City Council Meeting  
October 15, 2018

Call to Order
Mayor Wayne Jett called the regular meeting scheduled for October 15, 2018 of the McHenry City Council to order at 7:00 pm in the McHenry City Council Chambers, 333 S. Green Street, McHenry, IL.

Roll Call

Pledge of Allegiance
Mayor Jett proceeded to lead those present in the Pledge of Allegiance.

Public Hearing: Proposed Amendment to the Annexation Agreement with The Chapel for the property located at 1809 South Illinois Route 31. Mayor Jett opened the Public Hearing at 7:03 pm. He asked if anyone in the audience wished to comment on the matter under consideration. Ms. Claussen approached the podium, she expressed her support for the McHenry County PADS Shelter.

Mayor Jett asked if anyone else in the audience wished to comment on this matter. The audience offered no additional comments. A Motion was made by Alderman Santi and seconded by Alderman Mihevc to close the public hearing. Roll call: Vote: 7-ayes: Alderman Santi, Alderman Mihevc, Alderman Glab, Alderman Schaefer, Alderman Curry, Alderman Devine and Alderwoman Condon. 0-nays, 0-abstained. Motion carried.

Motion to adopt an Ordinance authorizing the Mayor’s execution of the Proposed Amendment to the Annexation Agreement with The Chapel for property located at 1809 South Illinois Route 31.
Alderwoman Condon also expressed her support for the McHenry County PADS Shelter. She noted that both the Pioneer Center and The Chapel are exceptional institutions.

Alderman Santi asked if the build out requiring an additional seven years was an internal build out. Director Martin replied yes.
Alderman Glab expressed his concern with permitting this type of conditional use. He commented on the ongoing controversy in Woodstock with respect to allowing this type of facility. He questioned what the benefits were to the City of McHenry if the shelter were allowed to relocate from Woodstock.

A lively discussion ensued with respect to the benefits of the proposed McHenry County PADS Shelter. Pioneer Center CO-CEO Sam Tenuto approached the podium. Mr. Tenuto emphasized the positive impact the shelter would have on the McHenry County Community. Mr. Tenuto stated that he has seen homeless individuals and families rise above their situation and have a positive impact on the community. In addition, the shelter will relieve the burden currently placed on local churches and other governmental agencies.

Alderman Condon once again passionately expressed her support.

Pioneer Center Treasurer Richard Draper elaborated on the request to locate the PADS shelter in the City of McHenry. He reported that this would be a great location for the facility. He stated that the Chapel is less than one-quarter mile from an affordable healthcare clinic, an immediate care clinic and a major hospital along with many companies that could provide employment opportunities. In addition, Pace provides bus services up and down Route 31. However, there will be other transportation options made available to the residents residing at the shelter.

Mr. Draper went on to report that McHenry County is currently under served and there is a portion of the population that is in need of these types of services. Many are veterans or due to unfortunate circumstances unemployed or citizens suffering from mental health issues. The Pioneer Center along with The Chapel have the experience and resources to assist the homeless in becoming productive and self-sufficient citizens. Alderman Glab thanked Mr. Draper for the informative explanation regarding the benefits the shelter would provide to the City.

There being no further discussion on the motion, **A Motion was made by Alderwoman Condon and seconded by Alderman Devine to adopt an Ordinance authorizing the Mayor’s execution of the Proposed Amendment to the Annexation Agreement with The Chapel located at 1809 South Illinois Route 31.** Roll call: Vote: 8-ayes: Alderwoman Condon, Alderman Devine, Alderman Mihevc, Alderman Curry, Alderman Schaefner, Alderman Glab, Alderman Santi and Mayor Jett. 0-nays, 0-abstained. Motion carried.

**Public Hearing:** Proposed Amendment to the Annexation Agreement with Gerstad Builders for the Liberty Trails Subdivision.

Mayor Jett opened the Public Hearing at 7:25 p.m.

Mayor Jett asked if anyone in the audience wished to comment on the matter under consideration. Those in attendance offered no comments.
A Motion was made by Alderman Santi and seconded by Alderman Devine to close the public hearing. Roll call: Vote: 7-ayes: Alderman Santi, Alderman Devine, Alderwoman Condon, Alderman Mihevc, Alderman Curry, Alderman Schafer and Alderman Glab. 0-nays, 0-abstained. Motion carried.

Motion to adopt an Ordinance authorizing the Mayor’s execution of the Proposed Amendment to the Annexation Agreement with Gerstad Builders for the Liberty Trails Subdivision, dated July 5, 2000, relative to the reduction of impact fees through September 24, 2019. Director Polerecky provided the Council Members with an overview of a request made by Gerstad Builders to amend an existing annexation agreement for the Liberty Trails Subdivision that would result in a reduction of impact fees for this development by 50% until September 24, 2019. This annexation agreement amendment regarding an impact fee reduction mirrors the reduction recently granted to D.R. Horton.

Alderwoman Glab noted that in the past he was not in favor of reducing D.R. Horton’s impact fees by 50%. However, the annexation agreement amendment passed and in his opinion, if you grant a fee reduction for one builder you must grant the same for all.

There was some discussion on the term of a building permit. Director Polerecky reported that a building permit is good for one year after the date of issuance.

Mayor Jett asked those in attendance if they had any comments on the matter under consideration. Those in attendance offered no comments.

A Motion was made by Alderman Santi and seconded by Alderman Mihevc to adopt an Ordinance authorizing the Mayor’s execution of the Proposed Amendment to the Annexation Agreement with Gerstad Builders for the Liberty Trails Subdivision, dated July 5, 2000, relative to the reduction of impact fees through September 24, 2019. Roll call; Vote: 8-ayes: Alderman Santi, Alderman Mihevc, Alderman Devine, Alderwoman Condon, Alderman Curry, Alderman Glab and Mayor Jett. 0-nays, 0-abstained. Motion carried.

Public Comment
Mayor Jett asked if anyone in attendance wished to comment on any items listed on the consent agenda. Those in attendance offered no comments.

1. Consent Agenda Consent Agenda.

Motion to Approve the Following Consent Agenda Items:

- A. Resolution of support for CMAP Technical Assistance Grant and authorization for $5,000 local match contribution;
- B. Pay authorization #2 to Maneval Construction Company, Inc. for the Timothy Lane/Clover Avenue Water Main Replacement Project in the amount of $74,948.10;
C. Budget amendment to the FY18/19 Budget, Fund 100, increasing the Park Decorations by $1,860; and, award a bid for installation of holiday lighting in Veterans Memorial Park to Temple Display, Ltd. For $19,360;
D. Award contract to re-roof the Merkel Aquatic Center Bath House to Cost Roofing in the amount of $10,798 with an additional price for plywood replacement of $66;
E. Request to advertise for bids for the installation of a washroom, concessions and storage facility at Fox Ridge Park;
F. September 4, 2018 Council meeting minutes;
G. October 1, 2018 Council meeting minutes;
H. Payment of Bills in the amount of $692,130.49
I. As Needed Checks in the amount of $107,116.05

Motion to Approve the Following Consent Agenda Items:
Mayor Jett asked if any of the Council Members wished to remove any items listed on the consent agenda for separate consideration. The Council Members offered no comments. There being no further discussion on the motion, a Motion was made by Alderman Schaefer and seconded by Alderman Santi to approve the consent agenda items A-I as presented. Mayor Jett asked if there was any discussion on the motion. Alderman Santi commented on the poor bid response for the installation and maintenance for the holiday lights in Veterans Memorial Park. Director Hobson noted that the City only received one bid and historically receives very few bids. Alderman Santi suggested next year Staff should publish the request for bids in September. Director Hobson stated that he would publish the request for bids in September of next year.

There being no further discussion on the motion, Deputy Clerk Meadows called the roll. Roll call: Vote: 7-ayes: Alderman Schaefer, Alderman Santi, Alderman Glab, Alderman Curry, Alderman Mihevc, Alderman Devine and Alderwoman Condon. 0-nays, 0-abstained. Motion carried.

Individual Action Item Agenda

Motion to adopt an Ordinance approving a Conditional Use Permit for an Assembly Use, including a seven-night per week use as a PADS (Public Action to Deliver Shelter) site, at 1809 South Illinois Route 31, with conditions.
Director Martin provided the Council Members with an overview of the Conditional Use Permit for an Assembly Use, including a seven-night per week use as a PADS site. Alderman Santi commended The Chapel and the Pioneer Center for their community involvement and noted that this is an incredible commitment and he wished them the best.

Mayor Jett asked if anyone in the audience wished to comment on the matter under consideration. Those in attendance offered no comments.
There being no further discussion on the motion, a Motion was made by Alderman Santi and seconded by Alderwoman Condon to adopt an Ordinance approving a Conditional Use Permit for an Assembly Use, including a seven-night per week use as a PADS (Public Action to Deliver Shelter) site, at 1809 South Illinois Route 31, with conditions. Roll call: Vote: 7-ayes: Alderman Santi, Alderwoman Condon, Alderman Devine, Alderman Mihevc, Alderman Curry, Alderman Schaefer and Alderman Glab. 0-nays; 0-abstained. Motion carried.

Motion to adopt an Ordinance approving a Zoning Map Amendment, Conditional Use Permit and Preliminary Subdivision Plat to allow a long-term skilled-nursing care facility on the property located at the northeast corner of Ridgeview Drive and Bull Valley Road. Director Martin provided the Council Member with an overview of the proposed conditional use permit and preliminary subdivision plat to allow for a long-term skilled-nursing care facility. He reported that the applicants are proposing to construct a long-term skilled nursing facility to serve acute care patients needing either short or long-term care. The proposed building is one-story and will be able to accommodate 84 people in 60 single rooms and 12 double rooms. The facility will be constructed as an upscale resort rehabilitation center including a therapy gym, private rooms, bathrooms and showers with an outdoor courtyard.

Alderwoman Condon questioned the purpose of the double rooms. Ms. Nicole Jablonski approached the podium. She was speaking on behalf of the applicants. She reported that the double rooms could be used for to accommodate a husband and wife. However, more often it is used to accommodate patients wishing to hold down cost.

Alderman Glab discussed the entire development’s regional stormwater detention. He noted that the Colonial Funeral Home currently has a temporary detention area. However, there is a plan in place that provides dedicated central detention area for the entire Pacini property. He recommended Staff review the central detention drainage plans as this development proceeds.

Mayor Jett asked in anyone in attendance wished to comment on the matter under consideration. Those in attendance offered no comments.

There being no further discussion on the motion, a Motion was made by Alderwoman Condon and seconded by Alderman Schaefer to adopt an Ordinance approving a Zoning Map Amendment, Conditional Use Permit and Preliminary Subdivision Plat to allow a long-term skilled-nursing care facility on the property located at the northeast corner of Ridgeview Drive and Bull Valley Road. Roll call: Vote: 7-ayes: Alderwoman Condon, Alderman Schaefer, Alderman Glab, Alderman Santi, Alderman Devine, Alderman Mihevc and Alderman Curry. 0-nays, 0-abstained. Motion carried.
Motion to grant a Class “A1” liquor license request for Hub Market LLC d/b/a Hub Market Butcher Shop, 1210 N. Green Street, McHenry, Illinois 60050 upon Council Approval and issuance of the State Liquor License; and, an Ordinance Amending Chapter 4, Sec. 4-6(1) of the McHenry Municipal Code, increasing the number of Class “A1” Liquor Licenses in effect from 2 to 3.

Administrator Morefield noted that the purpose of this agenda item is for the consideration of granting a Class “A1” liquor license to a new business called Hub Market Butcher Shop located at 1210 N. Green Street. The Class “A1” license permits the liquor establishment to sell beer or wine for consumption on the premises and retail sale of package beer and wine. Alderman Curry noted that in his opinion the liquor license application is incomplete due to the fact that not all the partners were named on the application. There was some discussion on if there was a conflict of interest with some of the partners. Attorney Cahill stated that there was no conflict of interest as the State Statute has language citing the “Married Person Act”. In addition, there has been case law supporting the Act.

Owners John and Nick Domanico approach the podium. Mr. Domanico commented on his business plan. He reported that he currently owns and operates a deli in the Village of Cary. His intention is to focus on the food not the alcohol. In addition, he has no interest in offering video gaming.

Mayor Jett asked if anyone in the audience wished to comment on the matter under consideration. Those in attendance offered no comments.

There being no further discussion on the motion, A Motion was made by Alderman Santi and seconded by Alderman Schaefer to grant a Class “A1” liquor license request to Hub Market LLC d/b/a Hub Market Butcher Shop located at 1210 N. Green Street contingent upon a list of all the partners names being attached to the application, successful completion of fingerprinting and background checks, and the issuance of the Illinois State Liquor License. Roll call: Vote: 7-ayes: Alderman Santi, Alderman Schaefer, Alderman Glab, Alderman Curry, Alderman Mihevc, Alderman Devine and Alderwoman Condon. 0-nays, 0-abstained. Motion carried.

Motion to approve transfer of Class A1-27 from Reprise Corp d/b/a Nicoline’s Trackside, to Salerno’s McHenry, Inc. d/b/a Salerno’s Pizzeria and R Bar located at 621 Ridgeview Drive, McHenry, Illinois 60050 upon Council Approval and issuance of the State Liquor License. Mayor Jett reported that he had meet with the applicant and the applicant has submitted all the required paperwork. In addition, the fees have been paid and the applicant has successfully been fingerprinted. In addition, the applicant owns eleven other restaurants in other communities.

Mayor Jett asked if anyone in the audience wished to comment on the matter under consideration. Those in attendance offered no comments.
There being no further discussion on the motion, **A Motion was made by Alderman Curry and seconded by Alderwoman Condon to approve the transfer of a Class “A1” liquor license from Reprise Corp d/b/a Nicolino’s Trackside to Salerno’s McHenry, d/b/a Salerno’s Pizzeria and R Bar located at 621 Ridgeview Drive.** Roll call: Vote: 7-ayes: Alderman Curry, Alderwoman Condon, Alderman Devine, Alderman Mihevc, Alderman Glab, Alderman Schaefer and Alderman Santi. 0-nays, 0-abstained. Motion carried.

Motion to grant a Class “A” liquor license request for OBT Inc. d/b/a Old Bridge Tavern, 1334 North Riverside Drive, McHenry, Illinois 60050 upon Council Approval and issuance of the State Liquor License.

Administrator Morefield reported that Mr. Archos is the owner of the Old Bridge Tavern building located at 1334 North Riverside Drive. In addition, Mr. Archos has two other existing liquor license establishment located in the City. The fees have been paid and he has spoken with the Mayor.

Mayor Jett asked if anyone in attendance wished to comment on the matter under consideration. Those in the audience offered no comments.

There being no further discussion on the motion, **A Motion was made by Alderman Schaefer and seconded by Alderwoman Condon to grant a Class “A” liquor license request for OBT Inc. d/b/a Old Bridge Tavern, 1334 North Riverside Drive.** Roll call: Vote: 7-ayes: Alderman Schaefer, Alderwoman Condon, Alderman Devine, Alderman Mihevc, Alderman Curry, Alderman Glab and Alderman Santi. 0-nays, 0-abstained. Motion carried.

**Staff Reports**

Chief Birk apologized for being late to the meeting. However, he was attending a School District #156 meeting in which Officer Foley and SRO Sam Shafer were recognized for their actions in performing life-saving measures on a student, including CPR and the use of an AED. The student was transported to the hospital for medical treatment and he was happy to announce that the student has since made a full recovery.

**Mayor and City Council Comments**

Neither the Mayor nor the Council Members provided any reports.

**Executive Session**

Motion to enter into Executive Session to discuss Purchase or Lease of Real Property as permitted by 5 ILCS 120 (C) (5).
Mayor Jett stated at this time he would entertain a motion to enter into executive session to discuss Purchase or Lease of Real Property as permitted by 5 ILCS 120 (C) (5) with no action to follow.

**A Motion was made by Alderman Schaefer and seconded by Alderman Santi to enter into executive session to discuss Purchase or Lease of Real Property as permitted by 5 ILCS 120 (C) (5) with no action to follow.** Roll call: Vote: 7-ayes: Alderman Schaefer, Alderman Santi, Alderman Curry, Alderman Glab, Alderman Mihevc, Alderman Devine and Alderwoman Condon. 0-nays, 0-abstained. Motion carried.

The Council Members along with Administrator Morefield, Attorney Cahill, Director Hobson and Deputy Clerk Meadows entered into executive session 8:03 p.m.

**Reconvene/Roll Call**
The Council Members along with Administrator Morefield, Attorney Cahill, Director Hobson and Deputy Clerk Meadows returned to the public meeting at 8:50. **A Motion was made by Alderman Santi and seconded by Alderman Devine to reopen the public meeting.** Roll call: Vote: 7-ayes: Alderman Schaefer, Alderman Santi, Alderman Glab, Alderman Curry, Alderman Mihevc, Alderman Devine and Alderwoman Condon. 0-nays, 0-abstained. Motion carried.

**Adjournment**
There being no further public business to discuss, **a Motion was made by Alderman Santi and seconded by Alderman Devine to adjourn from the public meeting at 8:51 p.m.** Roll call: Vote: 7-ayes: by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

Mayor

Deputy Clerk

[Signatures]