

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



Monday, January 4, 2016, 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 Dan Stanovich. Trustee Jonathan Sprawka was absent and excused. Also present: Interim Village Manager Steve Husak, Village Atty. Scott Uhler, Community Services Dir. Mike Earl, Finance Dir. Jodie Hartman, Dir. of Innovation Michael Duebner, Acting Police Chief Kevin Finlon, Fire Division Chief Captain John Kelly, Interim Building/Zoning Manager and Planner Sam Hubbard.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**
Leny Fox, 945 Telser Road, Dish Creative Display addressed the Board on the poor snow plowing recently and the safety issues linked to it.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
 - A. **Proclamation Honoring Crossing Guard Anne Marie Arden for 40 Years of Public Service:** Mayor Poynton read the proclamation and presented it to Mrs. Arden who was accompanied by her son, Brandon Arden, who is a Lake Zurich Police Officer.
 - B. **Oath of Office for Police Officer Andrew Heer:** the Oath was administered by Mayor Poynton and Officer Heer was pinned by his fiancé.
 - C. **Mayor Poynton** remarked on the 4.3" snow/sleet fall and thanked Community Services for the hours they worked.
6. **CONSENT AGENDA**
 - A. **Approval of Minutes of the Village Board Meeting, December 21, 2015**
 - B. **Resolution for Color Vibe 5K Race Road Closure on Sunday, May 22, 2016**
Reso. #2016-1-6B
Summary: The Color Vibe 5K event has been approved by the Village Board and is scheduled for Sunday, May 22. The proposed resolution authorizes a request to the Illinois Department of Transportation to close a portion of Route 22 and Route 12 from the hours of 5 am – 12 pm noon on May 22, 2016.

- C. **Resolution for Lake Zurich Triathlon Road Closure on Sunday, July 10, 2016**
Reso. #2016-1-6C
Summary: The Lake Zurich Triathlon has been approved by the Village Board and is scheduled for Sunday, July 10. The proposed resolution authorizes a request to the Illinois Department of Transportation to close a portion of Route 22 and Route 12 from the hours of 5 am – 1 pm on July 10, 2016.
- D. **Resolution for Annual Alpine Races Road Closure on Sunday, September 11, 2016**
Reso. #2016-1-6D
Summary: The Lake Zurich Alpine Races have been approved by the Village Board and are scheduled for Sunday, September 11. The proposed resolution authorizes a request to the Illinois Department of Transportation to close a portion of Route 22 and Route 12 from the hours of 5 am – 11 am on September 11, 2016.
- E. **Ordinance Granting Special Use Approval (House of Hope – 955 S. Rand Road)**
Ord. #2016-1-108
Summary: The Fidelity Group is seeking approval of a Special Use Permit to allow the House of Hope used merchandize store to permanently occupy the Subject Property at 955 S. Rand Road. On November 16, 2015, the Village Board voted 6-0 in favor of a temporary use while the Applicant went through the formal zoning approval process. The Planning and Zoning Commission held a public hearing on December 16, 2015 and voted 7-0 in favor of a recommendation of approval.
Recommended Action: A motion was made by Trustee Shaw, seconded by Trustee Beaudoin, to approve the Consent Agenda as presented.
AYES: 5 Trustees Beaudoin, Halen, Shaw, Spacone, Stanovich.
NAYS: 0
ABSENT: 1 Trustee Sprawka.
MOTION CARRIED.

7. **OLD BUSINESS**

- A. **Ordinance Granting Special Use Approval and Exterior Appearance Approval (U-Haul – 300 E. Main Street)** Ord. #2016-1-109
Summary: U-Haul is seeking approval of a Special Use Permit and Exterior Appearance approval for the Subject Property located at 300 E. Main Street, which is currently within the Industrial Zoning District. The Applicant originally appeared before the Planning & Zoning Commission on June 17 and July 15, 2015 where they received a recommendation of approval by a vote of 5-2, which contained five conditions of approval.
The Applicant appeared before the Village Board on August 3, 2015, which voted to send the Application back to the PZC due to the scope of conceptual site changes and concern regarding the viability of the Subject Property. On December 16, 2015, the Applicant appeared before the PZC with a revised conceptual site plan and exterior elevations that clarified the proposed exterior changes to the building. The PZC considered the revised Application and voted 6-1 in favor of a recommendation of approval, again with multiple conditions attached. The Application is now back before the Village Board for final approval. Ms. Heather Skelton was introduced by Interim Building/Zoning Manager and Planner Sam Hubbard, and she addressed the Board and answered their

questions on the multiple conditions to be met. Staff also answered the Board's questions on the multiple conditions. Ms. Skelton asked about timing of an occupancy permit and Mr. Hubbard stated that the occupancy permit would be issued when the conditions have been met, excluding the ones required by November 2016, as recommended by PZC.

Recommended Action: A motion was made by Mayor Poynton, seconded by Trustee Stanovich, to approve Ordinance #2016-1-109 Granting Special Use Approval and Exterior Appearance Approval for U-Haul Company of Northwest Chicago for 300 East Main Street.

AYES: 0

NAYS: 5 Trustees Beaudoin, Halen, Shaw, Spacone, Stanovich.

ABSENT: 1 Trustee Sprawka.

MOTION DENIED.

8. NEW BUSINESS

Agenda Item #8A has been pulled from the Agenda.

A. Ordinance Approving PUD, Special Use, Site Plan, and Exterior Appearance Plan (GW Properties – 455 S. Rand Road)

Summary: GW Properties is seeking approval of a Special Use Permit, Site Plan, Exterior Appearance, and Planned Unit Development for the Subject Property located at 455 S. Rand Road. The Applicant appeared before the Planning and Zoning Commission on December 16, 2015 where they received a recommendation of approval by a vote of 6-1, which contained six conditions of approval.

The PZC thoroughly discussed the issue of the proposed parking spaces along the southern edge of the Subject Property, which are accessed off of the drive aisle. Ultimately, the PZC felt that these parking spaces, while not ideal, did not threaten the safety of the development. Staff notes that the neighboring Village Square Shopping Center, owned by the Fidelity Group, continues to have concerns about the parking spaces and the access easement.

Recommended Action: Given the outstanding issue of the access easement, a continuation to address this item is prudent. However, if this issue can be resolved prior to the Village Board meeting, then Staff is comfortable with the positive recommendation from the Planning & Zoning Commission and the proposed conditions of approval, and recommends that the Village Board proceed with a motion to approve Ordinance #2016-1-110 approving PUD, Special Use, Site Plan, and Exterior Appearance Plan for GW Properties at 455 South Rand Road.

A motion was made by Mayor Poynton, seconded by Trustee Spacone, to refer item 8A back to the PZC with a revised plan.

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

NAYS: 0

ABSENT: 1 Trustee Sprawka.

MOTION CARRIED.

B. Presentation of Five Year Capital Improvement Plan

Summary: The Capital Improvement Plan (CIP) is the long-term capital spending plan for the Village, a result of a collaborative effort of all municipal operating departments' proposed expenditures for infrastructure, land improvements, equipment, technology, and the municipal fleet.

To be considered in the CIP, a project must have an estimated cost of at least \$10,000 in one of the fiscal years and have a useful life of at least one year. Staff identifies the estimated costs and potential funding sources for each capital project prior to inclusion in the CIP. The operating costs to maintain capital investments are considered prior to the decision to undertake the projects. The CIP is a critical component of the yearly budget cycle which should be viewed as a planning tool and a multi-year reference document.

Finance Dir. Jodie Hartman stated that there was no problem when Trustee Halen requested more time to study the plan.

This Agenda Item was tabled until the next meeting.

C. Semi-Monthly Warrant Register Dated January 4, 2016 Totaling \$457,198.16

Recommended Action: A motion was made by Trustee Beaudoin, seconded by Trustee Halen, to approve the semi-monthly warrant register dated January 4, 2016 totaling \$457,198.16.

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

NAYS: 0

ABSENT: 1 Trustee Sprawka.

MOTION CARRIED.

9. TRUSTEE REPORTS

Trustee Shaw reported on the recent incident in a local store where Police/Fire and residents revived a stricken person.

10. VILLAGE MANAGER'S REPORT

There was no report.

11. ATTORNEY'S REPORT

There was no report.

12. DEPARTMENT HEAD REPORTS

Fire Division Chief John Kelly reported on the incident referred to by Trustee Shaw. He answered the Board's questions about CPR classes.

13. EXECUTIVE SESSION called for the purpose of: 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; 5 ILCS 120/2(c) (11) pending or imminent litigation.

Motion made by Trustee Shaw, seconded by Trustee Beaudoin, to adjourn to Executive Session for the purpose of 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 specific employees; 5 ILCS 120/2(c) (11) pending or imminent litigation.

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

NAYS: 0

ABSENT: 1 Trustee Sprawka.

MOTION CARRIED.

Meeting adjourned at 7.50pm

Meeting reconvened at 9.22pm 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. Also present: Interim Village Manager Steve Husak, Village Atty. Scott Uhler, H.R manager Doug Gibson, Acting Police Chief Kevin Finlon.

Atty. Uhler stated that at the conclusion of the meeting, before the Executive Session, the Attorney for the seller of the proposed U-Haul property requested that the petitioner, Heather Skelton, address the Board on their recent vote denying her Special permit application (Agenda item #7A). The Board agreed to the request.

7 A continued - Ordinance Granting Special Use Approval and Exterior Appearance Approval (U-Haul – 300 E. Main Street) Ord. #2016-1-109

Heather Skelton addressed the Board about her confusion with the vote. Atty. Bernstein, counsel for the seller, also addressed the Board on the possible two year wait, that the petitioner had worked with the PZC and staff. Atty. Uhler advised the Board on two possible motions.

Discussion was held between Ms. Skelton, Atty. Bernstein and Mayor Poynton about the site changes, staff and PZC recommendations.

Mayor Poynton requested the Board's comments and Ms. Skelton was given the opportunity to respond to them. Atty. Uhler advised the Board about their inclination to make a motion. Mayor Poynton polled the Board and the response was in the negative. Atty. Uhler stated that the decision by the Board foreclosed the request for granting a Special Use Approval and Exterior Appearance Approval (U-Haul – 300 E. Main Street) Ord. #2016-1-109

14. ADJOURNMENT

A Motion to adjourn was made by Trustee Shaw, seconded by Trustee Beaudoin.

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

NAYS: 0

ABSENT: 1 Trustee Sprawka.

MOTION CARRIED.

Meeting adjourned at 9.52pm.

Respectfully submitted:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

1-20-2016
Date.

