

APPROVED MINUTES
VILLAGE OF LAKE ZURICH

Board of Trustees
70 East Main Street



Monday, December 3, 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 Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider. Trustee Jim Beaudoin was absent and excused. 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, Public Works Dir. Mike Brown, Rec. Director Bonnie Caputo.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Louis Baiyorria, 1250 Eric Lane, representing Alpine Runners, requested information on construction which could be ongoing during the Alpine Races on Sept 15th 2019. He had talked with Mike Brown prior to the meeting and will continue to communicate with him.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
 - A. **Illinois Bicentennial Proclamation 200 Years on December 3, 2018**
 - B. **Wreaths Across America at Fairfield Cemetery:** Carol Sullivan, an American Legion member and a member of the Ela Township Cemetery committee, is coordinating the laying of wreaths at Lake Zurich Cemetery and Fairfield Cemetery on Dec. 15th 2018 at noon when there will be a brief ceremony. The two cemeteries were chosen by the organization.
 - C. **Post-Storm Report from November 25 – 26, 2018 Snow Event:** Mayor Poynton updated the community on the data from the storm. He commended Chief Malcolm for his communication with ComEd on the power outage. Ela Senior Centre was a warming centre for residents. The Mayor thanked the Fire, Police Dept. and Public Works for their hard work and many man hours. Public Works Dir. Mike Brown added information on brush pick up if placed by the curb this week.
 - D. **Miracle of Main St cancellation:** Mayor Poynton explained why it was not possible to reschedule the event. Rec. Director Bonnie Caputo reported that there are holiday events including seeking the hidden Elf in the downtown area. Letters to Santa can be "mailed" at the box in Celebration Park. The Mayor stated that the Lions Club will have its Candy Cane Hunt on Dec. 8th.

6. **CONSENT AGENDA**

- A. **Approval of Minutes of the Village Board Meeting, November 19, 2018**
- B. **Semi-Monthly Warrant Register Dated December 3, 2018 Totaling \$2,573,459.28**

- C. **Ordinance Establishing a Comprehensive Fee Schedule Appendix to the Village Code of Lake Zurich ORD. #2018-12-279**

Summary: The Village Code has been amended in a piecemeal approach for decades, with individual fees, penalties, and rates being codified into multiple different titles by individual ordinances. This piecemeal approach over so many years has resulted in fees being scattered throughout 12 separate titles and hundreds of pages of Code. A unified fee schedule will increase transparency of village fees and make it easier to amend fees as part of the annual budget cycle as necessary.

- D. **Ordinance Amending Title 3 of Chapter 3 of the Village of Lake Zurich Municipal Code Amending the Number of Authorized Liquor Licenses for New Crave at 751 West Route 22 ORD. #2018-12-280**

Summary: The owners of New Crave located at 751 West Route 22 is requesting to relinquish their Class A & A1 liquor license authorized on October 15, 2018 and instead obtain a Class M corkage license authorizing Bring-Your-Own-Beverage service, which would apply to beer and wine. The applicant has completed all background checks and other certification requirements.

- E. **Lease Agreement among the Village of Lake Zurich and Teryl Properties and American Legion for Maintenance and Use of a Shared Parking Lot**

Summary: The three adjacent properties of Village Hall, the American Legion, and Martin Enterprises have historically allowed shared parking and free-flowing vehicular traffic across property lines. The proposed three-year agreement updates the previous agreement from 2008.

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

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

NAYS: 0

ABSENT: 1 Trustee Beaudoin.

MOTION CARRIED.

7. **OLD BUSINESS**

- A. **Ordinance Amending Chapter 2 (Specific Regulations for Certain Businesses) of Title 3 (Business Licensing, Regulation, Taxation, and Fees) of the Village of Lake Zurich Municipal Code to Add E-Cigarettes and Raise the Age for Use, Sale and Possession of Tobacco Products ORD. #2018-11-275**

Summary: The proposed Ordinance was originally introduced on the Village Board agenda on November 19, 2018 for initial discussion and was continued at that time for future consideration. After more than two weeks of collecting feedback from residents, the business community, and other Lake Zurich stakeholders, this Ordinance is returning to the agenda for Board action.

Under existing Illinois law, the minimum age to buy or possess tobacco products and e-cigarettes is 18 years of age. Illinois municipalities have the

authority to raise the minimum age to purchase tobacco within their corporate limits.

The proposed Ordinance would make several changes to the Village Code regarding tobacco, e- cigarettes, and vaping products effective January 1, 2019. These include raising the legal age for sale, use and possession of tobacco, e- cigarettes, and vaping products to 21; adding language that e- cigarettes, vaping products, and alternative nicotine products are all treated the same as tobacco by Village Code, and establishing that sale, possession, or use by a person under 21 is a municipal code violation, subject to monetary fines and local adjudication hearing.

Trustee Sprawka stated that it was the right thing to do after attending a meeting on the subject by Comm. Dist. #95 recently. Trustee Spacone said the State had the opportunity to override the Governor's veto of a similar bill but the House had voted against the override. Trustee Shaw pointed out that the local House representative did not support the override. Mayor Poynton thanked Dist. #95 for having the meeting for residents. This Ordinance will go in to effect on January 1st, 2019 and Chief Husak will be notifying the businesses about the change. Trustee Spacone encouraged residents to contact the Police Dept. whenever they observe any abuse of the law.

Recommended Action: A motion was made by Trustee Spacone, seconded by Trustee Euker, to approve Ordinance #2018-11-275 Amending Chapter 2 (Specific Regulations for Certain Businesses) of Title 3 (Business Licensing, Regulation, Taxation, and Fees) of the Village of Lake Zurich Municipal Code to Add E-Cigarettes and Raise the Age for Use, Sale and Possession of Tobacco Products.

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

NAYS: 0

ABSENT: 1 Trustee Beaudoin.

MOTION CARRIED.

8. NEW BUSINESS

A. Ordinance Approving Budget Amendment Number #2 for Fiscal Year 2018 Budget ORD. #2018-12-281

Summary: Upon evaluation of the financial projections for the current 2018 fiscal year, a number of necessary budget amendments have been identified based on actual figures or best estimates for projected year-end results.

The largest adjustment to General Fund revenues are Income Tax (projected increase of \$169k), Sales Tax (projected increase of \$179k), and the expected payment from the Fire District (projected increase of \$199k).

The budget amendment includes revisions to expenditure accounts as well. Larger items include increases for employee overtime (projected increase of \$103k), health insurance (projected increase of \$317k), and sales tax rebates (projected decrease of \$124k).

Additional savings are anticipated in Fiscal Year 2018 relating to full-time salaries due to vacancies and smaller less remarkable items.

A listing of all proposed amendments impacting revenues and expenditures to several different municipal funds has been included in the proposed Ordinance.

Finance Dir. Jodie Hartman gave an explanation of the Amendment #2 to the 2018 Budget and the moving of monies into the CIP.

Recommended Action: A motion was made by Trustee Sprawka, seconded by Trustee Weider, to approve Ordinance #2018-12-281) Approving Budget Amendment #2 for Fiscal Year 2018 Budget.

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

NAYS: 0

ABSENT: 1 Trustee Beaudoin.

MOTION CARRIED.

9. TRUSTEE REPORTS

Trustee Shaw reported on the great service by the Waste Management driver when picking up leaves, the driver left a note of apology for not getting the frozen leaves in the can. Mayor Poynton stated that the Waste Management rep Mike Brink is an attendee at "Coffee with the Mayor". Trustee Sprawka asked if there could be a Spring clean coordinated with Waste Management as the last leaf pick up was disrupted by the storm. Trustee Spacone asked about brush pick up from the storm and Dir. Brown stated that it was finished but if brush was at the curb this week it would be picked up. This is the time period to change garbage can sizes.

10. VILLAGE MANAGER'S REPORT

No report.

11. ATTORNEY'S REPORT

No report.

12. DEPARTMENT HEAD REPORTS

Police Chief Husak reported that "Shop with a Cop" was on Tuesday Dec. 4th and "Read with the Rookie" will be at the Ela Library on Dec. 8th at 1pm. Chief Husak stated that the quick action with AED by police at the scene on Nov. 30th had been critical and they worked with the Fire Dept. Chief Malcolm gave kudos to the Police Dept. personnel and he thanked the Board for the approval to purchase the AEDs. He mentioned that the dept. was willing to train residents with CPR, First Aid and use of AED. The Fire Dept. on Dec. 15th will be helping at "Operation North Pole" with their sponsored recipient. The Police Dept. is continuing their "Toys for Tots" collection. Staff answered the question posed by Trustee Spacone about CPR classes etc. for teens.

13. EXECUTIVE SESSION called for the purpose of 5 ILCS 120 / 2 (c) (21) review of Executive Session minutes.

Motion was made by Trustee Shaw seconded by Trustee Sprawka, to adjourn to Executive Session for the purpose of 5 ILCS 120 / 2 (c) (21) review of Executive Session minutes.

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

NAYS: 0

ABSENT: 1 Trustee Beaudoin.

MOTION CARRIED.

The meeting adjourned at 7.45pm

Meeting reconvened at 7.58pm to Open Session.

Call to order by Mayor Thomas M. Poynton.

ROLL CALL: Mayor Thomas Poynton, Trustee Mary Beth Euker, Trustee John Shaw, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider. Trustee Jim Beaudoin was absent and excused. Also Present: Village Manager Ray Keller, Atty. Scott Uhler.

15. **ADJOURNMENT**

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

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

NAYS: 0

ABSENT: 1 Trustee Beaudoin.

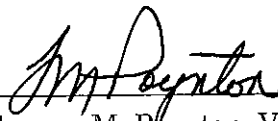
MOTION CARRIED.

Meeting adjourned at 7.59pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

12-17-2018
Date.

