

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



Monday, June 6, 2016, 7:00 p.m.

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7.01pm.
2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Jeff Halen, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Dan Stanovich. Trustee John Shaw was absent and excused. Also present: Village Manager Ray Keller, Asst. Village Manager Roy Witherow, Village Atty. Scott Uhler, Finance Dir. Jodie Hartman, Dir. of Innovation Michael Duebner, Police Chief Steve Husak, Fire Chief John Malcolm, Rec. Manager Bonnie Caputo, Public Works Director Mike Brown, Community Development Director Sarosh Saher, Deputy Fire Marshal Tom Hardin
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Ken Grooms, 800 Windermere Lane, addressed the Board on a recent incident in his neighbourhood with two pitbull dogs attacking a neighbor and a dog. He shared handouts of ordinances from other towns for the Board to consider and requested a vicious dog ordinance.

Jim Caradonna, 780 Windermere Lane, addressed the Board on the vicious dogs attack.

Mary Nelson, 790 Windermere Lane, addressed the Board on the vicious dogs attack and her fear for her developmentally delayed daughter when walking in the neighbourhood.

Karen Muir, 793 Windermere Lane, addressed the Board on the attack by dogs,

Michael Catchigan, Windermere Lane, addressed the Board, on his concerns about the attack by two dogs.

Kurt Humbrecht, 845 Silverwood, owner of the attacked dog, addressed the Board on the condition of the dog.

Lisa Henderson, Windermere Lane, addressed the Board and stated that she knew one of the pitbulls and let her eight year old play with the dog. She did not consider the dog dangerous.

Mayor Poynton stated that he had shared with the Board the information on this incident. Police Chief Husak updated the Board on the police's response to the incident and the information had been forwarded to the Lake County Animal Control to investigate as they are the best equipped to handle this.

5. PRESIDENT'S REPORT / COMMUNITY UPDATE

- A. **Recognition of Middle School South 8th Graders** who undertook a stormwater drain stenciling project with their Science teacher in the community.
- B. **Advice and Consent to Appoint Commander Johnson to Citizens and Police Advisory Committee.**

Motion was made by Trustee Beaudoin, seconded by Trustee Halen, to approve the nomination of Cmdr. Robert Johnson to the CPAC from June 8, 2016 – June 8, 2017.

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

NAYS: 0

ABSENT: 1 Trustee Shaw.

MOTION CARRIED.

- C. **New Welcome to Lake Zurich Entry Signs**
- D. **Proclamation for Bicycle Safety Month**
- E. **Proclamation for 11th Annual National Dump the Pump Day**
- F. **Welcome to Community Development Director Sarosh Saher and Deputy Fire Marshal Tom Hardin**, Village Manager introduced Sarosh Saher and Fire Chief Malcolm introduced Tom Hardin.
- G. **SWALCO drop off at Lake Zurich High School**, to be held on Saturday, June 18 from 8 – 2.30. Details available at SWALCO's website.

6. CONSENT AGENDA

- A. **Approval of Minutes of the Village Board Meeting, May 16, 2016**
- B. **Semi-Monthly Warrant Register Dated June 6, 2016 Totaling \$922,974.62**
- C. **Approval to Waive the Bid Process and Purchase One Lifepak Cardiac Monitor from Physio-Control in the Amount Not-to-Exceed \$23,988.98**

Summary: The Fiscal Year 2016B budget includes \$25,000 in the Equipment Replacement Fund for the replacement of a cardiac monitor defibrillator. This will replace the current 15-year old model. Physio-Control is the sole provider of this equipment and is being presented without the completion of a competitive bid process.

- D. **Corporate Resolution for Investment Services with Ehlers Investment and TD Ameritrade**

Summary: The Village has used Ehler's Investment group for several years to manage the general investments of Village funds. Ehler's manages these investments through TD Ameritrade accounts. Due to changes of the authorized signers on the account, this Resolution is necessary for updating the account properly.

- E. **Agreement with Peter Baker & Son Company for Purchase of Asphalt Materials in an Amount Not-to-Exceed \$40,500**

Summary: The Fiscal Year 2016B budget includes \$40,500 in the Capital Projects Fund for asphalt material purchases. A bid opening on May 11, 2016 resulted in three bids, with the lowest responsible bid coming from Peter Baker & Sons Company of Lake Bluff, Illinois.

F. Agreement for Private Use of Municipal Right-of-Way Between the Village of Lake Zurich and Potential Applicants

Summary: Staff recommends a formalized agreement between private property owners and the Village to facilitate the legal encroachment of private improvements into public right-of-ways. This agreement provides the Village coverage to mitigate potential risks that may occur while allowing certain owners to improve their properties.

G. ~~Purchase of One 2016 Ford Police Interceptor Sedan in the Amount Not to Exceed \$25,328 from Currie Motors under the Suburban Purchasing Cooperative~~

Summary: This purchase is to replace a 2013 Ford Police Interceptor Sedan that was damaged in early May 2016 while responding to an incident. The Village will receive \$12,250 from the Intergovernmental Risk Management Agency in response to this damage.

H. Ordinance Amending Chapter 3 (Liquor Control) of Title 3 (Business Licensing, Regulation, Taxation, and Fees) of the Lake Zurich Municipal Code. ORD. #2016-6-134

Summary: Illinois law now allows establishments to offer time-specific discounts for alcohol service for up to four hours a day, compared to previously where they were required to hold drink specials for the entire day. The new law also requires the Beverage Alcohol Sellers and Servers Educations and Training (BASSET) program to become mandatory for all employees who check identification and serve or sell alcohol. The proposed Ordinance updates the Village Code to ensure consistency with Illinois law.

I. Ordinance Approving Text Amendment and Granting Special Use Amendment to Special Use for Copper Fiddle Distillery at 532 West Route 22 ORD.#2016-6-135

Summary: The Planning and Zoning Commission held a public hearing on May 18, 2016 to consider a Zoning Application to allow the Copper Fiddle Distillery to have live entertainment as an accessory use, voting 5-0 in favor of a recommendation of approval. Approval of this Ordinance will approve a Zoning Code Text Amendment and Special Use Permit Amendment for live entertainment.

J. Ordinance Approving Text Amendment, Variation, Site Plan and Exterior Appearance Approval for Tuf-Tite Building at 1200 Flex Court ORD. #2016-6-136

Summary: The Planning and Zoning Commission held a public hearing on May 18, 2016 to consider a Zoning Application for the proposed 24,000 square foot Tuf-Tite building expansion. The Commission voted 5-0 in favor of a recommendation of approval to allow Tuf-Tite to increase its Floor Area Ratio, allow a slight encroachment of the front-yard setback, allow overhead truck doors facing the public street, and approve Site Plans and Exterior Appearance.

K. Ordinance Amending Chapters 8, 20, and 21 of Title 9 of the Village of Lake Zurich Municipal Code Relating to Natural Resource Protection, Site Plan Review, and Exterior Appearance Review. ORD. #2016-6-137

Summary: The Planning and Zoning Commission held a public hearing on May 18, 2016 to consider revisions to the Zoning Code that would streamline the development process by allowing Staff administrative approval of certain developments if all Village Code requirements are met. The Commission voted 4-

1 in favor of a recommendation of approval to remove the Natural Resource Protection requirement as well as remove Site Plan and Exterior Appearance requirements from the PZC approval process if all Code requirements are met.

On Agenda Item #6 I, Mayor Poynton stated that the PZC had recommended the entertainment end at 10.30pm and post a Maximum occupancy limit sign which the Fire Dept. will work with them. Trustee Spacone requested clarification about Copper Fiddle Distillery being able to operate during the occupancy limit posting, ~~and they will be able to operate.~~

Recommended Action: Motion was made by Trustee Beaudoin, seconded by Trustee Stanovich, to approve the Consent Agenda as presented.

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

NAYS: 0

ABSENT: 1 Trustee Shaw.

MOTION CARRIED.

7. **OLD BUSINESS**

None at this time.

8. **NEW BUSINESS**

A. **Approval of Tax Increment Financing Consulting Services with Kane McKenna and Associates, Inc. in the Amount Not-to-Exceed \$40,000**

Summary: The Village is considering the creation of a Tax Increment Financing (TIF) District to facilitate the redevelopment of the former K-Mart property at 225 South Rand Road. The purpose of this possible TIF district will be to facilitate the site's redevelopment, replace older and undersized infrastructure in the area and secure resources to improve the adjacent commercial developments and public improvements in Paulus Park. The Village requires the consulting services of Kane, McKenna and Associates to conduct an eligibility assessment and new redevelopment plan to advance this redevelopment strategy.

Village Manager Ray Keller described the request to hire Kane McKenna for the two step phase and answered the Board's questions. Village Manager Keller acknowledged the village's previous TIF problems; he clarified that Garden Homes, owners of the old K-Mart property, have not asked for a TIF.

Recommended Action: A motion was made by Trustee Beaudoin, seconded by Trustee Spacone, retaining TIF consultant Kane McKenna and Associates Inc., pursuant to the scope of services and fees outlined in the attached letter of agreement for an amount not-to-exceed \$40,000 for Phases I and II of the proposal.

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

NAYS: 0

ABSENT: 1 Trustee Shaw.

MOTION CARRIED.

9. **TRUSTEE REPORTS**

There were none.

10. **VILLAGE MANAGER'S REPORT**

A. **Strategic Plan Year Two Annual Report**, Village Manager Ray Keller gave an overview of the plan and focused on the targets for this budget year.

11. **ATTORNEY'S REPORT**

There was none.

12. **DEPARTMENT HEAD REPORTS**

~~Fire Chief Malcolm gave an update on a recent house fire caused by lightning.~~
Village Manager Keller thanked the staff and Holiday Inn Express for their efforts to help the residents of the house.

Trustee Halen requested information on the dog attack and the village's procedures. Police Chief Husak explained the State code on dog bites which are to be referred to the County who refers the investigation to the Animal Control. Lake County is equipped to handle this incident. Atty. Uhler stated that he had checked the Village code which relies on the Lake County Animal Control and he advised the Board that animals are classified as "property". Trustee Sprawka stated that the Village code requires specifics for enclosures and encouraged the staff to visit the residence to check if it meets the code.

Rec. Manager Bonnie Caputo reported on the successful first Farmers Market, Movies in the Park, ALS swim and the Annual Fishing Derby.

13. **ADJOURNMENT**

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

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

NAYS: 0

ABSENT: 1 Trustee Shaw.

MOTION CARRIED.

Meeting adjourned at 8.04pm

Respectfully submitted:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

6/23/2016
Date.

