

APPROVED  
VILLAGE OF LAKE ZURICH  
Board of Trustees  
70 East Main Street



Monday, November 16, 2015, 7:00 p.m.

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7.00pm.
2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Jeff Halen, Trustee John Shaw, Trustee Marc Spacone, Trustee Jonathan Sprawka. Trustee Dan Stanovich was absent and excused. Also present: Interim Village Manager Steve Husak, Asst. Village Manager Roy Witherow, Village Atty. Scott Uhler, Community Services Dir. Mike Earl, Finance Dir. Jodie Hartman, Dir. of Innovation Michael Duebner, Acting Police Chief Kevin Finlon, Fire Chief John Malcolm, Rec. Manager Bonnie Caputo, Interim B/Z Manager/ Planner Sam Hubbard and Public Works Manager Mike Brown.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**  
There were no comments.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**  
Mayor Poynton reported that developers have decided not to purchase and develop Hackneys at North Old Rand Road and Rt. 12.  
Winter Celebration will be Friday, December 4 from 5-7pm at Celebration Park , in downtown.
6. **CONSENT AGENDA**  
*Mayor Poynton removed Agenda item #6H from the Consent Agenda.*
  - A. **Approval of Minutes of the Village Board Meeting, November 2, 2015**
  - B. **Purchase of Two Ford F-250 Replacement Trucks for Community Services Department and Fire Department in the Amount of \$53,205 from Currie Motors**  
**Summary:** The FY16 budget includes \$38,000 to replace a 2003 Ford pickup in the Public Works Division and another \$35,000 to replace two vehicles, including a 1990 Chevrolet 2500 and a 2001 Chevrolet Blazer. The two proposed replacement trucks will be purchased through the Suburban Purchasing Cooperative. These purchases are consistent with past purchases to standardize the fleet and reduce maintenance expenses, while also reducing the overall fleet by one vehicle.
  - C. **Special Event Approval for Purple Plunge, Relay for Life, Color Vibe, Lake Zurich Triathlon, Taste of the Towns, and Alpine Races**  
**Summary:** According to Special Event Guidelines, private events with estimated attendance over 100 must be reviewed and approved by the Park and Recreation Advisory Board and the Village Board. These six events are recommended for approval by the Advisory Board and Staff.
  - D. **School Impact Fee Agreement between the Village of Lake Zurich and Lake Zurich Community Unit School District 95**

**Summary:** This agreement acknowledges that the Village will require a school impact fee in the event that the Pathways Senior Living Facility at 95 North Rand Road generates school-aged children.

**E. An Ordinance Approving Budget Amendment Number #1 for Fiscal Year 2015 /2016 to Amend Authorized Full-Time Personnel Positions Ord. #2015-11-094**

**Summary:** At the November 2, 2015 meeting, the Village Board approved an IGA with Lake County for plan review and inspection services. Integral to the new arrangement is a reorganization in the Community Services Department that reflects the elimination of two Inspector positions and the reclassification of two current positions, including the Building and Zoning Manager to Plans and Inspections Supervisor and Planner to Senior Planner. The proposed Ordinance reflects these changes, except the position of Plumbing Inspector, a position that will be eliminated in the next budget.

**F. Dispatch Services Agreement between the Village of Lake Zurich and the Village of Tower Lakes**

**Summary:** Tower Lakes has requested Lake Zurich provide emergency dispatch services in response to the eventual closing of the Wauconda dispatch center. Lake Zurich can accommodate the increased activity from Tower Lakes without the need for expansion while continuing to provide dispatch services to Kildeer, Hawthorn Woods, Island Lake, and the Lake Zurich Fire Protection District. Tower Lakes will be assessed \$2,333 per month during the first service period.

**G. Approval of Bid Award for Grand Avenue Stormwater Improvements in the Not-to-Exceed Amount of \$216,216 to Bolder Contractors, Inc.**

**Summary:** The FY16 budget includes \$200,000 in the Non-Home Rule Sales Tax Fund for Grand Avenue stormwater improvements. The proposed improvements are designed to provide protection for a 100 year flood event and reflect the current design standards of the Lake County Watershed Development Ordinance. Six bids were received on November 5, 2015 with Bolder Contractors being the lowest responsible bidder.

**H. *Removed from Consent Agenda by Mayor Poynton.***

**Temporary Use Approval to Allow the House of Hope to Operate at the Deerpath Commons Shopping Center at 955 South Rand Road for 90 Days**

**Summary:** House of Hope is a used merchandise retailer seeking to locate within a vacant 14,000 square foot unit in Deerpath Commons while it pursues permanent approval via a Special Use Permit.

**I Contract Award for Water Billing Printing and Mailing Service to Dataprose as Bid**

**Summary:** Eight bids were received on September 21, 2015 for water bill printing and mailing service to the Village's approximately 6,700 monthly utility customers. An agreement is proposed with Dataprose for a contract term of January 2016 to December 2018 in the estimated amount of \$6,763.

**Recommended Action:** Motion was made by Trustee Sprawka, seconded by Trustee Shaw, to approve the Consent Agenda as amended, excluding item #6H.

**AYES:** 5 Trustees Beaudoin, Halen, Shaw, Spacone, Sprawka.

**NAYS:** 0

**ABSENT:** 1 Trustee Stanovich.

**MOTION CARRIED.**

**H. Temporary Use Approval to Allow the House of Hope to Operate at the Deerpath Commons Shopping Center at 955 South Rand Road for 90 Days**

**Summary:** House of Hope is a used merchandise retailer seeking to locate within a vacant 14,000 square foot unit in Deerpath Commons while it pursues permanent approval via a Special Use Permit.

**Recommended Action:** A motion was made by Mayor Poynton, seconded by Trustee Beaudoin, to approve a temporary use for the House of Hope within the Deerpath Commons shopping centre while they complete their application for a special use permit for this site. The approval shall be for ninety days, with the unit to be vacated if the special use is not approved, and there will be no construction or alteration of the unit, said unit to be occupied "as is".

**AYES:** 5 Trustees Beaudoin, Halen, Shaw, Spacone, Sprawka.

**NAYS:** 0

**ABSENT:** 1 Trustee Stanovich.

**MOTION CARRIED.**

**7. OLD BUSINESS**

None at this time.

**8. NEW BUSINESS**

**A Resolution Urging Illinois State Leaders to Release Non-General Fund**

**Revenues Payable to Local Governments Res. #2015-11-8A (Mayor Poynton)**

**Summary:** The Village of Lake Zurich has become increasingly concerned that the State of Illinois budget impasse is preventing the distribution of several sources of critical local revenues. To date, funds withheld from Lake Zurich include Motor Fuel Tax, video gaming fees, Use Tax, and 911 service fees. These dollars are collected by the State and accumulate in special funds for the specific purpose of distribution to local governments. Without these anticipated revenues, municipalities may be compelled to close emerging budget deficits through program cuts, tax and fee increases, increased borrowing, or a combination of these actions. These actions all negatively impact Lake Zurich residents and businesses. Lake Zurich urges State leaders to release these funds that municipalities rely upon for essential services.

Mayor Poynton reported on the issue of the distribution of local revenues.

**Recommended Action:** A motion was made by Trustee Shaw, seconded by Trustee Spacone, to approve the Resolution Urging Illinois State Leaders to Release Non-General Fund Revenues Payable to Local Governments.

**AYES:** 5 Trustees Beaudoin, Halen, Shaw, Spacone, Sprawka.

**NAYS:** 0

**ABSENT:** 1 Trustee Stanovich.

**MOTION CARRIED.**

**B. Presentation of Fire Pension Municipal Compliance Report and Tax Levy Request**

**Summary:** The Illinois Pension Code requires the Village levy a tax each year to meet the actuarial requirements of the Fire Pension Fund. Lake Zurich Fire Pension Board President David Pilgard will present a tax levy request in the amount of \$1,935,492 for December 2015 for the Village Board to consider, as suggested in the actuarial report prepared by Todd Schroeder. Last year, the Fire Pension Board requested a levy of \$1,991,763 and the actual levy was \$1,905,500. The Fire Pension Fund is 58.35% funded, an increase from last year's status at 55.05% funded.

**Recommended Action:** No Village Board action is requested at this point. This tax levy request is for information purposes only.

**C. Presentation of Police Pension Municipal Compliance Report and Tax Levy Request**

**Summary:** The Illinois Pension Code requires the Village levy a tax each year to meet the actuarial requirements of the Police Pension Fund. Lake Zurich Police Pension Board President John Filantres will present a tax levy request in the amount of \$1,564,453 for December 2015 for the Village Board to consider, as suggested in the actuarial report prepared by Tim Sharpe. Last year, the Police Pension Board requested a levy of \$1,402,842 and the actual levy was \$1,445,000. The Police Pension Fund is now 44% funded, a decrease from last year's status at 45.2% funded.

John Filantres thanked the Village staff and Finance Dir. Jodie Hartman gave a explanation of the decrease.

**Recommended Action:** No Village Board action is requested at this point. This tax levy request is for information purposes only.

**D. Courtesy Review for PS Holdings LLC to Allow a Dance Academy Text Amendment and Special Use Permit for 61-85 Oakwood Road.**

**Summary:** PS Holdings is seeking a courtesy review to allow dance academies via a text amendment and Special Use Permit within the Industrial Zoning district. The subject property is located along Oakwood just north of Route 22. There is currently one dance academy within the Industrial District that went through a similar text amendment and Special Use Permit process in 2006. In 2014, the Village Board revised the regulations of the Industrial District, effectively prohibiting a dance academy type of use. The Lake Zurich Industrial Council does not appear supportive of this type of use. Staff notes that during the 2014 Industrial District update process, the land adjacent to Route 22 was identified as potentially appropriate for a mix of office/light industrial/commercial uses.

Mike Schroeder, 250 Whitney Road, Lake Zurich, owner of the said property, addressed the Board and gave a PowerPoint presentation in support of his request, including reduction of fees for a special use permit. Staff answered the Board's questions about the revised regulations and overlay. Industrial Council member Mike Hilt responded to the Board's questions on the update. There was discussion by the Board members.

**Recommended Action:** Staff recommends the Village Board provide feedback on the proposed redevelopment and highlight areas of concern that may be addressed by the Planning and Zoning Commission.

Consensus was given by the Board to move this forward to the Plan Commission.

**E. Courtesy Review for the Fidelity Group to Redevelop the Vaselopulos Property South of the Deerpath Commons Shopping Center on South Rand Road**

**Summary:** The Fidelity Group is seeking a courtesy review for preliminary plans for a four-lot subdivision to include a daycare facility, gas station, and approximately 10,000 square foot multi-tenant retail building with drive-thru at the property south of the Deerpath Commons shopping center. The subject property is approximately 5.72 acres consisting of mostly wooded and vacant land that is zoned R-1/2 (single-family residential) and B-1 (local and community business district). The Village's Comprehensive Plan shows this site as appropriate for commercial and open space uses. Staff recommends the Village Board provide feedback on 1) tree removal of the site, 2) rezoning the site to B-3

(regional shopping) and, 3) preliminary concept including site layout or proposed uses.

John Sfire, owner of Fidelity Group, addressed the Board on the proposed development and stated that the proposal is amended to exclude the outlot A. Mr. Sfire outlined his reasons for no PUD on this proposal. Village Planner Sam Hubbard answered the Board's questions on a recommended PUD. There was Board discussion.

**Recommended Action:** Staff recommends the Village Board provide feedback on the proposed redevelopment and highlight areas of concern that may be addressed by the Planning and Zoning Commission.

Consensus of the Board was to move this forward to the Plan Commission.

**F. Semi-Monthly Warrant Register Dated November 16, 2015 totaling \$2,667,387.39**

**Recommended Action:** A motion was made by Trustee Beaudoin, seconded by Trustee Sprawka, to approve the semi-monthly warrant register dated November 16, 2015 totaling \$2,667,387.39.

AYES: 5 Trustees Beaudoin, Halen, Shaw, Spacone, Sprawka.

NAYS: 0

ABSENT: 1 Trustee Stanovich.

MOTION CARRIED/.

*Mayor Poynton requested that Industrial Council members Mike Hilt and Mark Schultz address a remark made, earlier in the meeting, about too many vacancies in the Industrial area earlier in the meeting. Mr. Hilt and Mr. Schultz corrected the earlier information. The amount of available rentals is lower than Chicago.*

**9. TRUSTEE REPORTS**

There were no reports.

**10. VILLAGE MANAGER'S REPORT**

**Monthly Department Data Metric Reports**

**11. ATTORNEY'S REPORT**

There was no report.

**12. DEPARTMENT HEAD REPORTS**

- A Community Services Department: Unaccounted for Water  
Community Services Dir. Mike Earl reported on the leak detection survey performed by M.E. Simpson Co. and he answered the Board's questions. An RFP will be prepared for replacement of water meters.
- B. Public Works Manager Mike Brown updated the Board on the collapsed sewer repairs on E. Cuba Road which are on schedule to be reopened before Thanksgiving.
- C. Community Services Dir. Mike Earl explained the issue with Leaf pick up by Waste Management. This programme will be extended beyond the contracted ending date of November 30 because of truck issues by Waste Management.
- D. Community Services Dir. Mike Earl updated the Board on the removal of EAB infected parkway trees. This should be completed by the end of the year. If there are funds still available then the diseased trees in the Village's parks will be addressed.
- E. Fire Chief Malcolm reminded residents about the use of lit candles, extension cords and potential cooking issues during the holiday season.

**13. EXECUTIVE SESSION called for 5 ILCS 120/2(c)(21) approval of executive session minutes, 5 ILCS 120/2 (c)(1) appointment, employment, compensation, discipline, performance or dismissal of individual employees and 5 ILCS 120/2(c)(11) pending or imminent litigation.**

A motion to adjourn to Executive Session was made by Trustee Beaudoin, seconded by Trustee Sprawka.

AYES: 5 Trustees Beaudoin, Halen, Shaw, Spacone, Sprawka.

NAYS: 0

ABSENT: 1 Trustee Stanovich.

MOTION CARRIED.

Meeting adjourned at 8.58pm

Meeting reconvened at 9.42pm and called to order by Mayor Thomas M. Poynton.

**Roll Call:** Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Jeff Halen, Trustee John Shaw, Trustee Marc Spacone, Trustee Jonathan Sprawka. Trustee Dan Stanovich was absent and excused. Also present: Interim Village Manager Steve Husak, Village Atty. Scott Uhler, H.R. Manager Doug Gibson.

**14. ADJOURNMENT**

Motion to adjourn was made by Trustee Sprawka, seconded by Trustee Beaudoin.

AYES: 5 Trustees Beaudoin, Halen, Shaw, Spacone, Sprawka.

NAYS: 0

ABSENT: 1 Trustee Stanovich.

MOTION CARRIED.

Meeting adjourned at 9.43pm

Respectfully submitted by:

Kathleen Johnson, Village Clerk

Approved by:

  
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Thomas M. Poynton, Village Mayor

12/9/2015  
Date