

**MINUTES OF THE REGULAR MEETING
OF THE GURNEE VILLAGE BOARD**

**GURNEE VILLAGE HALL
NOVEMBER 14, 2022**

Call to Order	Mayor Hood called the meeting to order at 7:00 p.m.
Other Officials in Attendance	Patrick Muetz, Village Administrator; Bryan Winter, Village Attorney; David Ziegler, Community Development Director; Christine Palmieri, Director of Human Resources; Ellen Dean, Economic Development Director; John Kavanagh, Fire Chief; David Douglass, Battalion Chief; Brian Smith, Police Chief; Jesse Gonzalez, Deputy Police Chief; Jeremy Gaughan, Police Commander.
Roll Call	PRESENT: 6- Garner, O'Brien, Balmes, Thorstenson, Woodside, Ross ABSENT: 0-
Pledge of Allegiance	Mayor Hood led the Pledge of Allegiance.
<u>A. PUBLIC COMMENT</u>	
Mayor Hood	Mayor Hood provided the audience a brief summary on how properties are developed in the Village. He stated this includes a due diligence period and potential requests from the Village, which are typically heard first by the Planning and Zoning Board (PZB). He stated the public hearings require public notification. The Village provides notice to properties within 500 feet of the subject property (legal requirement is 250 feet). He continued to state the PZB is a recommending body and the Village Board is the final decision-maker. Mayor Hood stated the TransChicago proposal is expected to come before the Village Board November 28th, but he recommended those interested in the project monitor the Village website to confirm which agenda it will be on. He then provided a summary of how the meeting will operate including the petitioner making a presentation and residents afforded the opportunity to comment/ask questions.
Attorney Winter	Attorney Winter stated since TransChicago is not a formal agenda item on tonight's agenda, there will not be a question-and-answer session. He said residents can make statements to the Village Board but there will not be a back and forth dialogue. He stated this is consistent with Open Meetings Act provisions.
Karen Gaither 690 Chandler Road Gurnee, IL	Ms. Gaither stated she is concerned about health and traffic impacts from the TransChicago proposal. She stated traffic will be a nightmare and property values will be impacted.
Art Stevens 5740 Regency Court Gurnee, IL	Mr. Stevens stated he is the de facto leader of the effort opposed to the TransChicago proposal. He stated he is working to collect signatures from those against the PZB recommendations. He stated industrial/commercial is not the best use for the property. He continued to state he will be presenting an opposition packet to the Village on November 21st. He urged the Village Board to vote no on the proposal.
Marvin Hazel 930 Taylor Drive Gurnee, IL	Mr. Hazel stated he is concerned about light pollution, hours of operation, noise and traffic. He stated this is the wrong location for the proposal.
Suzette Dilger 813 Brian Court Gurnee, IL	Ms. Dilger stated she is concerned about traffic, diesel exhaust and noise. She stated her sleep will be impacted by the proposal.
Margaret Rooney 708 Darnell Lane Gurnee, IL	Ms. Rooney stated she has taken three trips to the Elmhurst location. She stated she saw 200+ trucks on-site and it did not look good. She stated the proposal is not worth it for the amount of revenue it will generate.
Bob Diehl 341 Hickory Haven Gurnee, IL	Mr. Diehl stated the proposal should be located on Route 41. He stated he feels the focus is on money and not the families that will be impacted.

	He continued to state he does not understand why the PZB provided some favorable recommendations.
Kathleen York 933 Chase Court Gurnee, IL	Ms. York stated she has been researching the EPA and heavy-duty vehicle standards. She stated Heather Ridge is moderate to upper income neighborhood and she is concerned the proposal will negatively impact the quality of life in the area. She stated the Routes 21/120 is already loud. She concluded by stating the revenue generated from the proposal would not offset increased medical bills.
Vicki Thedos 805 Brian Court Gurnee, IL	Ms. Thedos stated she agrees with what everyone else has said. She stated the proposed development will create noise and ruin her view. She stated traffic is already bad in the area and she believes it will get worse. She urged the Village Board to vote against the proposal.
Victoria Herzog 941 Clark Drive Gurnee, IL	Ms. Herzog stated she can already hear traffic and any additional traffic will be bad. She stated there will be a lot of trucks and that will impact property values. She also stated she is concerned about the size of the sign.
Bonnie Dolter 710 Colby Court Gurnee, IL	Ms. Dolter said the revenue from the development will not be big. She believes property values will be negatively impacted and this will result in less money for the Village.
George Serdar 711 Chandler Court Gurnee IL	Mr. Serdar stated he is concerned about the environment and the potential impact on the Des Plaines River and trail.
Sally Walker Heather Ridge Gurnee, IL	Ms. Walker said she loves Heather Ridge and this development would negatively impact the neighborhood and surrounding area.
Mary Beth Fournier 731 Chelsey Court Gurnee, IL	Ms. Fournier stated the development would ruin the view and if this proposal was made 15 years ago, she would not have moved to the area. She said the development does not fit and everyone in Spinney Run is against it. She concluded by discussing the other TransChicago sites.
Norb Laura 747 Chelsey Court Gurnee, IL	Mr. Laura stated he believes this will be a truck stop. He stated this is a residential area, not an industrial area.
Bob Diehl 341 Hickory Haven Gurnee, IL	Mr. Diehl stated he is concerned tanker trailers may contain hazardous materials.
Barbara Stevens 5740 Regency Court Gurnee, IL	Ms. Stevens stated Heather Ridge is focused on conservation. She stated she lived in Gurnee years ago and moved back. She stated she is concerned about pollution, flooding, noise, property values and potential crime.
Resident Gurnee, IL	The resident asked if anyone has visited the other locations and stated they do not look good. He continued to state he has the same concerns the others have shared and that any proposed developments should be good for the community.
Jim Holbrook 847 Kristin Court Gurnee, IL	Mr. Holbrook stated the west side of the Des Plaines River is all green space and therefore this does not fit. He stated he believes the property is wetlands and will need a considerable amount of fill. He continued to state he is concerned about drainage, river pollution and the impact on his view.
Brooks Gerlach 692 Dunham Road Gurnee, IL	Mr. Gerlach stated everyone is against this proposal. He stated the videos on TransChicago's website show hectic facilities. He stated he is concerned about noise, smell, lighting and the signage.
Ingrid Lorenz 915 Bidwell Drive Gurnee, IL	Ms. Lorenz stated she has heard nothing positive regarding this proposal. She stated people will be miserable and does not understand why the Board is considering it.
Ed Jesse 6122 Brookstone Pl Gurnee, IL	Mr. Jesse shared information on the number of homes in the area. He stated he is concerned about the environment, noise and pollution.

Sue Kwiatkowski
837 Brian Court
Gurnee, IL

Ms. Kwiatkowski stated she is concerned about repair working taking place until midnight. She stated this will result in noise that will impact sleep.

Kenneth King
Spinney Run
Gurnee, IL

Mr. King stated Route 21 is already loud. He is also concerned about the impact on local wildlife and does not like the word "Chicago" in "TransChicago".

John Duncan
832 Kristin Court
Gurnee, IL

Mr. Duncan urged the Village Board to visit some other TransChicago sites to see the operation for themselves. He stated the number of parking stalls proposed does not add up to the projected traffic counts. He continued to state the revenue impact is minimal and this business does not fit the site. He encouraged the Village Board to conduct its due diligence.

Jim Siefken
Spinney Run
Gurnee, IL

Mr. Siefken stated he provided the Village Board a letter a few weeks ago. He then referenced a 2005 proposal for the site that was denied. He concluded by warning the Village Board what is approved today can change over time and that cannot be controlled.

Roy Blackfield
672 Dunham Road
Gurnee, IL

Mr. Blackfield stated only five PZB members were present when this was considered and only three voted in favor of the request. He then discussed the Gurnee Mills berm and that he heard a gas station is being proposed someplace else in the Village.

8:17 p.m. - 8:22 p.m.
Recess while some
in attendance
decided to leave

**B. APPROVAL OF
CONSENT AGENDA**

It was moved by Trustee Garner, seconded by Trustee O'Brien to approve the Consent Agenda as presented.

Roll call,

AYE: 6- Garner, O'Brien, Balmes, Thorstenson, Woodside, Ross

NAY: 0- None

ABSENT: 0- None

Motion Carried.

**C. CONSENT
AGENDA /
OMNIBUS VOTE**

The Village Administrator read the consent agenda for an omnibus vote as follows:

1. Approval of minutes from the October 24, 2022 meeting.
2. Approval of Ord. 2022 – 61 amending Chapter 78, Section 78-68 Subsection (g), Item (77), of the Gurnee Municipal Code by creating certain fire lane designations within the Village of Gurnee.
3. Approval of Ord. 2022 – 62 approving an easement agreement for the stormwater detention easement on Lot 10 of Northridge Plaza subdivision.
4. Approval of issuing a Raffle License and waiving the fee and bond requirement for the Gurnee District 56 Band Boosters.
5. Approval of bid award for the fuel purchase to the low bidder, Avalon Petroleum Company, at a supplier discount price of -\$0.0440 cents per gallon for unleaded gasoline and a supplier mark-up price of \$0.0190 cents per gallon for biodiesel fuel.
6. Approval of Payroll for period ending October 21, 2022 in the amount of \$964,305.07.
7. Approval of Payroll for period ending November 4, 2022 in the amount of \$1,228,077.55.
8. Approval of Bills for the period ending November 14, 2022 in the amount of \$8,723,560.47.

It was moved by Trustee Garner, seconded by Trustee Thorstenson to

approve the Consent Agenda for an omnibus vote as read.

Roll call,

AYE: 6- Garner, O'Brien, Balmes, Thorstenson, Woodside, Ross

NAY: 0- None

ABSENT: 0- None

Motion Carried.

D. PETITIONS AND COMMUNICATIONS

None.

E. REPORTS

1. Presentation by Village Attorney Bryan Winter – Review of proposed Municipal Code amendment to regulate and license hotels.

Attorney Winter presented the following PowerPoint regarding proposed modifications to hotel regulations:

Overview: Amending Chapter 22 to Establish Hotel Licensing Regulations

Background:

- 12 hotels or extended stay hotels located in the Village
- Existing industry standards for registration and safety measurers
- Hotel license regulations impose uniform standards
- Uniform standards assist police responding to calls for services
- Licensing Procedures increases accountability of hotels

Licenses would require:

1. Building and facility safety measures, outlined in Section 22-310
2. Hotel registration regulations, outlined in Section 22-311
3. Hotel occupancy regulations, outlined in Section 22-312
4. Duty for “hotel authority personnel” to prevent, mitigate, control, or address activities, which constitute nuisance incidents, outlined in 22-313

1. Building Safety Measurers, Sec. 22-310

- Secure Doors.
- All public entry doors shall have operating automatic closures and key entry doors that lock between the hours of 10:00 p.m. and 5:00 a.m.
- Video Surveillance.
- Digital surveillance of all registers, exterior entrances and exits, interior hallways and lobbies of the hotel or extended stay hotel.
- Signage
- Signage advising guests that video surveillance is required by Village ordinance.
- Lighting
- Sufficient artificial lighting in public areas

2. Hotel Registration Requirements, Sec. 22-311

License would require:

- Desk Clerk On Duty
- Maintaining Uniform Guest Register
- Maintaining Uniform Guest Information

Prohibitions:

- No Bartering or allowing lodging in exchange for services
- Persons under 18 not permitted to rent rooms unless accompanied by parent, legal guardian or authorized adult
- Cannot rent room without photo identification

3. Hotel Occupation Regulations, Sec 22-312

- License would require:
- Limit on number of overnight guests allowed in a room
- Limit maximum number of visitors allowed in a room (2 x

- sleeping accommodations)
- Limit hours for visitors
- Provides enforcement of maximum length of stay at hotels

Prohibitions:

- Loitering
- Hourly Rentals
- Listing Hotel address as permanent residence or mailing address

4. Establishment of Duty for “Hotel Authority Personnel” Sec 22-313
Sec. 22-313 Duty of Hotel Authority Personnel.

- Prevention of Nuisance Incidents.
 - It is unlawful for any Hotel Authority Personnel to consent to, facilitate, cause, allow, or encourage a Nuisance Incident.
 - Every person has the following affirmative duties with respect to any hotel for which they are Hotel Authority Personnel: (i) to refrain from encouraging or permitting a hotel to become or remain a Nuisance Hotel; and (ii) to take affirmative actions to prevent, mitigate, control, or otherwise address any activity that constitutes a Nuisance Incident.

Definitions of Nuisance Incidents, Sec. 22-301

- Aggravated assault, as defined in 720 ILCS 5/12-2
- Aggravated battery, as defined in 720 ILCS 5/12-3.05
- Aggravated or reckless discharge of a firearm, as defined in 720 ILCS 5/24-1.2
- Armed violence, as defined in 720 ILCS 5/33A-2
- Possession of explosives or incendiary devices, as defined in 720 ILCS 5/20-2
- Homicide, as defined in 720 ILCS 5/9-1
- Criminal street gang recruitment, as defined in 720 ILCS 5/12-6.4
- Criminal sexual abuse, as defined in 720 ILCS 5/11-1.50
- Unlawful hotel rental for consumption of underage drinking, 735 ILCS 5/6-16
- Unlawful participation in street gang related activity, as defined in 720 ILCS 5/25-5
- Unlawful use of weapons, as defined in 720 ILCS 5/24-1
- Mob action, as defined in 720 ILCS 5/25-1
- Gambling, as defined in 720 ILCS 5/28-1
- Possession, manufacture, or delivery of controlled substances in 720 ILCS 570/401
- Public indecency, as defined in 720 ILCS 5/11-30
- Sexual abuse or a related offense, as defined in 720 ILCS 5/12-15
- Prostitution, as defined in 720 ILCS 5/11-14 et seq.
- Street gang related or gang related activity, as defined in 740 ILCS 147/10
- Any activity that constitutes a felony or a Class A misdemeanor pursuant to any applicable local, state, or federal law

Compliance Monitoring, Sec. 22-315

- Compliance monitoring conducted by the Village Police Department
- The Village Police Department shall periodically meet with Licensee as often as they determine, to review training programs, signage and general procedures as they relate to the operation of a hotel.

Enforcement

- Complaints, Sec. 22-316
- If there have been judgments or findings of liability by a court or hearing officer that three (3) nuisance incidents under sec. 22-313 have occurred within 180-days or five (5) or more nuisance incidents have occurred in any one (1) year period, the hotel license can be suspended or revoked. Sec. 22-321.
- Penalties and Remedies, Sec. 22-317
- Emergency Closure, Sec. 22-318

Questions

Trustee O’Brien asked if the proposed changes would impact agencies

that provide rooms to individuals experiencing homelessness. Attorney Winter stated current hotel regulations limits stays to no more than 30 consecutive days in a 60-day period. Trustee O'Brien next asked about confidentiality and guest registries. Attorney Winter stated the register is confidential and will not be shared by the Police. He continued to state it would only be checked on an as-needed basis.

Trustee Thorstenson asked if the number of violations necessary to have a license suspended are too lenient. Attorney Winter said the Village still have the option to utilize emergency closures provisions. He stated the hope is after the first incident is cited the hotel will become more attentive to avoid future situations.

Trustee Ross asked if potential impacts to tourism have been considered. Attorney Winter stated the provisions are based on what could be considered *industry standards* as it relates to safety.

Trustee Balmes asked for clarification on who determines when an emergency closing is necessary. Attorney Winter stated the Village Administrator. He continued to state a hearing will be held for each offense so the operator will be well aware of where they stand as it relates to license suspension. Attorney Winter also stated failure to remit hotel tax could also impact a hotel's license to operate.

Trustee Woodside asked for clarification on who is considered "hotel authority personnel." Attorney Winter stated the definition is broad as multiple individuals may need to assume this role including manager, desk staff or security personnel. Trustee Woodside also asked if input from the hotels have been sought. Attorney Winter stated that could be done as there is already a working relationship in place.

Trustee Garner stated he believes the suggested amendments are good. He further stated establishing responsibility at varying levels of the business will create better results.

Mayor Hood thanked Attorney Winter for his efforts and stated if the Trustees have any additional questions or concerns to contact the Village Administrator.

F. OLD BUSINESS

None.

G. NEW BUSINESS

1. Approval of Ord. 2022 – 63 adopting the 2023-2026 Strategic Plan for the Village of Gurnee.

Administrator Muetz said the 2023 – 2026 Village of Gurnee Strategic Plan was developed over a number of months with input from a variety of stakeholders in the community. He stated the Plan includes twenty-four Strategic Initiatives, each with up to seven Action Steps. The Strategic Plan will help communicate Village focus to the public, while assisting staff with resource and financial planning over the next three to four years.

It was moved by Trustee Balmes, seconded by Trustee O'Brien to approve of Ord. 2022 – 63 adopting the 2023-2026 Strategic Plan for the Village of Gurnee.

Roll call,

AYE: 6- Garner, O'Brien, Balmes, Thorstenson, Woodside, Ross

NAY: 0- None

ABSENT: 0- None

Motion Carried.

2. Approval of Ord. 2022 – 64 adding one Class 2 Tobacco and Alternative Nicotine Products License (Primary Sales) by amending Section 7-8 of Chapter 7 of the Gurnee Municipal Code entitled "Tobacco and Alternative Nicotine Retailers" (Lava Smoke Shop – 5572 Grand Avenue).

Administrator Muetz said Lava Smoke Shop has applied for a Class 2

(primary sales) tobacco license. The business will be located at 5572 Grand Avenue (same building as Timothy O'Tooles). The Village currently has five Class 2 licenses issued. He reminded the Board that in January 2022 it approved licensing requirements for tobacco sales. This came on the heels of a two-and-a-half-year moratorium prohibiting the establishment of smoke, vape and hookah shops. As it relates to Lava's request, the Police Department has conducted the necessary background checks and found no disqualifying circumstance as described in the Gurnee Municipal Code.

Trustee Garner asked what the limit was on this type of license. Mayor Hood said we are at the limit and this would be an additional license.

Trustee Ross said she would like staff to communicate to future applicants there are currently no licenses available.

It was moved by Trustee Woodside, seconded by Trustee O'Brien to approve of Ord. 2022 – 64 adding one Class 2 Tobacco and Alternative Nicotine Products License (Primary Sales) by amending Section 7-8 of Chapter 7 of the Gurnee Municipal Code entitled "Tobacco and Alternative Nicotine Retailers" (Lava Smoke Shop – 5572 Grand Avenue).

Roll call,

AYE: 6- Garner, O'Brien, Balmes, Thorstenson, Woodside, Ross

NAY: 0- None

ABSENT: 0- None

Motion Carried.

3. Approval of group dental insurance renewal with Delta Dental – 7.6% rate adjustment for 12-month period beginning January 1, 2023.

Administrator Muetz said Delta Dental has been the Village's current dental insurance provider since 2014. Delta has never requested a premium increase. The current contract was for a 12-month period that expires December 31, 2022. Delta initially provided the Village another 1-year renewal at 9.6% rate adjustment. Follow-up conversations took place and Delta revised the rate increase to 7.6%. Inflation and an increase in claims compared to the prior plan year are the main drivers behind the increase. Muetz stated the expense is still less than a previous carrier quoted the Village in 2014. Staff is recommending the 1-year renewal with Delta.

Human Resources Director Palmieri provided additional detail on the renewal proposal.

It was moved by Trustee Ross, seconded by Trustee Garner to approve of group dental insurance renewal with Delta Dental – 7.6% rate adjustment for 12-month period beginning January 1, 2023.

Roll call,

AYE: 6- Garner, O'Brien, Balmes, Thorstenson, Woodside, Ross

NAY: 0- None

ABSENT: 0- None

Motion Carried.

H. PUBLIC COMMENT

None.

Closing Comments

None.

Adjournment

It was moved by Trustee Balmes, seconded by Trustee Garner to adjourn the meeting.

Voice Vote: ALL AYE: Motion Carried.

Mayor Hood adjourned the meeting at 9:12 p.m.

**Andrew Harris,
Village Clerk**

