

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



Tuesday, September 6, 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. Also present: Village Manager Ray Keller, 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, Associate Planner Katie Williams, Intern Matt Timmerberg, Atty. Carmen Forte.
3. **PLEDGE OF ALLEGIANCE**  
Mayor Poynton welcomed Intern Matt Timmerberg to the Executive staff.
4. **PUBLIC COMMENT**  
Jim Tarbet, 1195 Cedar Creek Drive, addressed the Board on Agenda item # 8B.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
  - A. **Rock the Block**, Sept. 17<sup>th</sup> 5-11pm – update given.
  - B. **Coffee with the Mayor – September 21<sup>st</sup>, 2016** at the Koffee Cup.
  - C. **Proclamation Declaring September 11<sup>th</sup> – 17<sup>th</sup>, 2016 as Rail Safety Week**
6. **CONSENT AGENDA**
  - A. **Approval of Minutes of the Village Board Meeting, August 15, 2016**
  - B. **Semi-Monthly Warrant Register Dated September 6, 2016 Totaling \$1,374,066.66**
  - C. **Resolution Authorizing PMA Financial Network, Inc. and PMA Securities, Inc. to Provide Investment Services for the Village of Lake Zurich, Lake County, Illinois RES. 2016-9-6C**  
**Summary:** In early July 2015, staff issued a request for proposals for a professional firm to manage Village funds invested in various low-risk instruments. Seven responses were received, with staff recommending a four year agreement with PMA Financial Network based on technical elements, services offered, and relevant experience.
  - D. **Reduction of Letter of Credit to \$43,127.43 for 440 Rand Road, LLC**  
**Summary:** 440 Rand Road, LLC has requested a reduction of the letter of credit for public improvements at The Shops of Lake Zurich at the northeast corner of Route 12 and Route 22. Staff recommends the letter of credit be reduced from

\$73,439.43 to a remaining escrow of \$43,127.43 to be held for a one year maintenance agreement.

**E. Special Event Approval for Divas 5k and Half Marathon at Paulus Park on Sunday, April 30, 2017**

**Summary:** Divas 5K and Half Marathon is seeking approval for a special event at Paulus Park on April 30, 2017, from 6:30 am – 12:30 pm with attendance estimated at 3,500 – 4,000 people. The organization also intends to operate a Health and Fitness Boutique at Paulus Park from Thursday, April 27 to Saturday, April 29. The Park and Recreation Advisory Board recommends approval of this event request.

**F. Purchase of 12 Digital Police Squad Car Video Systems from WatchGuard in the Amount \$83,500**

**Summary:** Due to the existing in-car video system's unreliability and marginal vendor support, staff has received three proposals for a replacement of the system. Staff is requesting authorization in the amount of \$83,500 to contract with WatchGuard of Allen, Texas for the supply and integration of 12 in-car video cameras and management solutions for the Police Department.

**G. Ordinance Amending Section 3-3E-5 (Fines) of Article E (Violations; Disciplinary Actions) of Chapter 3 (Liquor Control) of Title 3 (Business Licensing, Regulation, Taxation, and Fees) of the Village Code of the Village of Lake Zurich in Regard to Fines for Certain Violations of Liquor Control Ordinance ORD. #2016-9-145**

**Summary:** The Village Code allows for payments to avoid prosecution for certain offenses. Staff recommends adding the sale of alcohol to people under the age of twenty one to offenses that allow payment to avoid prosecution, thus providing the option of fines to be paid directly to the Village instead of offenders having to pay much higher costs associated with prosecution through the Lake County judicial system.

**H. Ordinance Amending Section 3-3B-14 of Chapter 3 of Title 3 of the Village of Lake Zurich Municipal Code to Increase the Number of Authorized Liquor Licenses (Class B - Beer Ability) ORD. #2016-9-146**

**Summary:** The owners of Beer Ability, a new business located at 159 South Rand Road, are requesting a Class B liquor license for restaurant limited service. This license authorizes the retail sale of beer and wine by restaurants when such sales are incidental to and complementary to the sale and service for consumption on the premises where sold.

**I. Ordinance Amending Chapter 3 of Title 3 of the Village of Lake Zurich Municipal Code to Amend the "Number of Licenses" ORD. #2016-9-147**

**Summary:** The above Ordinance in agenda item 6H issues a liquor license to Beer Ability. This Ordinance in agenda item 6I clarifies the total number of liquor licenses and classifications used by the Village as is reflected in the official table in the Municipal Code.

**J. Ordinance Amending the Zoning Map of Lake Zurich for Timothy Grant Jewelry, Ltd. at 155 North Rand Road ORD. #2016-9-148**

**Summary:** Timothy Grant Jewelry has filed a zoning application for the property at 155 North Rand Road, rezoning the map from O-2 Limited Office to B-1 Local and Community Business, where retail jewelry stores are a permitted use. The

proposed Ordinance will also grant a variation of the minimum lot size and approval of exterior modifications. At its August 17, 2016 meeting, the Planning and Zoning Commission voted 6-0 in favor of recommending approval of this application.

**Recommended Action:** Motion was made by Mayor Poynton seconded by Trustee Spacone, to approve the Consent Agenda as presented.

AYES: 6 Trustees Beaudoin, Halen, Shaw, Spacone, Sprawka, Stanovich.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

7. **OLD BUSINESS**

None at this time.

8. **NEW BUSINESS**

A. **Ordinance Granting a Special Use Permit to Life Storage at 300 East Route 22  
ORD. #2016-9-149**

**Summary:** 300 Main Street LZ, LLC, on behalf of Life Storage, has filed a zoning application in relation to the property at 300 East Route 22 seeking a Special Use Permit to allow a self-storage facility, approval of a Site Plan, and approval of exterior modifications. Approval will allow Life Storage to co-occupy the space along with the existing tenant, Ancient Graffiti, until at least 2018, when Life Storage will utilize the entire tenant space. At its August 17, 2016 meeting, the Planning and Zoning Commission voted 6-0 in favor of recommending approval of this application.

Atty. Cal Bernstein, representing 300 Main Street LZ, LLC., addressed the Board on the differences with the previous possible buyer, U-Haul. Steve Schwartz, applicant for Life Storage, gave a PowerPoint presentation of the proposal of Phase I with Ancient Graffiti still occupying the rear part of the building plus an office space in the front. Phase II would occur when Ancient Graffiti vacates the property. The Trustees questioned Mr. Schwartz on removal of trees; parking lot; hours of operation; office space conversion; suppression system; glass office area to be converted in two years to storage and their visibility from Rte. 22. Their questions were addressed by Messrs. Schwartz, Bernstein and Christopher Michalek of Sullivan Goulette and Wilson Architects.

Atty. Uhler recommended a revised motion to include language to address the glass office area.

**Recommended Action:** A motion was made by Trustee Sprawka, seconded by Trustee Spacone, to approve Ordinance #2016-9-149 Granting Special Use Permit to Life Storage at 300 East Route 22 with a revision to the language at Section 2, subsection E. The replacement of the reference to Life Storage as the User, with a reference to the term "Applicant" as the Owner of the property. Subsection E provides that this Special Use is granted over for such time as the applicant is using the Property and the Condition that the storage units shall not be viewable from the Public Right of Way.

AYES: 6 Trustees Beaudoin, Halen, Shaw, Spacone, Sprawka, Stanovich.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

**B. An Ordinance Amending Chapter 18 of Title 9 of the Village of Lake Zurich Municipal Code Relating to Preliminary Consideration by the Board of Trustees Courtesy Reviews ORD. #2016-9-150**

**Summary:** The Village of Lake Zurich has filed a zoning application seeking Zoning Text Amendments to modify the Municipal Code to make Courtesy Reviews an option instead of a requirement. Approval of this proposed text amendment will assist projects that are otherwise consistent with current zoning regulations or development policies by reducing their approval time. At its August 17, 2016 meeting, the Planning and Zoning Commission voted 5 – 1 in favor of recommending approval of the proposed text amendments.

Development Director Sarosh Saher reviewed the proposed text amendment. Mayor Poynton stated that the courtesy review was not being eliminated as remarked on in Public Comments. The Board commented on the proposed text amendment. Village Manager Ray Keller reported on the process through the PZC and Atty. Uhler stated that the zoning process is the most transparent and the Board has the opportunity to send an application back to the PZC.

**Recommended Action:** A motion was made by Trustee Sprawka, seconded by Trustee Beaudoin, to approve Ordinance #2016-9-150 Amending Chapter 18 of Title 9 of the Village of Lake Zurich Municipal Code Relating to Preliminary Consideration by the Board of Trustees Courtesy Reviews.

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

**NAYS:** 1 Trustee Halen.

**ABSENT:** 0

**MOTION CARRIED/DENIED**

**9. TRUSTEE REPORTS**

There were none.

**10. VILLAGE MANAGER'S REPORT**

No report

**11. ATTORNEY'S REPORT**

No report.

**12. DEPARTMENT HEAD REPORTS**

Public Works Director Mike Brown reported on the tree replacement programme. 192 trees will be planted and residents are requested the water the trees over the next year.

Fire Chief Malcolm reminded residents of the upcoming Open House at Fire Station #1 on Sunday October 9.

**13. ADJOURNMENT**

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

**AYES:** 6 Trustees Beaudoin, Halen, Shaw, Spacone, Sprawka, Stanovich.

**NAYS:** 0

**ABSENT:** 0

**MOTION CARRIED.**

Meeting adjourned at 8.15pm

Respectfully submitted:

Kathleen Johnson, Village Clerk.

Approved by:

  
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Thomas M. Poynton, Village Mayor

9-20-2016  
Date.

