

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



Tuesday, September 4, 2018 7:00 p.m.

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7.00pm.
2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Mary Beth Euker, Trustee John Shaw, Trustee Jonathan Sprawka, Trustee Greg Weider. Trustee Jim Beaudoin and Trustee Marc Spacone were absent and excused. Also Present: Village Manager Ray Keller, Asst. Village Manager Roy Witherow, Atty. Carmen Forte Jr., Dir. of Innovation Michael Duebner, Police Chief Steve Husak, Community Development Director Sarosh Saher, Public Works Dir. Mike Brown, Rec. Director Bonnie Caputo.
3. **PLEDGE OF ALLEGIANCE**
4. **APPOINTMENTS & RECOGNITION / PROCLAMATIONS**
 - A. Proclamation Declaring September 2018 as National Suicide Prevention Awareness Month
5. **PUBLIC COMMENT**

Geoff Petzel, 695 Windermere Lane, addressed the Board and thanked the Mayor and staff for the Kmart demolition before his comments on the proposed Thornton's gas station. He proposed that Thornton's should make a donation for their request to have 0.32 acres of Park land to accomplish their project. Next he addressed the Agenda item #7G and shared his expertise and offered to help with this Commercial Solid Waste Hauling and Recycling programme.
6. **PRESIDENT'S REPORT / COMMUNITY UPDATE**

Mayor Poynton reminded residents of the Rock The Block event on Saturday, September 8th, 2018 from 5-11pm on Main Street.
7. **CONSENT AGENDA**
 - A. Approval of Minutes of the Village Board Meeting, August 6, 2018
 - B. Semi-Monthly Warrant Register Dated August 20, 2018 Totaling \$672,945.47
 - C. Semi-Monthly Warrant Register Dated September 4, 2018 Totaling \$1,197,397.66
 - D. Approval of Destruction of Verbatim Records of Executive Session Meetings
Summary: The confidential verbatim records listed in the attached memo are eligible for destruction by the Village Clerk. The Village Board has previously approved written minutes of the closed sessions, of which the verbatim records were prepared and copies are available for review. These closed

meetings were concluded at least 18 months prior to the proposed destruction date.

- E. **Agreement to Purchase One 2019 Ford Police Interceptor Utility Vehicle in the Amount Not-to-Exceed \$32,000 from Currie Motors under the Suburban Purchasing Cooperative Contract #152**

Summary: Due to a pending production discontinuation and redesign of the current Ford Police Interceptor Utility Sedan model, Staff is recommending ordering one 2019 model for the FY 2019 budget year rather than two. This unit would replace a 2014 model with 93,000 miles. With the shortened production window, the order would need to be placed by September 13, 2018, but delivery would not take place until after January 1, 2019.

- F. **Ordinance Ascertaining the Prevailing Rate of Wages for Laborers, Mechanics, and Other Workers for Lake Zurich Public Works Projects as of August 2018 ORD. #2018-9-267**

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 August 2018.

- G. **Ordinance Initiating a Commercial Solid Waste Hauling and Recycling Program ORD. #2018-9-268**

Summary: The State of Illinois requires a three-year recycling participation study prior to a municipality issuing a request-for-proposals for a non-residential waste hauling franchise agreement. The three-year study is a non-binding preliminary step to conducting a non-residential waste collection RFP. Village staff would only recommend a non-residential franchise hauling agreement if it would lower the hauling costs for Lake Zurich's commercial and industrial businesses, increase the volume of recycling, and provide the type of customized hauling services that are required by certain business operations.

- H. **Ordinance Amending Chapters 7 and 24 of Title 9 of the Village of Lake Zurich Municipal Code Relating to Marinas and Boat Launch Ramps ORD. #2018-9-269**

Summary: The Village has filed an application for a proposed Zoning Code text amendment to include definitions for marinas and boat launch ramps. The Code currently contains standards for the use and development of piers, rafts and other floating devices on the lake but is silent on the regulation of marinas and boat launch ramps. On August 15, 2018 the Planning and Zoning Commission voted 5-0 in favor of recommending approval of the proposed amendments.

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

AYES: 4 Trustees Euker, Shaw, Sprawka, Weider.

NAYS: 0

ABSENT: 2 Trustees Beaudoin, Spacone.

MOTION CARRIED.

8. **OLD BUSINESS**

None at this time.

9. **NEW BUSINESS**

A. **Ordinance Granting a Variation from Residential Side Yard Setback**

Requirement at 574 Dunhill Drive ORD. #2018-9-270

Summary: The owners of 574 Dunhill Drive have filed a zoning application seeking relief from the ten-foot minimum side yard setback required in the R-5 Single Family Residential District to allow for the construction of a shed. It will encroach three feet into the required minimum side-yard setback. The Planning and Zoning Commission held a public hearing on August 15, 2018 and voted 5-0 in favor of recommending approval of the variation.

Recommended Action: A motion was made by Trustee Euker, seconded by Trustee Shaw, to approve Ordinance #2018-9-270 Granting a Variation from Residential Side Yard Setback Requirement at 574 Dunhill Drive.

AYES: 4 Trustees Euker, Shaw, Sprawka, Weider.

NAYS: 0

ABSENT: 2 Trustees Beaudoin, Spacone.

MOTION CARRIED.

B. **Courtesy Review for Microbrewery and Tap Room at Mark Cook's Garden Center at 101 East Main Street**

Summary: The owner and operator of Mark Cook's Garden Center wishes to convert the business into a microbrewery and tap room. The property is located on East Main Street in downtown Lake Zurich and is zoned within the Village's B-2 Central Business District. After operating the landscape business for approximately 32 years, Mr. Cook is looking to transform the property with the proposed name of "Bear Tracks," consisting of a 1,900 square-foot tap room, 2,000 square-foot brewery and bottling area, along with 1,000 square feet of office and 2,000 square feet of outdoor seating area.

The proposed land use would require a Special Use Permit to establish a microbrewery, live entertainment, and outdoor seating as well as a Text Amendment to provide for Drinking Places accessory to the authorized Special Use Permit since there is no plan to allow food preparation on-site.

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

Community Development Director Sarosh Saher introduced Mark Cook who made his presentation to the Board. The Board members then asked questions which Mr. Cook and staff answered including, parking, lighting, food trucks, landscaping to diminish noise and timeline. Mr. Cook stated that he was looking at one year from now. This proposal will now go to the October PZC meeting.

C. **Courtesy Review for Thornton's Gas Station at Southeast Corner of Miller Road and Rand Road**

Summary: Bluestone Single Tenant Properties is the contract purchaser of the 1.6 acres of private property on the southeast corner of Rand Road and

Miller Road. Bluestone is seeking to develop the vacant property with a new Thornton's gas station and 5,000 square foot convenience store with seven pumps and 14 fueling positions. The site is too small for being developed as a licensed truck-stop facility with video-gaming machines. The property does currently contain wetland areas associated with the north branch of Flint Creek that runs along the south side of the property.

The developers are requesting the Village to convey approximately 0.32 acres of the adjacent Manor Park property in order to make the proposed development viable. The existing private property on the corner is zoned B-1 Local and Community Business District. The proposed land use would require a Special Use Permit.

The developers are requesting initial feedback from the Village Board through the Courtesy Review process on the potential development of this property with a gas station.

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

Community Development Director Sarosh Saher introduced Mike Mackinnon, VP of Development for Bluestone, who then gave a PowerPoint presentation of the proposal. Questions from the Board were answered by Mr. MacKinnon and staff and included viability without the park land, saturation of gas stations, hours of operation, access from Miller Road, tankers refilling, concerns for Flint Creek, intersection and safety. Chief Husak stated that the Rt12 and Miller Road is the 6th on the list of accidents. Mayor Poynton read remarks from Trustees Beaudoin and Spacone as well as resident comments from an online survey. Mr. MacKinnon was provided with feedback to take to Bluestone.

10. **TRUSTEE REPORTS**

Trustee Shaw stated that there is an informational meeting on Wednesday Sept 6th at Concorde Banquets about the proposed Rt. 53 extension.

11. **VILLAGE MANAGER'S REPORT**

There was no report.

12. **ATTORNEY'S REPORT**

There was no report.

13. **DEPARTMENT HEAD REPORTS**

Dir. of Innovation Michael Duebner reported that 99% of water meters have been exchanged with 72 accounts and 7 businesses left. Water shutoff notices are being sent out. He answered the Board's questions on attaining data on water loss etc.,

14. **ADJOURNMENT**

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

AYES: 4 Trustees Euker, Shaw, Sprawka, Weider.

NAYS: 0

ABSENT: 2 Trustees Beaudoin, Spacone.

MOTION CARRIED.

Meeting adjourned at 8.30pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

9-6-2018
Date.

