained a motion,

Trustee Plock made a **motion to approve appointment and confirmation**, **Second** by Trustee Petty, Roll Call Vote: Trustee Sima, Wright, Mallicoat, Petty, Plock and Babcock - YES. Motion Passed: 6-0-0

# 5.4. Presentation of new Roscoe Police Officer by Chief Sam Hawley5.4.1. Swearing in of Officer David Mordt

Chief of Police Sam Hawley Swore in Officer David Mordt.

### 6. TREASURER'S REPORT – Mark Olson

### 6.2. Cash Report and Bills

The total bills to be submitted for approval are expenditures per list of **\$56,597** Payroll expenses: **\$86,322** Cash on hand after payment of the bills **\$9,222,440** Motor Fuel expenditures: **\$0** Cash on hand in the Motor Fuel fund is: **\$1,213,908** 

### 6.3. Approval of Bills

President Gustafson entertained a **motion**, Trustee Petty made a **motion to approve. Second** by Trustee Mallicoat, Discussion: None Roll Call Vote: Trustee Babcock, Mallicoat, Petty, Plock, Sima and Wright - YES. Motion Passed: 6-0-0

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

### 7.1. Approval of Minutes from the **June 6, 2023** Village Board Meeting.

President Gustafson entertained a **motion**, Trustee Sima made a **motion to approve**, **Second** by Trustee Wright, Discussion: None Roll Call Vote: Trustee Plock, Petty, Babcock, Mallicoat, Wright and Sima-YES. Motion Passed: 6-0-0 7.2. Discussion and **Recommendation to the Board** for approval of a Special Event Permit for National Night Out.

President Gustafson entertained a **motion**, Trustee Mallicoat made a **motion to approve**, **Second** by Trustee Petty, Discussion: Tuesday August 1, 2023 Roll Call Vote: Trustee Mallicoat, Sima, Wright, Babcock, Plock and Petty - YES. Motion Passed: 6-0-0

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

8.1. Approval of **Resolution 2023-R31**, approving an agreement for the purchase by the Village of Roscoe of certain real property commonly known as 11243 Main Street Property, Roscoe, Illinois (PIN: 04-33-129-012)

President Gustafson entertained a **motion**, Trustee Wright made a **motion to approve**. **Second** by Trustee Petty, Discussion: None Roll Call Vote: Trustee Plock, Petty, Mallicoat, Sima, Wright and Babcock - YES. Motion Passed: 6-0-0

8.2. Approval of **Resolution 2023-R32**, approving an agreement for the completion of necessary repairs at Porter Park Cabin.

President Gustafson entertained a motion,

Trustee Petty made a **motion to approve**,

Second by Trustee Plock,

Discussion: President Gustafson mentioned that the amount quoted by Public Works low bid is \$74,671 and it involves extensive work outside as well as interior. The cabin is not being rented at this time.

Roll Call Vote: Trustee Petty, Wright, Babcock, Sima, Mallicoat and Plock - YES. Motion Passed: 6-0-0

8.3. Approval of **Ordinance 2023-07,** approving a Map Amendment from the **CR:** Commercial Retail District to the **CG:** Commercial General District for a property commonly known as 11076 Main Street (PIN: 04-33-177-015). *ZBA Motion to recommend approval passed 5-0-2 on 5/17/23* 

President Gustafson entertained a **motion**, Trustee Plock made a **motion to approve**, **Second** by Trustee Petty, Discussion: None Roll Call Vote: Trustee Mallicoat, Petty, Plock, Sima, Wright, Babcock and Gustafson – NO. Motion Failed: 0-7-0 8.4. Approval of **Ordinance 2023-08**, approving a Map Amendment from the **CR**: Commercial Retail District to the **R2**: Two-Family Residential District for a group of four properties commonly known as 5459, 5473, 5487, 5501 Hodges Run. (PINs 04-33-180-003, 04-33-180-001, 04-33-180-002, 04-33-251-009). *ZBA Motion to recommend approval failed 0-5-2 on 5/17/23* 

President Gustafson entertained a **motion**, Trustee Plock made a **motion to approve**, **Second** by Trustee Wright, Discussion: None Roll Call Vote: Trustee Babcock, Mallicoat, Sima, Wright, Petty, Plock and Gustafson - NO. Motion Failed: 0-7-0

### 9. NEW BUSINESS (FIRST READING or SUSPEND RULES)

9.1. Approval of **Ordinance 2023-09**, approving a Special Use Permit to allow construction of a multi-purpose Community Open-Air Pavilion, including live musical performances, at 4562 Hononegah Road (PIN: 04-29-251-015). *ZBA Motion to recommend approval passed 5-0-2 on 5/17/23* 

President Gustafson recognized Attorney Thomas Green and Architect Dan Saavedra. Attorney Green stated they submitted a letter addressing the issues to management of Prairie Rose. Attorney Green stated that he was pleased with the meeting between the residents and Roscoe Township at Prairie Rose. Attorney Green stated the meeting was successful and many questions were addressed. Attorney Green stated that he appreciated the support and comments tonight from residents as well. Attorney Green stated they did a sound test, with amplified sound as loud as it would go and see if you could hear from the edge of property. This was a successful test as it was not hear. He stated that there will NOT be any amplified sound but wanted to test to understand if there would be impact. They also wanted to adjust the site, shifting the Pavilion 25 feet west, which will save a few trees. The Pavilion will be moved so that it is 160 ft from the back of property line. This will allow to save some of the trees in that area which will help provide a sound buffer. In addition, Mr. Saavedra presented the design to board showing where the concession and bathrooms that will be present in the Pavilion. Mr. Saavedra stated they are keeping and maintaining some of the trees in that location. Trustee Babcock inquired to Attorney Green stated he is new to the board and does not have the background of the project, but wants to know why previously it was stated that the Pavilion could not be moved due to the grant, and now it is stated that you will be moving the pavilion. Attorney Green stated it can be moved, and it was stated incorrectly last meeting as Dawn was not present, but moving will not affect the grant. Attorney Green pointed out the areas of most use, arguing that there will not be any amplified sound. Moving the pavilion any further would be costly since they have already designed and asked where sewer and water will be. Trustee Sima stated as a new trustee he is in support of this project. Why are they under selling this? Why not move it to allow the amplified music, to have more events. Attorney Green, when it became a concern to the residents, they did not want to be a music venue. Their vision is to host classes, a few weddings, but not concerts. They want it to be family oriented, to come have a picnic, walk the trails. Trustee Wright asked why not move it, adding a berm and more trees? Attorney Green said it would remove the "town" concept by moving it, and putting it near the parking lot would be hazardous, kids would be playing between two parking lots. If they maintain the pavilion in the location presented the kids are in a "town square" and safer. Moving it would create issues of

safety, and they discussed this with Administrator Sanders. Trustee Babcock, wanted to know what happens with having this next to Hononegah Road? Administrator Sanders stated the biggest concern was amplified sound which was addressed and resolved. Amplified sound and residential is a balance and it were removed and eliminated. Now the conversation is human conversation and a picnic shelter. The 25-35' shift is saving quite a few trees, and will provide screen to the neighborhood. Administrator Sanders stated there is no concern from staff. Trustee Sima mention Hidden Creek Estates, how the venue there is creating issues with the citizens there and does not want this for the pavilion. Trustee Sima stated this needs to stay this way, and not see it change in a couple years and now there is amplified music. There is only one chance to dig, so if it is committed to do this, there needs to be something in place so it remains that way. President Gustafson wanted them to look at the special use permit conditions. President Gustafson read the conditions:

- 1) There shall be no amplified music or amplified sound system used as part of any outdoor event.
- 2) There shall be no service, sale, or consumption of alcohol on the premises.
- 3) That all outdoor gatherings or events shall cease at 9:00 pm.
- 4) That a representative or employee of the owner shall be on-site during all scheduled events.

5) That the location of each of the proposed special uses shall be substantially the same size, and in the same relative location as shown on the site plan attached hereto as Exhibit "B

Maybe add 6, as monitoring- person in charge of event to be responsible for the sound etc. Trustee Wright, will there be an onsite person? Attorney Green stated, that is in the community center. This is an open park, so there is no alcohol, there is no amplified music. He is not sure an employee would be onsite for the use of the pavilion. Trustee Sima asked if someone rents this out, then should that person be in charge? Attorney Green said there is a deposit needed to rent, so if they don't follow rules, they lose the deposit. Trustee Sima stated that if you want it to be a park it's a park if it is a venue it's a venue. Again, Attorney Green stated there is no amplified sound.

President Gustafson suggested they look over the conditions and layover. She would like to see their contract and terms and conditions. President Gustafson said to bring it back in two weeks. Administrator Sanders stated that the community center is allowed on the inside to have alcohol with a caterer, Attorney Green said yes that was anticipated especially for weddings. People cannot come and lay down a blanket and have a 12 pack of beer with them. Trustee Wright asked how do you manage that, Attorney Green said, well how do you handle it in your other parks? Attorney Kurlinkas stated its not allowed. Trustee Mallicoat said if they have alcohol and there is an issue, the Village doesn't approve it again.

Trustee Plock stated he likes the design and concept presented, and stated for the first time he did not like Administrator Sanders suggestion because he has small children and the move to have it separated by parking lot made for potential safety concern. Trustee Babcock stated he likes what is happening, he sees both sides and it is good for the community and appreciates everyone input. President Gustafson asked for someone to make motion as first reading and for them to provide rental agreement with a nice package in two weeks to present.

President Gustafson entertained a **motion as first reading** Trustee Plock made a **motion to approve, Second** by Trustee Petty Discussion: None Roll Call Vote: Trustee Babcock, Petty, Plock, Mallicoat, Wright and Sima - YES. Motion Passed: 6-0-0 9.2. Approval of **Ordinance 2023-10**, approving a Variance to parking lot design standards, waving surface paving and curb and gutter requirements for a defined period of time at 4562 Hononegah Road (PIN: 04-29-251-015). *ZBA Motion to recommend approval passed 5-0-2 on 5/17/23* 

President Gustafson entertained a **motion as first reading** Trustee Plock made a **motion to approve, Second** by Trustee Mallicoat Discussion: None Roll Call Vote: Trustee Wright, Sima, Babcock, Plock, Mallicoat and Petty - YES. Motion Passed: 6-0-0

9.3. Approval of **Resolution 2023-R33**, authorizing an Agreement with Ancel, Glink, Diamond, Bush, Dicianni & Krafthefer, P.C. to Serve as Special Counsel for the Village of Roscoe in relation to certain Zoning and Land Use Issues.

President Gustafson entertained a **motion suspend rules**, Trustee Wright made a **motion to approve**, **Second** by Trustee Sima, Discussion: None Roll Call Vote: Trustee Wright, Sima, Petty, Plock, Mallicoat and Babcock- YES. Motion Passed: 6-0-0

President Gustafson entertained a **motion**, Trustee Wright made a **motion to approve**, **Second** by Trustee Sima, Discussion: Mallicoat asked if there was a breakdown of what they would be doing? How long will the Village need to employ them? The cost, etc.? President Gustafson stated the hourly rate is in the packet. Attorney Kurlinkas stated they haven't sat with them yet, only given them the information. Roll Call Vote: Trustee Babcock, Petty, Sima and Wright -YES. Trustee Mallicoat and Plock - No Motion Passed: 4-2-0

9.4. Approval of **Resolution 2023-R34**, authorizing an Agreement with Fehr Graham Engineering & Environmental for professional survey and engineering design services for construction of a new parking lot at 9108 McDonald Road (Porter Park) for the quoted amount of **\$32,100.00** 

President Gustafson entertained a **motion suspend rules**, Trustee Plock made a **motion to approve**, **Second** by Trustee Mallicoat, Discussion: None Roll Call Vote: Trustee Plock, Petty, Babcock, Sima, Wright and Mallicoat- YES. Motion Passed: 6-0-0

President Gustafson entertained a **motion**, Trustee Plock made a **motion to approve**, **Second** by Trustee Mallicoat, Discussion: None Roll Call Vote: Trustee Petty, Plock, Mallicoat, Sima, Wright and Babcock -YES. Motion Passed: 6-0-0

9.5. Approval of **Resolution 2023-R35**, approving an agreement with **Norwest Construction and Blacktop** for certain improvements to the Village's Disc Golf Course located at Porter Park.

President Gustafson entertained a **motion suspend rules**, Trustee Plock made a **motion to approve**, **Second** by Trustee Sima, Discussion: None Roll Call Vote: Trustee Mallicoat, Sima, Wright, Babcock, Plock and Petty- YES. Motion Passed: 6-0-0

President Gustafson entertained a **motion**, Trustee Petty made a **motion to approve**, **Second** by Trustee Wright,

Discussion: Administrator Sanders summarized this is for concrete pads for the disc golf. Administrator Sanders presented a visual aid to the board to show the locations for these pads. Administrator Sanders stated that there is a tournament coming up and hoping to have these completed by then, and bids came back high the low bid is \$16,595 up to \$23,000. There has been an aggressive turn around asked to be completed by July 14<sup>th</sup>, done in advanced for a disc golf tournament to be held on July 29<sup>th</sup>. This may be what is driving the price up. The quotes include the time table of having them installed by July 14<sup>th</sup>. Recently they walked the course with the representatives of the Roscoe Disc Golf Group and they stated they can still hold tournament if not installed. Trustee Babcock asked if there was a comparison for price, and is this a revenue generating tournament? Trustee Babcock stated he doesn't see there being a big savings, and would just get it done. Trustee Sima asked if there was a quote for September? There are 12 pads being completed, but there is a premium being paid for the fast turnaround. Trustee Babcock doesn't see time being a factor, and sees no issue with just doing it now.

Roll Call Vote: Trustee Mallicoat, Petty, Plock, Wright, Babcock and Sima -YES. Motion Passed: 6-0-0

### **10. OLD BUSINESS**

Trustee Sima brought up the issue of Hidden Creek Estates, introducing Vince Bowers, Rotello. Trustee Sima stated there was a wedding out there which was out of control, and he received multiple people complaining. There are many people who want to sell their homes. The county isn't doing anything, South Beloit is not helping. What can the Village do if they are annexed into South Beloit? Trustee Sima stated he has talked to Attorney Kurlinkas as well as President Gustafson who has agreed to call South Beloit. This is an issue that has been on going for three years, what can be done?

Attorney Kurlinkas stated they are speaking with South Beloit to address the concerns and issues. The Roscoe Police department does patrol those streets, and aware of what is happening out there. Communication is being opened to discuss this issue, President Gustafson stated this is two municipalities as well as the county has a noise ordinance which doesn't have any teeth in it. The county board needs to be aware of what is going on, and it is important to bring them in on this. Vince Bowers stated Tom Fitzgerald is aware of the issue, and has been aware for quite some time. Trustee Babcock asked if there is something Roscoe can do to help on this? Trustee Sima stated South Beloit annexed them and should be assisting on this. Vince Bowers stated he called the number to Tom on Saturday and received no feedback or call. He has been attempting to get this resolved and its pre-annexation, and South Beloit does not do anything, they pass it off onto the county. Trustee Mallicoat asked what his hope is for what Roscoe can do? Vince Bowers stated nothing, he is just coming in to discuss.

# **11. PUBLIC COMMENT (limited to 3 minutes per speaker)**

Terry Brock, stated that it would be helpful when they give addresses and numbers to where these are located. President Gustafson apologized and stated she thought the address was on the agenda. The address is on the agenda, and was pointed out the location of where it is located with using other landmarks to help Mr. Brock know where they are. President Gustafson gave those locations, and Mr. Brock stated thank you.

Pat Henderson with regard to the wedding venue, it was stated that he can hear the music and it has never been loud enough to disturb him. He spoke to Carrie, and it is stated that someone out in Hidden Creek is threatening to shoot her. This isn't right, it was stated that South Beloit annexed them and left it for Roscoe to deal with. Although he doesn't have a good answer, it isn't right to threaten someones life over this.

Trustee Babcock stated this just shows the extreme issue, as when people feel nothing is getting done they lash out. Roscoe is put in the middle, and S Beloit stuck it to us. Making a threat is incorrect, but the people are frustrated.

### 12. EXECUTIVE SESSION (if necessary)

### **13. ADJOURNMENT**

President Gustafson entertained a **motion**, Trustee Mallicoat made a **motion to approve. Second** by Trustee Petty, Roll Call Vote: all in favor say Aye.