

**VILLAGE OF HUNTLEY  
VILLAGE BOARD  
March 14, 2019  
MEETING MINUTES**

**CALL TO ORDER:**

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, March 14, 2019 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

**ATTENDANCE:**

**PRESENT:** Mayor Charles Sass; Trustees: Ronda Goldman, Tim Hoeft, Niko Kanakaris, Harry Leopold, John Piwko and JR Westberg.

**ABSENT:** None

**IN ATTENDANCE:** Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Development Services Charles Nordman, Deputy Chief Mike Klunk, and Village Attorney John Cowlin.

**PLEDGE OF ALLEGIANCE:** Mayor Sass led the Pledge of Allegiance.

**PUBLIC COMMENTS:** None

**ITEMS FOR DISCUSSION AND CONSIDERATION:**

- a) Consideration – Approval of the February 28, 2019 Liquor Commission and February 28, 2019 Village Board Meeting Minutes

Mayor Sass reported that everyone was in attendance at both meetings and asked if the Village Board had any comments or changes; there were none.

**A MOTION was made to approve the February 28, 2019 Liquor Commission and February 28, 2019 Village Board Meeting Minutes.**

**MOTION:** Trustee Piwko

**SECOND:** Trustee Leopold

**AYES:** Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg

**NAYS:** None

**ABSENT:** None

**The motion carried: 6-0-0**

- b) Consideration – Approval of the March 14, 2019 Bill List in the amount of \$315,478.67

Mayor Sass reported that \$846.27 of the bill list expenditures is from the FY18 Budget and the remaining \$306,859.40 is from the FY19 Budget. Mayor Sass asked if the Village Board had any comments or questions; there were none.

**A MOTION was made to approve the March 14, 2019 Bill List in the amount of \$315,478.67.**

**MOTION:** Trustee Leopold  
**SECOND:** Trustee Goldman  
**AYES:** Trustees: Goldman, Hoeft, Kanakarlis, Leopold, Piwko and Westberg  
**NAYS:** None  
**ABSENT:** None  
**The motion carried: 6-0-0**

- c) Consideration – An Ordinance Granting Relief for an Electronic Message Board Sign for Simpson Eye Care, 11620 Algonquin Road

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that the ground sign at Simpson Eye Care, 11620 Algonquin Road, suffered major wind damage during the wind storm on September 25, 2018. The petitioner plans to replace the existing 10-foot sign with a similar sized sign, but is requesting relief to add an electronic message board.

#### Staff Analysis

The proposed signage includes a 10-foot tall ground sign to be located along Algonquin Road. The sign face of the proposed monument sign measures 8.33 feet in height and 8.25 feet in width (68 square feet), which is less than the 80 square feet allowed by Code. The sign base will be 20 inches in height and is constructed of stone. A small portion of channel lettering will also be attached to the stone base.

The proposed sign face also includes a 2' by 8.25' (16.5 square feet) electronic message board in the center of the sign. The electronic message board will require relief to be approved by the Village Board as the Sign Ordinance prohibits the use of such signs.

Staff recommends the following conditions be applied should the Village Board approve the relief for the proposed electronic message board:

- 1) No sign permits are approved as part of this submittal.
- 2) The electronic message center sign shall contain static messages only and shall not have movement or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity other than that provided through an automatic dimming system to control overall illumination intensity. Each message on the sign shall be displayed for a minimum of 10 seconds. The change of messages must be accomplished immediately.
- 3) As per the Sign Ordinance, all ground signs for which a sign permit is required shall have landscaped area in accordance with the following provisions: For every one (1) square foot of sign area there shall be provided two (2) square feet of landscaped area immediately adjacent to the sign base. The required landscaped area shall consist of plantings such as, but not limited to, hedges, conifers, flowering plants, evergreens, and ground cover plants. Sodded or seeded areas without such plantings shall not be considered in calculating the required square footage of landscaped area.
- 4) The existing damaged sign shall be removed no later than March 31, 2019.

Director Nordman reported that representatives from the petition were in attendance to answer questions.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Westberg suggested that the bushes in front of the building be trimmed down so people could see the building.

There were no other comments or questions.

**A MOTION was made to approve an Ordinance Approving Relief for an Electronic Message Board sign for Simpson Eye Care, 11620 Algonquin Road.**

**MOTION: Trustee Leopold**

**SECOND: Trustee Kanakaris**

**AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg**

**NAYS: None**

**ABSENT: None**

**The motion carried: 6-0-0**

- d) Conceptual Review of a Proposed Site Plan and Elevations for a New ±15,860 Square Foot Building for ASAP Garage Door Repair, Lot 36 in the Bernat Industrial Center

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that ASAP Garage Door Repair is proposing to develop Lot 36 (1.51 acres) in the Bernat Industrial Center, located at the northwest corner of Smith Drive and Kreutzer Road (across from HS Crocker). The property is located in the “M” Manufacturing Zoning District. The proposed ±15,860 square foot building will be used primarily for warehousing.

This will be the third Huntley location for ASAP Garage Doors. The main existing condo space (12,500 SF) is located at 11351 Allison Court and houses the showroom, offices, and some warehouse space. ASAP also owns satellite warehouse space (5,800 SF) in the building directly to the west on Allison Court. All three building spaces will be utilized by ASAP Garage Door Repair as they grow their business in Huntley.

Staff Analysis

*Site Plan*

The site plan orientates the front of the ±15,860 square foot building to Smith Drive and includes four at-grade garage doors and two loading docks. There is one curb cut on Smith Drive to accommodate site access and parking. The site plan provides for the required 30-foot setback along Kreutzer Road, but future road widening plans could impact this site if additional right-of-way is needed.

All ASAP delivery trucks are straight trucks and should easily maneuver the site. The company anticipates they will receive a total of 2 to 3 semi-truck deliveries per week that would require backing into the loading docks from Smith Drive. The site plan provides parking for 18 vehicles which exceeds the required 17 parking spaces. The site plan includes parking stalls that are 9 feet in width and 19 feet in depth, which meets the minimum required dimensions, but does not meet the 10 foot width, which the Village Board has requested on recent projects.

*Building Elevations*

The building will be constructed with a concrete foundation, prefabricated steel frame, textured insulated wall panels, and a metal panel low slope roof. The front (east facing) and south facing

elevations will also feature a brick wainscot accent. The trash enclosure located on the north side of the structure utilizes a City Scape product which is the same type of material used with the downtown trash enclosures.

### *Sign Plan*

Proposed signage includes two wall-mounted signs and a monument style sign to be located along Kreutzer Road. Proposed wall signs include an “ASAP” logo on the south side (36 SF) and an east facing sign with channel lettering for “A.S.A.P Garage Door Repair” (77 SF). The proposed monument sign measures eight feet in height and 9 feet 9 inches wide and will be internally lit. The sign base will be constructed of brick and will include a stone cap.

### *Landscape Plans*

Landscaping plans indicate the removal of 6 of the 17 existing trees on the lot. The petitioner will be required to follow Section 156.150 of the Huntley Tree Preservation Ordinance to accommodate the replacement of the protected trees. Twenty (20) additional trees are proposed to be planted throughout the site including a mix of Sunset Maple, Northern Catalpa, Hackberry, Thornless Hawthorn, Espresso Kentucky Coffee Tree, Common Witchhazel, Swamp White Oak, and Douglas Fir. The proposed site landscaping also includes perimeter plantings of shrubs, ornamental grasses, perennials, and annuals along the east side of the parking lot and the south side of the building.

### *Required Approvals*

Based on the conceptual plans submitted, the project will require the following review and approvals from the Plan Commission and Village Board:

1. Site Plan Review, including Landscape, Signage, and Lighting

### Courtesy Review

The petitioner has requested the Village Board to conceptually review the proposed plans. The Village Board is not required to provide a formal position statement on the proposal, and the petitioner shall not be required to comply with any position statements which are offered. The concept review shall provide the petitioner with initial comments and concerns that should be considered as they proceed in the formal review process. The Village Board and its individual members are not bound by any comments made during the discussion and the petitioner acknowledges that it cannot claim in the future any reliance whatsoever on those comments.

### Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “*Promote New Business Development, Retention, and Expansion*” as a Strategic Priority, and “*Attract and Retain Businesses to Enhance Tax Base and Create New Jobs*” as a goal.

Director Nordman reported that representatives from the petition were in attendance to answer questions.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Piwko asked about the existing signs including the one with the banner for Coyote Auto Body. Director Nordman reported that Coyote would need relief to maintain a permanent off premise sign.

Trustee Leopold suggested that the petitioner add wall mounted lights on the Kreutzer Road side of the building or some sort of band under the windows. Mr. Jacob Swanson, General Manager of ASAP, 03.14.19 VB Meeting

stated that lights will be installed over the garage doors on the east side of the building, one on the south side of the building and one on the north side of the building; but also stated that they can make the building look nicer. Trustee Leopold stated that he was glad that their business was expanding.

**This agenda item was a concept review; therefore no formal vote was required.**

- e) Consideration – An Ordinance Approving Site Plan Review and a Final Plat of Subdivision for Huntley Fire Protection District Station #5, Southeast Corner of Jim Dhamer Drive and Hennig Road

The Huntley Fire Protection District (HFPD) is proposing to construct a new fire station to serve the southern end of the Village. The HFPD currently operates out of four stations and the Annex Building located on East Main Street. In addition to this new, fifth station, the District is also proposing to expand the Annex Building (11118 E. Main Street) thus allowing it to serve as the District's headquarters as well as a fire station and maintenance facility. An application for expanding the Annex Building will be reviewed by the Village Board at a later date.

#### Staff Analysis

The subject 2.23 acre property is zoned BP Business Park. A government use is a permitted use in the BP zoning district.

#### *Site Plan*

The proposed 10,239 square foot station will have frontage on both Hennig Road and Jim Dhamer Drive. Access to the main parking lot and a separate driveway for emergency vehicles leaving the station will be provided on Hennig Road. A driveway will also be provided on Jim Dhamer Drive for emergency vehicles returning to the station and access to the employee parking lot. The main parking lot accessible from Hennig Road includes 18 parking spaces and the employee parking lot accessible from Jim Dhamer Drive includes 12 parking spaces (30 total parking spaces).

#### *Building Elevations*

The proposed building will use precast concrete as the primary building material, which is typical for buildings within the adjacent business park. The precast will be painted shades of beige/brown. A glass aluminum storefront entrance will be located on the north elevation facing Jim Dhamer Drive and will serve as the main entrance to the building. Glass bi-fold doors will be used to enclose the apparatus bay where emergency vehicles will be parked.

#### *Lighting*

Parking lot lighting will include the installation of pole mounted LED fixtures within both parking areas and along driveways accessing the apparatus bays. Additionally, wall mounted LED fixtures will be located adjacent to building entrances and apparatus bay doors. The proposed lighting plan conforms to required light levels within the parking areas and along lot lines. House-side shields shall be included on all light fixtures to eliminate the impact of any light glare on adjacent properties.

#### *Signage*

The proposed signage includes three wall signs, which consist of the District's logo and text stating "Fire Station No. 5" and "Huntley Fire Protection District." Relief is required from the Village Board to allow one additional wall sign. A new ground sign is also proposed along Jim Dhamer Drive that will measure 6'-4" in height and will be constructed of precast concrete to match the building. The HFPD

has removed the 4' by 8' (32 square feet) digital message board that was previously proposed at the Village Board conceptual review on January 24, 2019.

#### *Final Plat of Subdivision*

The final plat of subdivision will re-subdivide Lot 6 of Unit No. 1 Huntley Subdivision to accommodate the proposed fire station development. The proposed lot is 2.23 acres which exceeds the 1 acre minimum lot area requirement in the BP zoning district.

#### VILLAGE BOARD CONCEPTUAL REVIEW

On January 24, 2019, the Village Board conceptually reviewed the proposed site plan and building elevations for the 10,239 square foot building. The Village Board favorably reviewed the proposed plans and provided the following comments:

1. The Village Board suggested that the building elevation be enhanced to better reflect the character of the neighboring residential area. *The building renderings have been revised to reflect an elevation with more character and detail.*
2. The Village Board asked for confirmation that all roof mounted mechanical systems will not be visible from the street. *Only smaller condensing units will be roof mounted and they will be screened by an aluminum louvered screen so that they are not visible from the street. The remaining mechanical units will be installed inside the building.*

#### Plan Commission Recommendation

The Plan Commission considered the petitioners' request on February 25, 2018, and unanimously recommended approval of the petition by a vote of 6 to 0, subject to the following conditions:

1. All public improvements and site development must occur in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
  2. The petitioner will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
  3. The petitioner shall obtain final approval of the Landscape Plan from the Development Services Department.
  4. All permanent and seasonal plantings must be replaced immediately upon decline.
  5. In accordance with Section 155.221(A)(6) of the Subdivision Ordinance, the developer shall record the final plat of subdivision with the Recorder of Kane County within three months of approval by the Village Board.
  6. No building permits are approved as part of this submittal.
  7. No sign permits are approved as part of this submittal.
- Additional conditions:*
8. House-side shields shall be included on all light fixtures to eliminate the impact of any light glare on adjacent properties.
  9. The HFPD agrees to work with the Village to address any concerns related to impacts on the neighboring residential properties.

Director Nordman reported that the petitioners were in attendance to answer questions.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Hoeft asked if the driveway around the building was going to be all concrete or a combination of asphalt and concrete; the petitioner reported that it will be all concrete.

There were no other comments or questions.

**A MOTION was made to approve an Ordinance Approving Site Plan Review and a Final Plat of Subdivision for Huntley Fire Protection District Station #5, southeast corner of Jim Dhamer Drive and Hennig Road.**

**MOTION: Trustee Kanakaris**

**SECOND: Trustee Hoeft**

**AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg**

**NAYS: None**

**ABSENT: None**

**The motion carried: 6-0-0**

- f) Consideration – Resolution Approving the Bid Award to AB Sanchez, Inc. for the Entryway Area and Ornamental Bed Beautification Services

Village Manager David Johnson reported that the Village maintains the grounds at the entryway sign locations, downtown, Wing Pointe entryway at Haligus and Huntley Dundee Roads, Southwind entryway at Reed Road and Cambridge Drive, all four corners at the intersection of Main Street and IL Route 47 and the planting beds at the Municipal Complex. These areas can be characterized as small tracts generally with mulch and flowerbeds with seasonal decorating that require handwork and frequent attention. To accomplish all the necessary work to the standard and consistency the Village has come to expect, the Village has contracted this work out over the last several years.

On Thursday, February 14, 2019, the Village received bids from three (3) contractors for the Entryway Area and Ornamental Bed Beautification Services contract. The bid documents required a Base Bid and a Mandatory Alternate Bid for each of three consecutive years beginning in 2019. Renewal each year would be subject to Village approval. The Year 1 (2019) bid results are summarized as follows:

Company Name	Base Bid	Alternate Bid	Total Bid
<i>Engineer's Estimate</i>	<i>\$51,500.00</i>	<i>\$500.00</i>	<i>\$52,000.00</i>
AB Sanchez, Inc.	\$44,640.00	\$390.00	\$45,030.00
William Ruth Landscaping	\$49,600.00	\$150.00	\$49,750.00
Balanced Environments, Inc.	\$52,338.00	\$390.00	\$52,728.00

*\*Corrected from as-read Bid*

The Base Bid landscape maintenance activities consist of litter and debris pick-up, turf mowing, weed control and fertilizing in the identified areas. The Alternate Bid landscape maintenance activities consist of aeration in the downtown square.

Staff Analysis

The bids have been reviewed by staff. The lowest responsive, responsible bidder for the Entryway Area and Ornamental Bed Beautification Services is AB Sanchez, Inc. in the total bid amount of \$45,030.00. All is in order for consideration to award the bid to AB Sanchez, Inc.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “*Improve Appearance of Public and Private Properties*” as a Strategic Priority, and “Enhance asset management program to sustain level of service at economical life cycle cost” as an objective.

Financial Impact

The FY2019 Budget includes \$150,000 in the Facilities & Grounds Maintenance Fund, 410-00-00-6179, \$52,000 of which is earmarked for the work identified under this contract.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

**A MOTION was made to authorize a Resolution Approving the Bid Award to AB Sanchez, Inc. for Entryway Area and Ornamental Bed Beautification Services.**

**MOTION: Trustee Goldman**

**SECOND: Trustee Kanakaris**

**AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg**

**NAYS: None**

**ABSENT: None**

**The motion carried: 6-0-0**

g) Policy Direction – Tobacco Specialty Retail Businesses within the Village of Huntley

Assistant Village Manager Lisa Armour reviewed a Power Point presentation and reported that the Village Board recently extended the moratorium on tobacco specialty retail business, including cigarette, smoke, cigar, and vape shops. Currently, five such shops are located within the Village. Staff has researched and reviewed the existing uses and zoning classification and regulations for such establishments as well as the review process for locating such establishments in the Village.

Staff has identified several proposed zoning text amendments that would create a definition for tobacco and vape shops, reduce the zoning districts such a use is permitted in, and distinguish between sales of such items as a primary or accessory use. In addition, the Village Board could consider a licensing process for these establishments that would be similar to the process for liquor licensing. The Board could establish the number of licenses to be issued and would have the opportunity to approve or deny a license for each individual application. For licensing purposes, a tobacco store would be defined as a business that derives 30% or more of its gross revenue from the retail sale of tobacco products and/or tobacco paraphernalia. Accessory tobacco sales would be defined as a business that offers tobacco products and/or tobacco paraphernalia for sale at retail but derives less than 30% of its gross revenue from the sale of tobacco products and tobacco paraphernalia, and in which the sale of other non-tobacco-related products is the primary function.

Staff Analysis

The Zoning Ordinance currently identifies “cigar, cigarette, and tobacco stores” as a permitted use in several zoning districts. A title change to “tobacco and vape shops” is proposed that is intended to reflect recent trends in the retail sale of tobacco products and vaping technology for alternative sources of nicotine. Supplementary regulations for tobacco and vape shops are proposed to clarify that all products containing nicotine are to be treated similarly. The definition for a tobacco and vape shop would be an establishment engaged in the retail sale and display of tobacco products and tobacco paraphernalia. Tobacco products would be further defined to include all tobacco and alternative nicotine products.

It is proposed that such establishments, currently a permitted use in the B-1, B-2, B-3, C-1, and C-2 zoning districts, be limited to the C-2 zoning district (Regency Square and Village Green). These areas are not located adjacent to any residential neighborhoods, thereby reducing the potential for tobacco and



alternative nicotine sales to minors, and reducing the risk of negative aesthetic impacts, blight, and the loss of property values of residential neighborhoods in close proximity to such uses.

The minimum distance between any two tobacco and vape shops is proposed to be one thousand (1,000) feet, as measured from front door to front door. The minimum distance between any tobacco and vape shop, and any lot, premises, or building used primarily as a school, child care facility, or for the education or recreation of children under 18 years of age shall also be proposed to be one thousand (1,000 feet), as measured from the front door of the shop to the nearest property line of the facility. This separation requirement would not apply to any tobacco and vape shop established as an accessory use.

The zoning district changes would result in four of the five existing establishments becoming nonconforming uses which may continue, subject to the regulations that govern such uses. The establishment located on Princeton Drive would remain conforming, as it is located in the C-2 district. The existing establishments would be eligible to apply for a tobacco retailer’s license, with the maximum number of licenses established at five. However, if any of the licensed establishments ceased to meet the criteria for a license, the license would automatically terminate and become null and void, and the number of available tobacco licenses authorized in the classification (class) of the terminated license would automatically be reduced by one. The number of accessory class licenses would not be subject to limitation.

The proposed licensing requirements would also prohibit the addition of any new vending machines, but would allow for any machine or device in place prior to the date the adoption of the ordinance to remain in place with some additional restrictions regarding accessibility to minors.

Financial Impact

The following fees are proposed:

Application fee: \$100

Class A (accessory use) \$200

Walmart, Walgreens (2), Jewel-Osco, Mobil Gas (2), 7-11/Exxon, Armanetti’s, Huntley Food & Liquor

Class B (tobacco store) \$500

Best Price Tobacco & Gifts (downtown)

Tobacco Hut, Rt. 47 Smoke Shop, Smoke & Vape (Rt. 47 between Main Street and Algonquin Road)

Wise Guys Vapes (Regency Square retail center next to 7-11)

Legal Analysis

Zoning Ordinance text amendments require a public hearing conducted by the Plan Commission. Licensing requirements for tobacco and vape shops would require Village Board approval of an amendment to the Village Code of Ordinances.

<b>TOBACCO SHOP LICENSING</b>	
<b>1</b>	<p><b>Establish licensing process with limited number of licenses available for tobacco stores (5 locations currently eligible for license)</b></p> <p>All Trustees supported this.</p>

2	<p><b>Accessory license required for business deriving less than 30% of gross revenue from tobacco and tobacco products (no limit on number of licenses)</b></p> <p>Mayor Sass asked how staff would determine the 30%. Village Manager Johnson stated that it would rely on the licensing process and information provided by the business.</p> <ul style="list-style-type: none"> <li>Trustees Goldman, Kanakaris and Leopold stated they would not support this.</li> <li>Trustee Hoeft noted someone could say they were opening a convenience store but also sell smoke and vape products</li> <li>Trustee Leopold stated that Jewel and Walmart could afford an extra \$100</li> <li>Trustees Piwko, Westberg, Hoeft stated they would support this.</li> <li>Mayor Sass stated that he would support this.</li> </ul>
3	<p><b>One-time, non-refundable application fee of \$100 for all license categories</b></p> <ul style="list-style-type: none"> <li>Trustees Kanakaris, Westberg, Leopold and Goldman stated they do not support this.</li> </ul>
4	<p><b>Accessory license fee of \$200</b></p> <ul style="list-style-type: none"> <li>Trustee Kanakaris stated he does not support this</li> <li>Trustee Westberg, Goldman, Hoeft, Piwko and Leopold stated they support this.</li> </ul>
5	<p><b>Tobacco sales license for business deriving more than 30% of gross revenue from tobacco and tobacco products (subject to number of licenses available or created)</b></p> <ul style="list-style-type: none"> <li>All Trustees supported this.</li> </ul>
6	<p><b>Tobacco sales license fee of \$500</b></p> <ul style="list-style-type: none"> <li>Trustees Piwko, Westberg, Goldman, Leopold and Hoeft supported this.</li> </ul> <p>Trustee Westberg stated that if a business was serious in starting and growing a business this would be acceptable to them.</p> <ul style="list-style-type: none"> <li>Trustee Kanakaris did not support this.</li> </ul>
7	<p><b>Increase minimum age requirement of 18 years old to purchase tobacco or tobacco products to 21</b></p> <p>Mayor Sass stated that this will be determined by the State.</p> <p>Deputy Chief Klunk stated that the Village has an Ordinance which matches the State law of 18 years old to purchase tobacco and should the State change the age, the Village would change the Village Ordinance.</p> <p>Village Manager Johnson reported that legislation has passed both the House and Senate and is on the Governor's desk. It was the consensus to wait to see if the law changes at the State level before changing the Village Ordinance.</p> <p>Mayor Sass stated that if the bill does not get passed by the State then he would not be in favor to</p>

change the Village Ordinance and would want it to remain at 18.

Village Manager Johnson stated that before bringing this back to the Village Board, the State's approval will most likely be formalized.

### ZONING TEXT AMENDMENTS

1	<p><b>Change the title in the Zoning Ordinance for tobacco establishments from “cigar, cigarette, and tobacco stores” to “tobacco and vape shops”?</b></p> <ul style="list-style-type: none"><li>• All Trustees supported this.</li></ul>
2	<p><b>Create new definition for “tobacco and vape shops” as an establishment engaged in the retail sale and display of tobacco products, including alternative nicotine products, and tobacco paraphernalia</b></p> <ul style="list-style-type: none"><li>• All Trustees supported this.</li></ul>
3	<p><b>Eliminate tobacco/vape shops as a permitted use in B-1, B-2, B-3, and C-1 and only allow in C-2 (Regency Square and Village Green)</b></p> <p>Village Manager Johnson reported that the number wouldn't be limited but the combination of zoning with the license application process would likely limit the number and concentration within a small area.</p> <p>Trustee Kanakaris asked if this would do away with having no license available. Village Manager Johnson stated that if zoning is not in place then the Village would have no leverage.</p> <p>Trustee Leopold asked if it gives the Village more protections. Village Manager Johnson said it would give more protection to allow in only one zoning classification.</p> <p>Trustee Kanakaris asked if they could be made a Special Use? Director Nordman stated that Special Use Standards would allow them to meet the standards therefore the Village would not be able to regulate them nor deny them.</p> <p>Trustee Hoeft stated that this is a good way to regulate them.</p> <ul style="list-style-type: none"><li>• Trustees Leopold, Hoeft, Piwko, Westberg and Goldman supported this.</li><li>• Trustee Kanakaris did not support this.</li></ul>
4	<p><b>Establish minimum distance of 1,000 feet (measured from front door to front door) between any two tobacco and vape shops (excluding accessory use locations)?</b></p> <ul style="list-style-type: none"><li>• Trustees Westberg, Goldman, Leopold and Piwko stated that they supported this.</li></ul>

<b>5</b>	<p><b>Prohibit the addition of any new vending machines for tobacco products</b></p> <ul style="list-style-type: none"> <li>Trustees Goldman, Westberg, Leopold and Piwko stated that they supported this for tobacco and vape products.</li> </ul>
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Mayor Sass asked if the Village Board had any additional questions or comments.

Trustee Kanakarlis stated that fines will be needed. Village Manager Johnson stated that they will be structured similar what is done for liquor license violations.

Village Manager Johnson noted that in previous conversations, the Board mentioned paraphernalia and control over such items. Village Manager Johnson asked if this was something the Board wanted to discuss. Trustee Leopold asked if these items could be included in the application process; Village Manager Johnson said yes. It was the consensus of the Village Board for Staff to explore adding this into the application process. Trustee Leopold added guns and knives. Deputy Chief Klunk stated that the Village would have to come up with the definition for knives as there are different types. Village Manager Johnson stated that the Board could possibly eliminate the sale of certain size and types of knives in tobacco stores.

Village Manager Johnson stated that the Zoning aspect of this requires a public hearing before the Plan Commission and staff will begin that process and bring it back before the Village Board as soon as possible.

*It was the consensus of the Village Board to move forward with Zoning Ordinance text amendments and licensing requirement for tobacco and vape shops.*

**VILLAGE ATTORNEY’S REPORT:** None

**VILLAGE MANAGER’S REPORT:** None

**VILLAGE PRESIDENT’S REPORT:**

Mayor Sass reported that the next McCOG was at Port Ed’s in Algonquin.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**ADJOURNMENT:**

**There being no further items to discuss, a MOTION was made to adjourn the meeting at 8:04 p.m.**

**MOTION:** Trustee Piwko

**SECOND:** Trustee Westberg

**The Voice Vote noted all ayes and the motion carried.**

Respectfully submitted,

Barbara Read  
Recording Secretary