

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



Monday, June 19, 2017 7:00 p.m.

1. **CALL TO ORDER** by Atty. Scott Uhler at 7.00pm.
2. **ROLL CALL:** Trustee Jim Beaudoin, Trustee Mary Beth Euker, Trustee John Shaw, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider. Mayor Thomas Poynton 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, Community Development Director Sarosh Saher, Public Works Dir. Mike Brown, Rec. Manager Bonnie Caputo, H.R. Manager Doug Gibson, Atty. Carmen Forte.
3. **PLEDGE OF ALLEGIANCE**
Atty. Uhler entertained a motion to appoint Trustee Beaudoin as President Pro Tem.
Motion to appoint Trustee Beaudoin as President pro tem was made by Trustee Weider, seconded by Trustee Shaw.
AYES: 6 Trustees Beaudoin, Euker, Shaw, Spacone, Sprawka, Weider.
NAYS: 0
ABSENT: 0
MOTION CARRIED.
4. **PUBLIC COMMENT**
There were none.
Comments on Agenda Item #8A will be held at that time.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
Proclamation Honoring Robert Wojcik for 30 Years of Dedicated Service to the Village of Lake Zurich
Trustee Beaudoin thanked Mr. Wojcik for 30 Years of Dedicated Service to the Village of Lake Zurich and presented a plaque to him.
6. **CONSENT AGENDA**
 - A. **Approval of Minutes of the Village Board Meeting, June 5, 2017**
 - B. **Semi-Monthly Warrant Register Dated June 19, 2017 Totaling \$737,964.22**
 - C. **Ordinance Amending Chapter 1 of Title 6 of the Lake Zurich Municipal Code Regarding the Regulation of Parking and Traffic on Private Property**
ORD. #2017-6-202

Summary: The Illinois Vehicle Code authorizes agreements to allow municipalities to enforce posted parking and traffic regulations on private property and private streets or roads open to the public. Staff proposes to update the Lake Zurich Village Code to reflect the applicable sections of the Illinois Vehicle Code.

**D. Resolution to Illinois Department of Transportation for Lake Zurich Triathlon Revised Route 12 and Route 22 Road Closure on Sunday, July 9, 2017
RES. #2017-6-010**

Summary: The annual Lake Zurich Triathlon is scheduled for Sunday, July 9, 2017. The proposed resolution is revised from the original resolution approved by the Board on January 5, 2017 due a modification of the race route. The proposed resolution authorizes a request to the Illinois Department of Transportation to close a portion of Route 12 and Route 22 to facilitate the triathlon between the hours of 6:00 am and 11:00 am on Sunday, July 9, 2017.

E. Resolution to Illinois Department of Transportation for Alpine Festival and Parade Route 22 Road Closure on Sunday, July 23, 2017 RES. #2017-6-011

Summary: The annual Alpine Fest is scheduled for July 21, 22, and 23, 2017 with the parade set for Sunday, July 23. The proposed resolution authorizes a request to the Illinois Department of Transportation to close a portion of Route 22 to facilitate the parade between the hours of 10:30 am and 1:30 pm on Sunday, July 23, 2017.

F. Letter of Credit Release for The Shops at Lake Zurich Corners at 430 and 440 South Rand Road in the Amount of \$43,127.43

Summary: 440 Rand Road, LLC has requested a full release of the letter of credit in regards to the project completion of The Shops at Lake Zurich Corners. Staff has reviewed the site, performed a final inspection, and recommends full release of the letter of credit of \$43,127.43.

**G. Ordinance Ascertaining the Prevailing Rate of Wages for Laborers, Mechanics, and Other Workers for Lake Zurich Public Works Projects as of June, 2017.
ORD. #2017-6-203**

Summary: The State of Illinois requires municipalities to annually certify the prevailing rate of wages for laborers, mechanics, and other workers in performing construction of public works projects for the Village. The proposed Ordinance accepts the prevailing rate of wages as determined by the Illinois Department of Labor as of June 2017.

H. Ordinance Amending Title 3 of Chapter 3 of the Village of Lake Zurich Municipal Code to Increase the Number of Authorized Liquor Licenses (Class B Holiday Inn Express) ORD. #2017-6-204

Summary: The Lake Zurich Holiday Inn Express at 197 South Rand Road has requested a Class B · Retail Sales liquor license for the ability to sell beer and wine at its existing convenience shop within the hotel lobby.

I. Ordinance Approving Budget Amendment No. 1 for Fiscal Year 2017 Budget to Facilitate Police Department Staff Reorganization ORD. #2017-6-205

Summary: The pending retirement of the Deputy Police Chief provides the Village with an opportunity to reevaluate the Police Department's organizational structure. The proposed reorganization will modify the current staffing level of

the Department from one Deputy Chief position to two Deputy Chiefs (Field Operations and Support Services), eliminate the two Commander positions, add one Sergeant position (Training Sergeant), modify the Office Manager position to Management Assistant, add one dispatcher position, and add a part-time Community Services Aide position. The proposed staffing changes do not increase the department's head count and are expected to reduce annual personnel costs by approximately \$57,000.

Trustee Beaudoin commended Chief Husak on the reorganization which does not increase the number of staff and decreases the personnel costs.

Recommended Action: A motion was made by Trustee Shaw, seconded by Trustee Sprawka, to approve the Consent Agenda as presented.

AYES: 6 Trustees Beaudoin, Euker, Shaw, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

7. OLD BUSINESS

None at this time.

8. NEW BUSINESS

A. Ordinance Approving a Special Use Permit for MaxFitness at 1148 Rose Road to Operate a Physical Fitness Facility ORD. #2017-6-206

Summary: MaxFitness at 1148 Rose Road has filed a Zoning Application seeking a Special Use Permit to operate a physical fitness facility within the Village's I - Industrial Zoning District. The tenant has been occupying the space since April 2016 without the necessary permits but has since complied with Village staff on obtaining official approval through the proper building and zoning protocol.

The Planning and Zoning Commission held a public hearing on April 19, 2017 to consider the Zoning Application, voting 4-0 in favor of recommending approval of the Special Use Permit to allow for the continued operation of the physical fitness facility in the I - Industrial Zoning District with an additional condition requiring the Applicant and Lake Zurich Corporate Park Owners Association (LZCPOA) to come to an agreement on the land use, per the declarations and deed restrictions of the Association.

Following the PZC public hearing, the Applicant was informed on May 17, 2017 by the LZCPOA that her request to continue operation of the land use was denied.

Staff recommends approval of the proposed Ordinance authorizing a Special Use Permit to MaxFitness incorporating the conditions of approval provided by the PZC and Staff that are contained within the Ordinance.

PUBLIC COMMENTS.

Lisa LaManna, 38 Lakeview Place, addressed the Board on her application and the circumstances.

John Mass, 585 Capital Drive (Screenflex), addressed the Board on his opposition to the issuing of a special permit to MaxFitness. He cited the reasons from the perspective of a member of LZCPOA, Industrial Council member and a business owner.

Lisa LaManna responded to comments made by John Mass.

William Smith, 1155 Rose Road (Termax), addressed the Board on his concerns of safety.

Wallace Leyshaw, 800 Oakwood Road (Automotive), addressed the Board on his concern about precedence.

Ted Myers, 1200 Flex (Tufftite), addressed the Board his opposition to the permit.

Mark Schultz, 815 Oakwood Road (Schultz Bros.), addressed the Board as a member of the Industrial Council and a 40 year business in Lake Zurich, on his opposition to the permit.

Dale Perrin, LZACC Executive Director, addressed the Board on his support of the permit issuance.

Kelly Sheehan, Flex Construction, addressed the Board on her opposition to the permit issuance.

Community Development Director Sarosh Saher gave an explanation of the background of the application, the LZCPOA and its declarations and their denial of her request. Dir. Saher stated that the special use permit meets the Village of Lake Zurich standards.

Atty. Uhler advised the Board on the question before them. He stated that the business is a permitted use in the Industrial Park as it is in the Village's zoning code.

The Trustees then commented on the special use permit and Lisa LaManna answered the Board's questions. Atty. Uhler answered Trustee Sprawka's question, about the special use permit for the business only or to the property, and it goes with the property.

Atty. Uhler asked Dir. Saher if the PZC's recommendation of requiring LZCPOA's approval was in the Ordinance and Dir. Saher responded that the wording was not in the Ordinance to be voted on.

Recommended Action: A Motion was made by Trustee Sprawka, seconded by Trustee Spacone, to approve Ordinance #2017-6-206 Approving a Special Use Permit to MaxFitness at 1148 Rose Road for a Physical Fitness Facility based on the conditions of approval that are contained within said Ordinance.

AYES: 6 Trustees Beaudoin, Euker, Shaw, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

9. TRUSTEE REPORTS

There were none.

10. VILLAGE MANAGER'S REPORT

Monthly Data Metric Reports

11. ATTORNEY'S REPORT

There was no report.

12. DEPARTMENT HEAD REPORTS

There were none.

13. ADJOURNMENT

Motion was made by Trustee Sprawka, seconded by Trustee Shaw, to adjourn the meeting.

AYES: 6 Trustees Beaudoin, Euker, Shaw, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Meeting adjourned at 8.15pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

7-19-2017

Date.

