

APPROVED
VILLAGE OF LAKE ZURICH BOARD OF TRUSTEES
REGULAR MEETING
70 East Main Street
Monday, April 1, 2013, 7:00 p.m.

- 1. CALL TO ORDER** by President Suzanne Branding at 7:00pm
- 2. ROLL CALL:** Village President Suzanne Branding, Trustee Jeff Halen, Trustee Terry Mastandrea, Trustee Tom Poynton, Trustee Jonathan Sprawka, and Trustee Rich Sustich. Trustee Dana Rzeznik was absent and excused. Also present:- Village Manager Jason Slowinski, Asst. Village Manager Roy Witherow, Village Attorney Scott Uhler, Building/Zoning Dir. Dan Peterson, Finance Director Jodie Hartman, I/T Dir. Michael Duebner, Police Chief Pat Finlon, Fire Chief Dave Wheelock, Public Works Gen. Services Supt. Mike Brown and Interim Park and Rec. Dir. Kathy Katz.
- 3. PLEDGE OF ALLEGIANCE** and Color Guard lead by Girl Scout Troop 1244.
- 4. PUBLIC COMMENT**

John Breugelmans addressed the Board.

Dale Perrin, Lake Zurich Area Chamber of Commerce, addressed the Board.

Jim Tarbet, 1195 Cedar Creek Drive, addressed the Board. Atty. Uhler advised the Board on the three minutes of speaking time.

- 5. PRESIDENT'S REPORT**

- A. Proclamation** – National Code Enforcement Officer Appreciation Month
- B. Community Update**
President Branding thanked Asst. Fire Marshall Guy Trayling on the occasion of his retirement.
President Branding read a letter of thanks from the LZACC.

- 6. CONSENT AGENDA**

- A. Minutes of the Village Board Meeting, March 18, 2013**
- B. Designation of Main Street as a Class II Truck Route** (Assign Ordinance #2013-04-888)

Summary: In April 2012, the Village accepted jurisdiction and maintenance of Main Street between the intersections of the Route 22 By-Pass [east and west]. As a result of this transfer, Main Street was incorporated into the municipal street system and by definition became a limited load roadway. A small portion of this roadway will be designated a Class II Truck Route to accommodate commercial motor vehicle traffic between Church Street and the Route 22 By-Pass. Recommendation is requested to amend Title 6, Chapter, Section 6-2C-2: Class II Designated Truck Routes to designate Main Street between Church Street and the intersection of east Route 22 By-Pass as a Class II Truck Route.

Recommended Action: Motion made by President Suzanne Branding, seconded by Trustee Poynton, to approve the Consent Agenda as presented.

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik

MOTION CARRIED.

7. OLD BUSINESS

A. **Discussion of Request for Qualifications (RFQ) for Block A Development** (Trustee Mastandrea)

Summary: Review and discussion of final draft of Request For Qualifications (RFQ) seeking qualified developers for downtown redevelopment Block/Site-A per Village Board directive. During the past few months Teska & Associates, staff and the downtown evaluation committee have been working to prepare the RFQ documents and establish the process for recruiting qualified developers. Staff is requesting final review comments from the Village Board by April 5, 2013 and authorization to direct Teska & Associates to proceed with the RFQ process.

President Branding introduced Lee Teska, Teska & Associates, who addressed the Board and answered their questions.

After discussion it was decided to table this to the 4/15/13 Village Board meeting.

8. NEW BUSINESS

A. **Ordinances Approving a Zoning Code Text Amendment and Special Use Permit for Copper Fiddle Distillery at 532 W. IL Route 22** (Trustee Mastandrea)

Summary: Jose Hernandez and Fred Robinson are the business owners for the proposed craft distillery business at 532 W Rt. 22 Road Ste. 110. The Applicants filed an application with the Village of Lake Zurich seeking the following approvals: (i) Zoning Code text amendment to permit SIC #208 – manufacturing beverages in the business zoning districts. (ii) Special use permit to allow manufacturing beverages on the Subject Property. The Lake Zurich Plan Commission conducted a public hearing on March 20, 2013, and unanimously recommended that the Board of Trustees approve the Application.

Building/Zoning Dir. Dan Peterson introduced the applicants, Messrs. Hernandez and Robinson, who answered the Board's questions.

Recommended Action: Motion made by Trustee Mastandrea, seconded by Trustee Halen, to approve “An Ordinance Approving a Zoning Code Text Amendment” and “An Ordinance Approving a Special Use Permit” for Copper Fiddle Distillery at 532 W. IL Route 22. Assign ORD 2013-04-886 and 2013-04-887

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik

MOTION CARRIED.

B. **Resolution Authorizing a 120-day Extension of the Intergovernmental Agreement with the Village of Kildeer Concerning the Parcel at U.S. Route 12 and Cuba Road** (Trustee Mastandrea)

Summary: In April of 1993 the Village of Lake Zurich entered into an intergovernmental agreement with the Village of Kildeer governing the boundaries and development of a parcel of land at the northeast corner of U.S. Route 12 and Cuba Road. The Agreement is for a period of twenty years and expires in April 2013. The Resolution extends the Agreement until July 31, 2013.

Village Manager Jason Slowinski addressed the need for the extension and answered the Board's questions. Atty. Uhler advised the Board.

Recommended Action: Motion made by Trustee Mastandrea, seconded by Trustee Halen, to approve the extension of the April 1993 Intergovernmental Agreement

regarding the property at the northeast corner of U.S. Route 12 and Cuba Road.
Assign. Res. #2013-04-08B

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik

MOTION CARRIED.

C. Bid Award for Fireworks Display, July 4, 2013. (Trustee Poynton)

Summary: Staff solicited 12 vendors for the Fireworks Display to be held on July 4, 2013. Proposals were requested for a \$15,000 fireworks display and a \$20,000 display. Two (2) complete submissions were received.

Interim Park and Rec. Dir. Kathy Katz explained that a barge will be used for the display and Finance Director Jodie Hartman advised the Board on the use of funds from the Hotel tax

Recommended Action: Motion made by Trustee Poynton, seconded by Trustee Sprawka, to approve the award of the 2013 Fireworks Display to Fire Alarm Fireworks Co. for the cost of \$20,000.

AYES: 4 Trustees Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 1 Trustee Halen.

ABSENT: 1 Trustee Rzeznik

MOTION CARRIED.

D. Presentation by Developer John Breugelmans for Downtown Development (Trustee Mastandrea)

Summary: The Village Board previously reached consensus to hear a presentation from Mr. John Breugelmans for proposed development for downtown Lake Zurich.

John Breugelmans addressed the Board giving a history of the Block A development. He stated that he has the financial backing required, a letter dated 3/28/13, and his plan is a shortcut. Breugelmans said that work could be ready in 75 days starting April 2, 2013 with digging starting late October/November 2013 and built in up to twelve months. Questions from the Board were answered by Mr. Breugelmans, Dir. Peterson and Mr. Lee Brown, Teska and Associates. Dir. Peterson stated that he was not in receipt of the information given to the Board by Mr. Breugelmans on 4/1/13.

Discussion followed by the Board including requesting Mr. Breugelmans sharing the financial information with Mr. Lee Brown as President Branding started that the Board did not have the expertise. Mr. Breugelmans agreed to this if a confidentiality letter was signed by Lee Brown. President Branding polled the Board, Trustees Halen, Poynton and Sprawka were in favor of allowing Mr. Breugelmans the 75 days, Trustees Mastandrea and Sustich were in favor of the RFQ/RFP process. President Branding corrected some of Mr. Breugelmans statements. President Branding asked Mr. Lee Brown if he was able to review the financial information and sign a confidentiality agreement. Mr. Brown's response was qualified because he did not know what he would be reviewing and against what criteria and he answered questions from the Board. President Branding was willing to give Mr. Breugelmans the 75 days with the sharing of the financial statement with Lee Brown, Teska Associates. Mr. Breugelmans was questioned by President Branding about what he would do in the 75 days. Mr. Breugelmans stated that he would finalize the design, work with village staff on village code, negotiate impact fees, update market study, tests by

civil engineers, business plan, confirm with economic and financial partners to confirm what they will lend, working architectural plans in four weeks. It will be accomplished in 75 days with the staff.

Atty. Uhler advised the Board on a letter of intent to be brought forward at the next meeting. President Branding stated that the end of the 75 days is June 16, 2013.

E. Semi-Monthly Warrant Register Dated April 1, 2013, Totaling \$400,389.26
(Trustee Sprawka)

Recommended Action: Motion made by Trustee Sprawka, seconded by Trustee Sustich, to approve the semi-monthly warrant register dated April 1, 2013, totaling \$400,389.26

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik

MOTION CARRIED.

9. TRUSTEE REPORTS

Trustee Mastandrea asked if the RFQ/RFP process was on hold and President Branding stated that it could be finished but not sent out.

10. VILLAGE MANAGER'S REPORT

A. Bi-weekly Departmental reports as of March 26, 2013

B. Financial Report for month of January, 2013 Dir. Hartman answered the Board's questions.

11. ATTORNEY'S REPORT

Atty. Uhler reported on a FOIA request about the proposed Budget being available to the public.

12. DEPARTMENT HEAD REPORTS

A. Police Chief Finlon & Director Peterson—Liquor Code Amendments

Chief Finlon presented the five sections of the liquor code which need to be addressed and he and Dir. Peterson answered the Board's questions.

13. ADJOURNMENT

Motion made by Trustee Sprawka, seconded by Trustee Halen, to adjourn the meeting.

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik

MOTION CARRIED.

Meeting adjourned at 10.01pm

Respectfully submitted: Kathleen Johnson, Village Clerk.

Approved by:

/s/Suzanne K. Branding, Village President.

4/30/13