

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



Monday, May 21, 2018 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 Mary Beth Euker, Trustee John Shaw, Trustee Jonathan Sprawka, Trustee Greg Weider. Trustee Marc Spacone 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, H.R. Dir. Doug Gibson, Atty. Carmen Forte Jr.
3. **PLEDGE OF ALLEGIANCE**
4. **APPOINTMENTS & RECOGNITION / PROCLAMATIONS**
 - Proclamation Designating the Week of May 20-26, 2018 as National Public Works Week
 - Proclamation Recognizing May 28, 2018 as Memorial Day in Lake Zurich at with Parade 10 am.
 - Proclamation Designating the Week of May 20 – 26, 2018 as Emergency Medical Services Week
5. **PUBLIC COMMENT**

There were none.
6. **PRESIDENT'S REPORT / COMMUNITY UPDATE**

There was no report.
7. **CONSENT AGENDA**
 - A. Approval of Minutes of the Village Board Meeting, May 7, 2018
 - B. Semi-Monthly Warrant Register Dated May 21, 2018 Totaling \$633,246.33
 - C. Agreement with CDM Smith for Phase Two of the Corrosion Control Study in an Amount Not-to-Exceed \$48,950

Summary: Last year, the Village began a two-phase corrosion control study on the public water supply to determine if existing treatment methods provide optimal corrosion control protections. Phase 1, completed in November 2017, reviewed existing water quality data and relied on desktop computer modeling to evaluate corrosion controls strategies. Phase 2 will use metal testing to confirm the desktop study findings and will be complete by

the 4th Quarter of 2018. This is a non-budgeted item but is also an unfunded mandate from the Illinois Environmental Protection Agency, so Staff is reducing engineering costs associated with other projects in order to fund Phase 2.

D. Agreement with Builders Paving for the 2018 Road Resurfacing Program in the Amount Not-to-Exceed \$1,544,952

Summary: The FY 2018 budget includes \$1688 million in the Non-Home Rule Sales Tax Fund for 3.42 miles of Village streets to be resurfaced. The annual road program consists of pavement resurfacing, concrete repair, utility structure repair, and other related items that will provide a service life of 15-20 years for new streets with proper maintenance. On February 28, 2018, a bid opening resulted in seven bids received, with Builders Paving of Hillside providing the lowest responsible bid. Areas receiving new streets this year include the Bristol Trail and Countryside East subdivisions, as well as Park Avenue downtown.

E. Reduction of Letter of Credit for TNT of Lake Zurich at 925 Telser Road to \$9,655.20

Summary: TNT of Lake Zurich has requested a reduction in the letter of credit regarding the property at 925 Telser Road from \$46,552 to a remaining 10% escrow of \$4,655.20 as a maintenance guarantee to be held for one year. An additional \$5,000 will be held in addition to the 10% to provide for remaining corrective work, bringing the total to \$9,655.20.

F. Ordinance Approving Abrogation of Easement for 351 Grand Avenue ORD. #2018-05-258

Summary: The owners of 351 Grand Avenue have requested the abrogation of a public utility easement to facilitate the construction of a new addition to the existing single-family residence. The new addition would encroach onto an existing 60-foot public utility easement along the east side of the property. The Village does not require the use of this easement and utility companies have provided written declarations that they have no utilities within the easement. The proposed Ordinance abrogates only the western 50 feet of the easement, reserving a ten foot easement in place for future access from the Village.

G. Resolution Approving an Amended Mutual Aid Agreement for the Northern Illinois Police Alarm System. RES. #2018-05-026

Summary: The Village has been a member of the Northern Illinois Police Alarm System (NIPAS) since 1993. NIPAS provides essential mutual aid support to members during times when a police emergency exceeds local agency capabilities. The NIPAS Board of Officers and Village Staff are recommending an update of the bylaws, as outlined in the proposed Resolution.

H. Waiver of Competitive Bidding and Agreement with Physio-Control to Purchase 17 Life Pak AED's and One Cardiac Monitor in the Amount Not-to-Exceed \$58,562.97

Summary: The Fiscal Year 2018 budget has \$85,210 in the Equipment Replacement Fund for this public safety equipment. The current service

agreement with Physio-Control to maintain the Life Pak 500 models expired on April 30, 2018. This planned equipment purchase will replace seven AED's for wall-mounted locations in Village facilities, three AED's for Fire Department Staff vehicles, seven AED's for the Police Department, and one defibrillator. Physio-Control is the sole provider of this equipment and does not have a distributor network, therefore this is a sole-source vendor with no bid process available.

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

AYES: 5 Trustees Beaudoin, Euker, Shaw, Sprawka, Weider.

NAYS: 0

ABSENT: 1 Trustee Spacone.

MOTION CARRIED.

8. **OLD BUSINESS**

None at this time.

9. **NEW BUSINESS**

- A. **Ordinance Approving Lease Agreement for Beer Garden Pavilion Property at Breezewald Park, 125 North Old Rand Road, Village of Lake Zurich, Lake County, Illinois ORD. #2018-05-259**

Summary: In December 2017, the Village issued a Request for Proposals for the operation of a beer garden pavilion at Breezewald Park with the intention of creating a new downtown destination amenity. Staff is recommending the Village enter into a two-year lease agreement with PB and S Investments.

The proposed lease, in connection with the new Class R liquor license that is recommended for issuance to this vendor, allows the pavilion to operate as a public amenity in a municipal park that will offer a selection of beer, wine, sparkling wine, ciders, and fermented malts, along with a selection of non-alcoholic beverages and light food options.

Hours of operation shall be limited to 9 am – 10 pm Monday through Saturday and 10 am – 8 pm on Sundays during the seasonal months of operation.

Dir. of Innovation Michael Duebner introduced Stefani Schweda, a partner in PB and S Investments, who addressed the Board on the proposed lease. Ms. Schweda answered the Board's questions.

Public Works Dir. Mike Brown updated the Board on the building of the Sunset Pavilion by his department except for electrical and roofing which was out sourced.

Recommended Action: A motion was made by Trustee Euker, seconded by Trustee Weider, to approve Ordinance #2018-05-259 approving a lease agreement for the beer garden pavilion property at Breezewald Park, 125 North Old Rand Road, Village of Lake Zurich, Lake County, Illinois.

AYES: 5 Trustees Beaudoin, Euker, Shaw, Sprawka, Weider.

NAYS: 0

ABSENT: 1 Trustee Spacone.

MOTION CARRIED.

B. Ordinance Amending Chapter 3 of Title 3 of the Lake Zurich Municipal Code to Add a New Class "R" Liquor License Category ORD. #2018-05-260

Summary: The operation of a beer garden style facility requires the creation of a new liquor license classification. The proposed Class-R Outdoor Concession / Beer Garden liquor license carries an annual fee of \$200 and the applicant is subject to the following restrictions.

- o The license holder shall make available packaged or prepared foods.
- o The license holder shall maintain hours of operation approved by the Lake Zurich Liquor Control Commissioner

Recommended Action: A motion was made by Trustee Sprawka, seconded by Trustee Shaw, to approve Ordinance #2018-05-260 amending Chapter 3 of Title 3 of the Lake Zurich Municipal Code to Add a New Class "R" Liquor License Category and Increase the Number of Authorized Liquor Licenses by One Class R for PB and S Investments at 125 North Old Rand Road.

AYES: 5 Trustees Beaudoin, Euker, Shaw, Sprawka, Weider.

NAYS: 0

ABSENT: 1 Trustee Spacone.

MOTION CARRIED.

C. Courtesy Review for Proposed Copper Fiddle Distillery Expansion at 532 West Route 22

Summary: The Copper Fiddle Distillery at 532 West Route 22 is seeking to expand its existing 2,100 square foot establishment into the adjacent 1,000 square foot space formally occupied by Midwest Spas. The Distillery is located within the Village's B-1 Local and Community Business Zoning District and was granted operational approval via a Text Amendment and Special Use Permit in 2013.

Copper Fiddle is looking at expanding its floor area to a total of 3,100 square feet to facilitate a self-contained video gaming area, the addition of a new bar in the expanded space, relocation of music entertainment activities into the new space with extended entertainment hours from 10:30 pm to 11:00 pm, and a 720 square foot outdoor patio and seating area.

The expansion proposal would require Village zoning relief including amendments to the Special Use Permit for live entertainment and Text Amendment to provide for Outdoor Seating accessory to the authorized Special Use Permit.

The developer and Village Staff seek to understand the Village Board's preferences towards the proposed expansion project.

Fred Robinson and Janet Robinson, partners in the Copper Fiddle Distillery, addressed the Board and gave a PowerPoint presentation of the proposed expansion into the adjoining property. Each Board member asked questions and gave feedback on the proposal. Comments/questions regarded noise from the entertainment; expansion of the outdoor area and traffic; parking; garage door use; liquor licenses. Answers were provided by Mr. and Mrs. Robinson and staff.

Recommended Action: Staff recommends the Village Board provide feedback on the proposed expansion project and highlight any further areas of concern to the applicant. This is a non-voting agenda item for the Board at this time.

Mayor Poynton stated that the Robinson's had heard the Board's remarks and encouraged them to work with Community Development Director Sarosh Saher and staff.

10. TRUSTEE REPORTS

There were none.

11. VILLAGE MANAGER'S REPORT

A. Monthly Data Metric Reports

12. ATTORNEY'S REPORT

Atty. Uhler stated that he had a brief matter for Executive Session.

13. DEPARTMENT HEAD REPORTS

Dir. of Innovation Michael Duebner updated the Board on the water meter replacement and he gave a PowerPoint presentation on the data. There are 55.7% of meters installed and 355 meters which have not been replaced and are overdue so there will be a fine imposed on the residents bills. There is a customer portal available online to monitor billing and usage.

Fire Chief Malcolm reminded residents about the CERT Pancake Breakfast on Sunday June 3rd, 8am to 1pm at Station #1

Police Chief Husak reported on the recent Cop on a Roof fundraiser which raised over \$5000.00 for Special Olympics.

14. EXECUTIVE SESSION called for the purpose of:

5 ILCS 120/2 (c) (21) approval of Executive Session minutes; 5ILCS 120/2 (c) (2) Collective bargaining; 5 ILCS 120/2 (c) (5) Purchase or lease Real Estate; 5 ILCS 120/2 (c) (11) Pending or Imminent Litigation; 5 ILCS 120/2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employees.

A motion was made by Trustee Weider, seconded by Trustee Shaw, to adjourn to Executive Session for the purpose of 5 ILCS120/2 (c) (21) approval of Executive Session minutes; 5 ILCS 120/2 (c) (2) Collective Bargaining; 5 ILCS 120/2 (c) (5) Purchase or lease Real Estate; 5 ILCS 120/2 (c) (11) Pending or Imminent Litigation; 5ILCS 120/2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employees

AYES: 5 Trustees Beaudoin, Euker, Shaw, Sprawka, Weider.

NAYS: 0

ABSENT: 1 Trustee Spacone.

MOTION CARRIED.

Meeting adjourned to Executive Session at 8.09pm.

Meeting reconvened at 9.02pm

Call to order by Mayor Thomas M. Poynton

ROLL CALL: Mayor Tom Poynton, Trustee Jim Beaudoin, Trustee Mary Beth Euker, Trustee John Shaw, Trustee Jonathan Sprawka, Trustee Greg Weider. Trustee Marc Spacone was absent and excused. Also present: Village Atty. Scott Uhler, H.R. Dir. Doug Gibson

15. **ADJOURNMENT**

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

AYES: 5 Trustees Beaudoin, Euker, Shaw, Sprawka, Weider.

NAYS: 0

ABSENT: 1 Trustee Spacone.

MOTION CARRIED.

Meeting adjourned at.....pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

6-6-2018
Date.