

Meeting Held Electronically



COMMITTEE OF THE WHOLE MEETING
Monday, November 2, 2020
(Immediately following the Village Board Meeting)

AGENDA

CALL TO ORDER

ROLL CALL

AUDIENCE COMMENTS

TRUSTEE COMMENTS

DISCUSSION

1. Temporary Winter Outdoor Dining Reimbursement Program

ADJOURN

Initials: SB

**VILLAGE OF NORTH AURORA
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR
FROM: MIKE TOTH, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR
SUBJECT: TEMPORARY WINTER OUTDOOR DINING REIMBURSEMENT PROGRAM
AGENDA: NOVEMBER 2, 2020 REGULAR VILLAGE BOARD MEETING

ITEM

Resolution approving a Winter Outside Dining and Cost Reimbursement Program

DISCUSSION

On May 22, 2020 the Mayor's Executive Order was issued allowing restaurants, bars, and other such establishments the ability to offer outdoor seating, drink consumption and food consumption as allowed by the Restore Illinois Plan. With the winter months rapidly approaching, staff reached out to all restaurants in North Aurora to inquire about their plans to offer outdoor seating and if there is interest in a program reimbursing restaurants for materials associated with outdoor dining during the winter months. An estimated 35 establishments would qualify for this funding; however, of those 35 establishments, staff anticipates approximately 10 - 15 would utilize outside dining during the winter months (November 1, 2020 – March 31, 2021). Six of those establishments have reached out to the Village directly to express interest in a reimbursement program.

In order to assist establishments with expenses needed to provide outdoor dining during the winter months, staff created a Winter Outdoor Dining Policy that would offer reimbursement for eligible expenses up to \$10,000 per establishment. This money would be funded out of the general fund. Since it is unbudgeted for, it would require a budget amendment to make funds available for the program. The maximum funding available would be \$150,000.

An eligible program expense would include temporary outdoor structures, lighting, furniture, barricades and heating devices. Expenditures would be submitted throughout the Winter Dining Program Period with reimbursements being paid out once per month. Eligible expenditures (via paid receipts or paid invoices) must have occurred no earlier than August 1, 2020 and must be submitted for reimbursement no later than May 31, 2020. In order to qualify, establishments must abide by Restore Illinois and any other tiered mitigation guidelines by the IDPH guidelines as well as the North Aurora Executive Order Allowing Outside Dining. A signed Hold Harmless Agreement, layout plan, W-9, and an establishment's certificate of general liability insurance with coverage extending to the outdoor dining area must also be submitted with the application. Upon completion of the work, the winter outdoor dining area must pass an inspection performed by the Village of North Aurora and the North Aurora Fire Protection District.

Attachments:

- 1) Winter Outdoor Dining Policy
- 2) Winter Outdoor Dining Application
- 3) Resolution for Winter Outside Dining and Cost Reimbursement Program

VILLAGE OF NORTH AURORA



VILLAGE OF
NORTH
AURORA

VILLAGE OF NORTH AURORA
KANE COUNTY, ILLINOIS

Resolution No. _____

**RESOLUTION APPROVING A WINTER OUTSIDE DINING AND
COST REIMBURSEMENT PROGRAM**

Adopted by the
Board of Trustees and President
of the Village of North Aurora
this ____ day of _____, 2020

Published in Pamphlet Form
by authority of the Board of Trustees of the
Village of North Aurora, Kane County, Illinois,
this ____ day of _____, 2020
by _____.

Signed _____

VILLAGE OF NORTH AURORA

RESOLUTION NO. _____

A RESOLUTION APPROVING A WINTER OUTSIDE DINING AND COST REIMBURSEMENT PROGRAM

WHEREAS, the threat posed by SARS COVID-19 and consequential emergency orders imposed to prevent the spread of the virus have adversely impacted businesses that depend on inside dining, drinking and entertainment; and

WHEREAS, the Village President and Trustees desire to mitigate the loss of business, unemployment and other adverse effects of the executive orders, to encourage safe, outdoor dining and drinking and to allow local eating and drinking establishments to remain open during the winter months consistent with the constraints of the executive orders.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

1. The recitals set forth above are adopted and incorporated herein as the material and significant findings of the President and the Board of Trustees as if fully stated herein.
2. A winter outdoor dining reimbursement program consistent with the terms and condition contained in the policy attached hereto and incorporated herein by reference as Exhibit "A" is hereby approved (the "Program Guidelines").
3. All of the provisions of the North Aurora Code that might prohibit the continuation of outdoor seating for establishments that offer dining and drinking in the Village are hereby temporarily suspended, consistent with the Program Guidelines as long as the emergency declared by the Illinois Governor continues that limits indoor dining to less than full capacity.
4. This Resolution shall take immediate force and effect from and after its passage and approval as provided by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this ____ day of _____, 2020 A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this ____ day of _____, 2020 A.D.

Mark Carroll	_____	Laura Curtis	_____
Mark Gaffino	_____	Mark Guethle	_____
Michael Lowery	_____	Tao Martinez	_____

VILLAGE OF NORTH AURORA

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora,
Kane County, Illinois this ____ day of _____, 2020 A.D.

Dale Berman, Village President

ATTEST:

Village Clerk

R:\Secretary\Clients - Municipal\VONA\Emergency Management\COVID-19 Response\Winter Outdoor Dining Program\Res. Approving Winter Outside Dining Program.docx



<u>Date Received</u>

Winter Outdoor Dining Application

This application must be approved by the Community Development Department and all necessary permits must be obtained prior to commencement of work.

Village of North Aurora
 Community Development Department
 25 East State Street
 North Aurora, IL 60542
 Community Dev. (630) 906-7372
 mtoth@northaurora.org

The Village of North Aurora is offering restaurants, taverns, and other dining establishments reimbursement in costs of up to \$10,000 for temporary outdoor dining solutions during winter months. Eligible expenses include temporary structures, lighting, furniture, barricades and heating devices. In order to qualify, establishments must abide by Restore Illinois and any other tiered mitigation guidelines by the IDPH as well as the guidelines outlined in the North Aurora Executive Order Allowing Outside Dining and the Village's temporary winter outdoor dining policies. This program is for North Aurora establishments only.

Property Address: _____

Establishment Name: _____

Applicant Name: _____ Phone Number: _____

E-mail Address: _____

Receipts are required for all eligible expenses. A signed Hold Harmless Agreement, Certificates of Insurance and layout plan must be submitted along with this application. The layout plan shall include all structures and apparatuses associated with the outdoor dining plan. Reimbursement requests shall be submitted periodically for review during the winter outdoor dining program period (November 1, 2020- March 31, 2021). The total of all reimbursements shall not exceed \$10,000.

Signature of Applicant: _____ Date _____

For Village Use

Village of North Aurora Approval:

Approved by: _____ Date _____

NA Fire Protection District Approval:

Approved by: _____ Date _____

Layout Plan Submitted Yes No

Certificate of Insurance: Yes No

W-9 Submitted Yes No

Signed Hold Harmless Yes No

Title: Temporary Winter Outdoor Dining Reimbursement Program

Purpose: To provide local North Aurora restaurants, taverns, and other dining establishment's guidance and financial assistance for winter outdoor dining during the COVID-19 pandemic.

Description: This program is designed to help eligible businesses offset the cost of outdoor dining costs for the winter season. Only eligible expenditures for the winter outdoor dining period (November 1, 2020 – March 31, 2021) will be reimbursed.

Policy: The Village will offer eligible North Aurora restaurants, taverns, and other dining establishments up to \$10,000 in reimbursements for eligible expenses on a first come first serve basis beginning upon approval of the Village Board and continuing until March 31, 2021. Eligible expenditures (via paid receipts or paid invoices) must have occurred no earlier than August 1, 2020 and must be submitted for reimbursement no later than May 31, 2020. In the event, any existing Gubernatorial Executive Orders restricting capacity at bars and restaurants are terminated or ceased before March 31, 2021 the program will be terminated at that time. The program maximum for all available funds is \$150,000. Eligible expenditures include temporary outdoor structures, lighting, furniture, barricades and heating devices and other similar expenses specifically designed for outdoor winter dining. The Village will not reimburse businesses for any personnel or staffing costs. Reimbursement request shall be submitted periodically for review during the winter outdoor dining program period. In order to qualify, establishments must abide by Restore Illinois guidelines and any requirements imposed by additional Tiered Mitigation measures imposed by the IDPH that are applicable to businesses within the Village at that time as well as the North Aurora Executive Order Allowing Outside Dining. A signed Hold Harmless Agreement, layout plan, W-9, and an establishment's certificate of general liability and dram shop insurance with coverage extending to the outdoor dining area must also be submitted with the application.

Fire Prevention and Safety Requirements

1. Install the tent or membrane structure per manufacture's specifications. Verify structural integrity of the membrane or structure, including a 30lbs per square foot live load of snow.
2. Tents must be fire-resistant/flame retardant and have certification attached to it.
3. Tents shall not block any fire department access to any buildings (including fire department connections for sprinkler systems).
4. Electrically powered heating devices to be used following manufacturers recommendations.
5. No flames, burners, propane or open combustion sources of heat allowed within the tent. No cooking.
6. Tents must have at least 10 feet distance around that is free of combustibles.
7. Heating devices need to be secured to prevent tipping or falling over.
8. All entrances/exits shall be clearly marked. Minimum of 2 exits (tent size dependent).
9. All exit, emergency lighting and exit illumination needs to be secured in place. A back-up power supply for electrical fixtures and lighting should also be installed.
10. Fire extinguishers shall be installed, inspected and made readily available. Minimum of 2 – 10lb. ABC extinguishers or every 50' of travel.
11. Smoking is not permitted within the outdoor dining area and "NO SMOKING" signs need to be posted.
12. Maintain proper ventilation at all times.

Upon completion of the work, the winter outdoor dining area must pass an inspection performed by the Village of North Aurora and the North Aurora Fire Protection District. After the layout plan and inspections have been approved, the Village may reimburse the establishment for any eligible expenses that qualifies on a monthly basis until the program ends. Eligible purchases will be paid in full while eligible rentals will be paid out on a prorated monthly basis. The Village of North Aurora assumes no responsibility for any defective work or other damage, injury or loss resulting from any act of negligence by the contractor or property owner while installing, operating, or maintaining outdoor dining equipment or structures. The Village reserves the right to modify or discontinue the program at any given point in time with proper notice.