

APPROVED  
**LAKE ZURICH BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**70 East Main Street**

Monday, October 1, 2007

**1. CALL TO ORDER AND ROLL CALL**

Meeting was called to order at 7:33 PM.

Present were Village President Tolomei, Trustees Branding, Callahan, Johnson, Poynton, and Taylor. Also present were Village Administrator Dixon, Village Attorney Burkland, Public Works Director/Village Engineer Heyden, Fire Chief Mastandrea, Park Director Perkins, and Building/Zoning Director Peterson. Trustee McAvoy was excused.

**2. PLEDGE OF ALLEGIANCE**

**3. PRESIDENT'S REPORT**

President Tolomei made a request to amend the agenda to add an Executive Session for the purpose of discussing personnel matters and potential litigation. MOTION was made by Trustee Johnson, seconded by Trustee Taylor, to amend the agenda as proposed.

Voice vote, all in favor.

MOTION CARRIED

- A. Presentation of check to Village from Lake Zurich Area Chamber of Commerce for Taste of the Towns

Dale Perrin, of the Lake Zurich Area Chamber of Commerce, along with Carol Coleman, Chairperson of the Taste of the Towns, presented the Village with a check in the amount of \$1400 to be used by the Park Department, as a gesture of thanks for allowing them to use Paulus Park for this event.

**4. PUBLIC COMMENT**

No comments.

**5. APPROVAL OF MINUTES**

- A. Regular Village Board meeting September 17, 2007

MOTION was made by Trustee Callahan, seconded by Trustee Branding, to approve the Regular Village Board meeting minutes of September 17, 2007.

Voice vote, all in favor.

MOTION CARRIED

- B. Special Village Board meeting September 17, 2007

MOTION was made by Trustee Johnson, seconded by Trustee Poynton, to approve the Special Village Board meeting minutes of September 17, 2007.

Voice vote, all in favor.

MOTION CARRIED

- C. Special Village Board meeting September 18, 2007  
MOTION was made by Trustee Taylor, seconded by Trustee Branding, to approve the Special Village Board meeting minutes of September 18, 2007.  
Voice vote, all in favor.  
MOTION CARRIED

**6. CONSENT AGENDA**

Trustee Poynton requested Item B be removed for discussion.

- A. Warrant dated October 1, 2007. The Finance Committee recommends approval and the Board of Trustees approves the Warrant dated October 1, 2007 in the amount of \$720,442.83 which includes the following items over 5% of the total:
- |                   |              |        |
|-------------------|--------------|--------|
| 1. LZCUD#95       | \$479,598.42 | 66.57% |
| 2. Gametime, Inc. | \$55,863.81  | 7.75%  |
- C. Purchase of playground equipment for Staples Park. The Public Works Committee recommends approval and the Board of Trustees approves the purchase of playground equipment from Game Time, Inc. in the amount of \$40,733.17 with a waiving of the bid process, with \$32,733.17 from the Park Improvement Fund and \$8,000 from the SRA tax levy.
- D. Purchase of repeater radio equipment. The Public Works Committee recommends approval and the Board of Trustees approves the purchase of radio repeater equipment from Radicom Business Communications Systems in the amount of \$80,127.25 with waiver of the formal bidding process with 90% of the amount to be paid from grant funds.
- E. Authorization for execution of parking lot agreements. The Public Safety Committee recommends authorization and the Board of Trustees authorizes the President and Clerk to execute and record the parking lot agreements as presented.
- F. Flex Construction, Lot 5, Astor Subdivision, Robin America. The Planning and Development Committee recommends approval and the Board of Trustees approves AN ORDINANCE APPROVING SITE PLANS AND EXTERIOR APPEARANCE PLANS FOR LOT 5 OF THE ASTOR SUBDIVISION (ROBIN AMERICA). (Assign ORD. #2007-10- 528)

MOTION was made by Trustee Poynton, seconded by Trustee Branding, to approve the Consent Agenda as read.

AYES: 5 Trustees Branding, Callahan, Johnson, Poynton, and Taylor

NAYES: 0

ABSENT: 1 Trustee McAvoy

MOTION CARRIED

**7. ADMINISTRATOR'S REPORT**

No report.

**8. ATTORNEY'S REPORT**

No report.

## 9. COMMITTEE AND TRUSTEE REPORTS

Trustee Branding read an email and prepared statement regarding an order dated September 10, 2007, from the US EPA and questioned why the Board was not informed sooner of this serious situation. Village Administrator Dixon stated time was taken to understand and question the US EPA letter in order to be able to respond and consider what action needed to be taken. Village President Tolomei stated the Village had been working with the US EPA and IDOT for a length of time on this issue and was surprised by this action. Trustee Poynton also questioned why a copy of this order was not distributed to the Board. A copy of the order was available during Executive Session held on September 27<sup>th</sup> stated Administrator Dixon.

## 10. OTHER BUSINESS

- A. Courtesy review referral. Anthony N. Furio, 120 E. Main Street request for zoning change.

No additional information was provided. This item will now move forward to the appropriate Boards and Committees without recommendation from the Board.

- B. Review of executive session minutes. Consideration of executive session minutes to be released for public viewing.

Trustee Johnson questioned why minutes from year 2002 and 2003 regarding land acquisition were still being held in Executive Session and when they may be released. Village Attorney Burkland stated he was uncertain what information these minutes contained that would require confidentiality but would investigate and advise.

MOTION was made by Trustee Callahan, seconded by Trustee Poynton, to release Executive Session minutes as listed in memo dated September 27, 2007 for public viewing.

AYES: 5 Trustees Branding, Callahan, Johnson, Poynton, and Taylor

NAYES: 0

ABSENT: 1 Trustee McAvoy

MOTION CARRIED

### Consent Agenda Item B.

Ordinance amending Municipal Code Title 7, Chapter 6, tree regulations. The Public Works Committee recommends approval and the Board of Trustees approves AN ORDINANCE AMENDING TITLE 7, CHAPTER 6 OF THE LAKE ZURICH MUNICIPAL CODE CONCERNING THE REGULATION OF TREES. (Assign ORD. #2007-10-527)

Trustee Poynton thanked the Tree Commission for all their time over the last three years in putting this ordinance together. Any questions Mr. Poynton had were answered by Commissioner Froehde over the last week. Trustee Poynton suggested this ordinance be reviewed next year as far as administrative costs, time,

stress on department, etc. and be included in an upcoming *Newsline* that clearly explains what this ordinance means to the homeowner. Administrator Dixon stated this is slated for next month's issue.

MOTION was made by Trustee Callahan, seconded by Trustee Taylor, to approve an ordinance amending Title 7, Chapter 6 of the Lake Zurich Municipal Code concerning the Regulation of Trees.

AYES: 5 Trustees Branding, Callahan, Johnson, Poynton, and Taylor

NAYES: 0

ABSENT: 1 Trustee McAvoy

MOTION CARRIED

Other Business:

Trustee Poynton reminded everyone is invited to attend the upcoming annual Open House on Sunday, October 7<sup>th</sup>, from 11 am to 2 pm at the Lake Zurich Fire Station #1, located on Buesching Road.

**11. ADJOURNMENT**

MOTION was made by Trustee Taylor, seconded by Trustee Johnson, to adjourn to Executive Session for the purpose of discussing personnel matters and pending litigation without reconvening to open session.

AYES: 5 Trustees Branding, Callahan, Johnson, Poynton, and Taylor

NAYES: 0

ABSENT: 1 Trustee McAvoy

MOTION CARRIED

Meeting adjourned at 7:53 pm.

Respectfully submitted: *Gloria M. Palmblad, Village Clerk*

Approved by: \_\_\_\_\_  
President John G. Tolomei