

CALL TO ORDER

President Miller calls to order the Village of East Dundee Regular Board Meeting at 6:00 p.m.

ROLL CALL:

Trustees Gorman, Lynam, Selep, Wood, Hall and President Miller.

Also in attendance Village Administrator Bob Skurla, Deputy Village Administrator Jennifer Johnsen, Finance Director Zaida Torres, Associate Village Attorney Jim Binninger, Economic Development Director Doug Bergren and Village Clerk Katherine Holt.

PLEDGE OF ALLEGIANCE: Recited

PUBLIC COMMENT (Agenda Items only): None

CONSENT AGENDA-CONSIDERATION OF AN "OMNIBUS VOTE":

Illinois Municipalities may adopt by a single roll call vote of the Village Board and Village President, a group of assorted ordinances, resolution, motions and orders by an "Omnibus Vote". The "Omnibus Vote" shall be taken following the unanimous consent by the President and Board as to the items to be included. Any Trustee or the President may request that any item not be included in that vote.

- A. Motion to approve the Regular Village Board Meeting Minutes Dated February 6, 2017**
- B. Approval of an Amended Amusement Tax Ordinance**
- C. Motion to Approve Concerts in the Park for Summer 2017**

New Business:

- A. Motion to approve Bandito Barney's Tent Request for St. Pat's Event**
- B. Motion to approve Diamond Jim's Tent and Beer Trailer Request for St. Pat's Event**
- C. Motion to approve Rosie O'Hare's Tent and Beer Trailer Request for St. Pat's Event**

Motion to approve Consent Agenda items A and C and New Business items A, B and C by Gorman/Lynam.

Roll: Ayes – 5 – Trustees Gorman, Lynam, Selep, Wood and Hall. Nays – 0. Absent – 0. Motion carries.

B. Approval of an Amended Amusement Tax Ordinance

Motion to approve an Ordinance of the Village of East Dundee, Illinois, Cook and Kane Counties, Amending the Amusement Tax by Gorman/Wood.

Discussion:

Trustee Gorman said that the language of the ordinance could be construed as exempt in relation to a banquet hall as they could claim to be an entity and not customarily in the business of charging an admission fee for entertainment. Administrator Skurla stated that the intention was for a consistent, repeated event at an establishment, not for an occasional or special project. Trustee Gorman recommended creating this with a dollar figure when events collect under a certain dollar amount. Deputy Administrator Johnsen advised that Associate Village Attorney Costa left the language intentionally vague because of the way the law is created. She said if you give the business an impression that they are being charged and other businesses are not, there could be problems with the law. He did not want the ordinance to be overly crafted or tailored. Attorney Binninger recommended using the word "customarily" in the language. He said he will review and make changes.

Motion to table an Ordinance of the Village of East Dundee, Illinois, Cook and Kane Counties, Amending the Amusement Tax by Gorman/Lynam. Motion carries by unanimous vote.

OLD BUSINESS: None

NEW BUSINESS:

D. Approval of an Ordinance Approving a Development Agreement by and between the Village of East Dundee, Cook and Kane Counties, Illinois, and Speedway, LLC for the Development of Part of Lot 5 in Terra Business Park

Motion to approve an Ordinance Approving a Development Agreement by and between the Village of East Dundee, Cook and Kane Counties, Illinois, and Speedway, LLC for the Development of Part of Lot 5 in Terra Business Park by Lynam/Wood.

Discussion:

Trustee Gorman asked to have a conversation on what the Village thinks they are getting and agreeing to. Administration Skurla stated that Speedway has agreed to build a facility in town. He said it is anticipated that they will start off doing approximately \$11 million in taxable sales per year, which yields \$440,000 in annual sales tax of which they are requesting back \$167,000 a year for 15 years. He advised that diesel fuel is not subject to tax. He said that they will be requesting liquor and video gaming licenses. A compromise was made for a reimbursement amount of \$2.5 million. He added that the Village is applying for an economic development project grant from IDOT. He said staff will provide IDOT with job creation numbers and will have a good chance of getting approximately \$800,000 of grant money for signalization at that intersection. The \$800,000 will be deducted from the \$2.5 million. Deputy Administrator Johnson added that the traffic control is referenced in Section 3b of the agreement as the "adjusted reimbursement".

Trustee Gorman stated that when the Board signs an agreement, it needs to ensure the Village is covered so it is not in a loss situation. He said there is no guarantee that Speedway will do \$11 million in taxable sales. Deputy Administrator Johnson said that a longer term length was discussed and they would not agree to that. She said that Corporate has capped a project cost at \$7.5 million. President Miller said that Speedway would have to do less than \$4.5 million in sales just to break even and that the proposed location is predicted to be one of their best stores. Trustee Gorman asked for gasoline sale predictions. Johnson replied that Speedway projects 4.6 million gallons of bio diesel and 3.1 million of regular ethanol gasoline. She added that they also project \$3 million in merchandise sales.

Trustee Gorman would like to request that the annual reimbursement be reduced in relationship to the amount of money that is going to be recovered to Speedway. President Miller replied that he has no problem with this request being asked of Speedway. Trustee Gorman referenced section 3 (a) of the agreement language that states "but in no event less than \$166,666.00" and suggested the language be changed to state "but in no event less than the Adjusted Reimbursement divided by 15 years". Administrator Skurla asked that the Board approve the ordinance with the amended language and if Speedway rejects it, then it will be brought back to the Board.

Motion to approve an Ordinance Approving a Development Agreement by and between the Village of East Dundee, Cook and Kane Counties, Illinois, and Speedway, LLC for the Development of Part of Lot 5 in Terra Business Park amending language in section 3 (a) to read "but in no event less than the Adjusted Reimbursement divided by 15 years" as discussed by Gorman/Lynam.

Roll: Ayes – 4 – Trustees Gorman, Lynam, Wood and Hall. Nays – 1 - Selep. Absent – 0. Motion carries.

Regular Village Board Meeting
Village of East Dundee
Kane County, Illinois
February 20, 2017

FINANCIAL REPORTS:

February 20, 2017 to February 20, 2017

Warrants List #1 \$276,804.23

The warrants list was noted to the Board.

Reports: VILLAGE TRUSTEES

Gorman: None

Lynam: None

Selep: None

Wood: Reported that she met with Administrator Skurla, Cathy Domagalski and Erin Weingart last Friday regarding Farmers Market plans.

Hall: None

Reports: VILLAGE ADMINISTRATOR and STAFF

Village President: None

Village Administrator: None

Village Attorney: None

Village Engineer: None

Police Chief: Mee advised that he will be meeting with the St. Pat's Parade organizer to discuss final plans tomorrow.

Public Works Director/Building Official: None

Finance Director: None

Special Events Manager: None

Promotion & Marketing Manager: None

Economic Development Consultant: Bergren distributed a report of job projections that will be created after the Speedway Fueling Center project is complete. He said this information will be sent to IDOT as part of a request for grant assistance for the proposed signalization at Route 72 and Christina Drive. Administrator Skurla added that the grant is strictly based on industrial job creation.

PUBLIC COMMENT (Items not on the Agenda): None

EXECUTIVE SESSION: No

Motion to adjourn the Regular Village Board Meeting at 6:55 p.m. by Lynam/Wood.
Motion carries by unanimous vote.

Respectfully submitted,

Katherine Holt

Attest: Katherine Holt
Village Clerk, Katherine Holt

By: L Miller
Village President, Lael Miller