

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



Tuesday, February 21, 2017 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 Greg Weider was absent and excused. Also present: Village Manager Ray Keller, Asst. Village Manager Roy Witherow, Village Atty. Scott Uhler, Dir. of Innovation Michael Duebner, Police Chief Steve Husak, Fire Chief John Malcolm, Community Development Director Sarosh Saher, Public Works Dir. Mike Brown.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Deborah Wright, 21705 Hillendale Ct, Kildeer, addressed the Board on her concerns and was opposed to the gas station.

Jeff Wright, 21705 Hillendale Ct, Kildeer, addressed the Board on concerns about noise and opposition to the proposed gas station. He mentioned that there is a Better Business rating of D on the developer. He asked the Board to vet Pat Taylor the developer of the residential on foreclosure.

Community Development Director Sarosh Saher advised the meeting that concerns can be addressed at the PZC meeting on March 22, 2017.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**

Mayor Poynton invited Gary Shadel to update the Board on the recent public meeting on the Midlothian Manor's use by PADS. Mr. Shadel gave a PowerPoint presentation.
6. **CONSENT AGENDA**
 - A. **Approval of Minutes of the Village Board Meeting, February 6, 2017**
 - B. **Semi-Monthly Warrant Register Dated February 21, 2017 Totaling \$782,405.29**
 - C. **Resolution Authorizing the Withdrawal from a Governmental Self-Insurance Sub-Pool and Membership in Another Governmental Self-Insurance Sub-Pool and Requesting the Approval of the Board of Directors of the Intergovernmental Personnel Benefit Cooperative RES #2017-2-006**

Summary: On January 1, 2017 the Village joined a health insurance consortium known as the Intergovernmental Personnel Benefits Cooperative (IPBC), which is comprised of over 102 individual municipalities and several sub-pools. The Village is a member of the NIHII sub-pool, which is splitting into two separate

sub-pools, NIHII North and NIHII South. The change will streamline the sub-pool administration and will have no effect on the Village's premiums or claims.

D. Five Year Renewal of Professional Services Agreement with Layne Christensen Company through December 31, 2021 for Deep Well and Pump Maintenance

Summary: The Village's existing five year agreement with Layne Christensen Company is due for renewal prior to scheduling the 2017 annual maintenance for wells and pumps. This vendor is the sole source representative in the State of Illinois for deep well pumping equipment manufactured by Flowserve Corporation, the manufacturer of the type of pump motors utilized by the Village.

E. Agreement with Metropolitan Pump Company for Replacement Pumps and Controls at the Concord Lift Station in an Amount Not-to-Exceed \$60,818

Summary: The capacity at the existing Concord lift station is not sufficient to provide sanitary sewer service for future downtown redevelopment and should be increased to reduce the risk of overflow from excessive rain events. Metropolitan Pump Company is the sole source vendor for this lift station and has provided a proposal of \$60,818 to upgrade three pumps and obsolete equipment.

F. Ordinance Authorizing Disposal of Surplus Property Owned by the Village of Lake Zurich ORD. # 2017-2-176

Summary: Staff has determined the items listed in this proposed Ordinance are no longer necessary, useful, or in the best interests of the Village to retain ownership. The proposed Ordinance declares the property as surplus and authorizes the sale or disposal of the items.

G. Ordinance Amending Section 3-3B-14 of Chapter 3 of Title 3 of the Village Code of the Village of Lake Zurich to Decrease the Number of Authorized Liquor Licenses (Class A - White Alps Restaurant) ORD. # 2017-2-177

Summary: White Alps closed the restaurant at 572 West Route 22, resulting in the Village terminating its Class A liquor license as of December 31, 2016.

H. Ordinance Amending Section 3-3B-14 of Chapter 3 of Title 3 of the Village Code of the Village of Lake Zurich to Decrease the Number of Authorized Liquor Licenses (Class A-1 - Ai Hana Japan) ORD. # 2017-2-178

Summary: Ai Hana Japan closed the restaurant at 405 North Rand Road, resulting in the Village terminating its Class A-1 liquor license as of December 31, 2016.

I. Ordinance Amending Section 3-3B-14 of Chapter 3 of Title 3 of the Village Code of the Village of Lake Zurich to Decrease the Number of Authorized Liquor Licenses (Class B-1 - Lucky Vine) ORD. # 2017-2-179

Summary: Lucky Vine closed the establishment at 247 North Rand Road, resulting in the Village terminating its Class B-1 liquor license as of December 31, 2016.

J. Ordinance Amending Section 3-3B-14 of Chapter 3 of Title 3 of the Village Code of the Village of Lake Zurich to Decrease the Number of Authorized Liquor Licenses (Class N-1 - Black Belt Brewery) ORD. # 2017-2-180

Summary: Black Belt Brewery closed the brewery at 932 Donata Court, resulting in the Village terminating its Class N-1 liquor license as of December 31, 2016.

- K. Ordinance Amending Section 3-3B-14 of Chapter 3 of Title 3 of the Village Code of the Village of Lake Zurich to Increase the Number of Authorized Liquor Licenses (Class Y - Roaring Table) ORD. # 2017-2-181**

Summary: Roaring Table will be opening at 739 West Route 22 and has requested a Class Y license for the opportunity to sell alcoholic beverages for consumption on premises and retail sales off premises, in addition to packaged or prepared foods.

- L. Ordinance Amending Section 3-3B-14 of Chapter 3 of Title 3 of the Village Code of the Village of Lake Zurich to Increase the Number of Authorized Liquor Licenses (Class A-1 – BBQ'd Productions) ORD. # 2017-2-182**

Summary: BBQ'd productions will be opening at 405 North Rand Road and has requested a Class A-1 license for the opportunity to serve alcoholic beverages for consumption at an outdoor café accessory to a restaurant which holds a Class A license.

- M. Ordinance Amending Section 3-3B-14 of Chapter 3 of Title of the Lake Zurich Municipal Code to Amend the "Number of Licenses" ORD. # 2017-2-183**

Summary: This Ordinance updates the total number of liquor licenses and classifications used by the Village in the official table in the Municipal Code, and reflects the liquor license holder changes above.

Recommended Action: Motion was made by Trustee Spacone, seconded by Trustee Sprawka, to approve the Consent Agenda as presented

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

NAYS: 0

ABSENT: 1 Trustee Weider.

MOTION CARRIED.

7. OLD BUSINESS

A. Courtesy Review for Proposed Ricky Rockets Fuel Centers at the Cummings Property Development at the Southwest Corner of Route 22 and Quentin Road

Summary: The development of the 18.4 acre Cummings property is proceeding through the entitlement process, which includes 5.6 acres of commercial development along Route 22 and single-family residential development within the remaining 12.7 acres of the property. The commercial component of this development is proposed to be developed with retail, a drive-through restaurant, a drive-through bank, and a fuel center with a convenience store and car wash. The gas station, which is the subject of this courtesy review, is proposed to be operated by Rickey Rockets Fuel Centers. The issues that are presented for courtesy review pertain to site configuration, parcel size, building scale, design and materials.

Prior courtesy reviews for the Cummings property development were held during Village Board meetings on December 21, 2015 and October 17, 2016. The Planning and Zoning Commission held a public hearing on this development proposal on January 18, 2017. On February 15, 2017 the Planning & Zoning Commission is hearing a continuation of the proposal for the residential component of this development, while the gas station component is returning to the Village Board for additional courtesy review at this point.

Rick Heidner of Ricky Rockets Fuel Centers gave an overview of the proposed fuel center. He addressed the public's comments on D rating and lighting comments. Mayor Poynton stated that this was a courtesy review and asked Dir. Saher for staff comments. Dir. Saher referred to the staff memo which stated that staff could not support the size and materials of the proposal. Mr. Heidner responded to the 3.8 acres for the fuel center and car wash with gaming area within the center. Heidner owns Goldrush Gaming. He would like to develop the strip mall on this property. The Board members then made their comments including a more traditional design, concerns on car wash, noise, safety, provider of the fuel (Mobil), water supply, environmental impacts. All Trustees had concerns on video gaming at the site. The Board's questions were answered by staff and Mr. Heidner, who stated that if the size is smaller it will not be a Ricky Rockets fuel center. There was discussion between Mr. Heidner and the Board on the gaming issue. Mayor Poynton asked the Police Chief about issues at any of the current gaming sites. Police Chief Steve Husak stated that there have not been any problems at any of the gaming sites in the Village. The discussion continued on the gaming license and Atty. Uhler advised the Board on the process of receiving a gaming license. Mayor Poynton asked for feedback from the Trustees, after Mr. Heidner asked for a gaming license in the strip mall, and the Board was not in favour of a gaming café at this time.

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

8. NEW BUSINESS

None at this time.

9. TRUSTEE REPORTS

There were none.

10. VILLAGE MANAGER'S REPORT

A. Monthly Data Metric Reports

11. ATTORNEY'S REPORT

Atty. Uhler clarified the issuance of gaming licenses by the Board. Dir. Saher stated that if the property is above 3+ acres then a liquor license is not required.

12. DEPARTMENT HEAD REPORTS

Dir. Saher stated that the Sign Code updates will be presented at a 3/17/17 meeting at the Police Station community room and it will go to the PZC at the 3/22/17 meeting before coming to the Village Board meeting in April.

13. EXECUTIVE SESSION called for the purpose of:

5 ILCS 120/2/ (c) (21) Approval of Executive Session Minutes

5 ILCS 120/2 (c) (6) Setting Price for Sale / Lease of Real Estate

A motion was made by Trustee Beaudoin, seconded by Trustee Halen, to adjourn to Executive Session for the purpose of 5 ILCS 120/2/ (c) (21) Approval of Executive Session Minutes and 5 ILCS 120/2 (c) (6) Setting Price for Sale / Lease of Real Estate

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

NAYS: 0

ABSENT: 1 Trustee Weider.

MOTION CARRIED.

The meeting adjourned at 8.43pm

The meeting reconvened at 9.14pm

ROLL CALL: Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Jeff Halen, Trustee John Shaw, Trustee Marc Spacone, Trustee Jonathan Sprawka. Trustee Greg Weider was absent and excused. Also present: Village Manager Ray Keller, Asst. Village Manager Roy Witherow, Village Atty. Scott Uhler, Community Development Director Sarosh Saher.

14. **ADJOURNMENT**

A 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 Weider.

MOTION CARRIED.

The meeting adjourned at 9.15pm

Respectfully submitted: Kathleen Johnson, Village Clerk
(from notes provided by Asst. Village Manager Roy Witherow)

Approved by:



Thomas M. Poynton, Village Mayor

3-22-2017
Date.

