

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



Monday, April 15, 2019 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 Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider. Also in attendance: Village Manager Ray Keller, Village Atty. Scott Uhler, Finance Dir. Jodie Hartman, Dir. of Innovation Michael Duebner, Fire Chief John Malcolm, Police Chief Steve Husak, Public Works Dir. Mike Brown, Building Super. Mary Meyer.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Tim Henry, 1294 E. II RT 22, addressed the Board on the proposed Mariano's gas station and his concerns about his aquifer being possibly contaminated.

Marty Filson, 33 E. Harbor Dr., addressed the Board on the water meter project and the debt being carried by the Village; he expressed concern on green space, quality and appearance in the proposed Canterbury Estates housing on Block G.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE** (*held after the Consent Agenda*)
  - A. Proclamation Declaring April 14 – 20, 2019 as Telecommunicator Week
  - B. Welcome to the new owners of Volle's Bridal shop.
6. **CONSENT AGENDA**
  - A. Approval of Minutes of the Special Village Board Meeting, March 20, 2019
  - B. Approval of Minutes of the Village Board Meeting, April 1, 2019
  - C. Semi-Monthly Warrant Register Dated April 15, 2019 Totaling \$740,646.77
  - D. Ordinance Authorizing Disposal of Surplus Property Owned by the Village of Lake Zurich ORD. #2019-04-306

**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.
  - E. Waiver of Competitive Bidding Process and Agreement with Xylem Water Solutions USA, Inc. Flygt Products for Two Replacement Sewer Pumps in the Amount Not-to-Exceed \$120,721.90

**Summary:** The original sewer pumps for the Quentin and Northwest Sanitary Sewer Pumping Stations have reached the end of their useful lives and require replacement. The Fiscal Year 2019 budget includes \$122,000 in the Water and Sewer Fund for these replacements. Xylem Water Solutions USA is the sole source vendor for these products, necessitating the waiver of the competitive bid process.

**F. Resolution Adopting the Greenest Region Compact RES. #2019-04-035**

**Summary:** The Greenest Region Compact is a Chicago regional plan for environmental sustainability created by the Metropolitan Mayors Caucus that includes 96 participating communities with a focus on actions that will conserve energy, protect air and water quality, reduce waste and protect natural resources.

Motion was made by Mayor Poynton, 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. Agreement with Builders Paving LLC for the 2019 Road Resurfacing Program in the Amount Not-to-Exceed \$1,565,000**

**Summary:** The Fiscal Year 2019 budget includes \$1.75 million in the Non-Home Rule Sales Tax Fund for the annual road resurfacing program. In January 2015, the Village's Pavement Management Plan identified portions of Old Mill Grove, Countryside, Old Rand Road, Kuechmann Park, and Ash Street for resurfacing based on engineering studies of pavement conditions and rate of deterioration.

On April 3, 2019, the Village received five competitive bids, with the lowest responsible bid received from Builders Paving of Hillside, Illinois. Staff has reviewed infrastructure needs in the project area and surrounding neighborhoods for an opportunity to increase the scope of work and take advantage of the low bid prices received. Staff is recommending a contract with Builders Paving for the base project of \$1,218,888 with a total project expenditure including the addition of Meadowbrook Lane with contingency and engineering not-to-exceed \$1,565,000.

Public Works Dir. Mike Brown reported that 3.3 miles of road will be resurfaced and Trustee Sprawka requested Mr. Brown to explain the process for prioritizing roads. Dir. Brown answered the Board's questions.

**Recommended Action:** A motion was made by Trustee Weider, seconded by Trustee Spacone, to approve an agreement with Builders Paving LLC for the 2019 Road Resurfacing Program in the Amount Not-to-Exceed \$1,565,000.

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

NAYS: 0

ABSENT: 0 MOTION CARRIED.

**B. Ordinance Amending a Planned Unit Development, Approving Development Concept and Final Plan, a Special Use Permit to Re-Establish a Drive-Through Facility, and Approving Modifications to the Zoning Code for McDonald's Restaurant at 653 South Rand Road ORD. #2019-04-307**

**Summary:** McDonald's Corporation is requesting approval to demolish the existing building and construct a new McDonald's restaurant at 653 South Rand Road at the corner of Ela Road and Rand Road. The proposal includes the construction of a new 5,240 square-foot McDonald's building and double-loaded side-by-side drive-through lane.

The property is zoned within the B-3 Regional Shopping Business District. The Planning and Zoning Commission held a public hearing on March 20, 2019 and voted 7-0 in favor of recommending approval of the development subject to the construction of a sidewalk along the property that abuts Rand Road.

Jim Olguin, Buikema Law Group LLC, zoning Atty. for McDonald's Corporation, gave a PowerPoint presentation and then answered the Board's questions. Al Daniels, area construction manager, and Ken Sack also answered the Board's questions. The Board's concerns were removal of mature trees and replacement with smaller ones, caliper of trees, placement of building and drive thru', headlights shining in the drive thru' at night and being visible from the main roads, monument sign,. Atty. Uhler advised the Board that conditions could be added to the proposed Ordinance.

**Recommended Action:** A motion was made by Trustee Sprawka, seconded by Trustee Beaudoin, to approve Ordinance #2019-04-307 Amending a Planned Unit Development, Approving Development Concept and Final Plan, a Special Use Permit to Re-Establish a Drive-Through Facility, and Approving Modifications to the Zoning Code for McDonald's Restaurant at 653 South Rand Road subject to staff review and final Board approval of the site landscape plan and installation of the monument sign.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

**C. Ordinance Amending a Planned Unit Development, Approving a Special Use Permit for a Gasoline Service Station, and Approving Modifications to the Zoning Code for Mariano's Fuel Center at 1300 East Route 22 ORD. #2019-04-308**

**Summary:** Mariano's is requesting approval to construct a fuel center at 1300 East Route 22 via an amendment to the Planned Unit Development approved in July 2017. As part of a nationwide initiative, the company plans to install gas stations at all of its grocery stores. The proposed fuel center includes a canopy, transaction kiosk, and five gasoline dispensers.

This would be the second gas station along Route 22 within Lake Zurich boundaries, with the other currently under construction at the northwest corner of Route 22 and Route 12.

The property is zoned within the B-3 Regional Shopping Business District. The Planning and Zoning Commission held a public hearing on March 20,

2019 and voted 6-1 in favor of recommending approval of the project subject to the condition of installing a sidewalk along Route 22 or a fee in lieu of sidewalk installation.

George Mauritas, representing Mariano's, and Tim Kratz, project manager, gave a PowerPoint presentation of the changes made since the courtesy review. Mayor Poynton asked them to address the concerns of nearby resident who spoke at Public Comment. Both stated that the tanks exceed the State requirements and there are daily checks on usage etc., Resident Mark Gustafson, Fern Dr., shared information refuting the safety of tanks. Mr. Henry asked about who would be responsible if his aquifer was contaminated and the response was Mariano's. There was discussion between the Board and staff about hooking Mr. Henry's home to the Village water system. Other staff representing Mariano's, Natalie Mouw and Brianna Cotton, shared details on the tanks. Atty. Uhler advised the Board. Trustee Spacone suggested that this item be tabled until there could be a study done. After discussion the decision was Mariano's would get an independent evaluation done and the Village staff will study it.

*THIS AGENDA ITEM IS POSTPONED UNTIL A FURTHER MEETING.*

**Recommended Action:** A motion to postpone was made by Trustee Sprawka, seconded by Trustee Euker, Ordinance #2019-04-308 Amending a Planned Unit Development, Approving a Special Use Permit for a Gasoline Service Station, and Approving Modifications to the Zoning Code for Mariano's Fuel Center at 1300 East Route 22.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

**D. Ordinance Granting Approval of a Planned Unit Development, Development Concept Plan and Modifications to the Zoning and Land Development Code for a Residential Townhouse Subdivision (Canterbury Estates Subdivision at 80 Genesee Street on Block G) ORD. #2019-04-309**

**Summary:** Ryan Homes is requesting approval of a Planned Unit Development to construct a new townhouse subdivision known as Canterbury Estates containing 40 new townhouses within 10 buildings. The seven property parcels containing approximately 3.31 acres is located on the north side of Route 22 just west of its intersection with Old Rand Road.

The six parcels owned by Mr. Schwermer are zoned within the B-2 Central Business District while the one parcel owned by the Village of Lake Zurich is zoned within the OS-Open Space district. All parcels are also subject to the DR Downtown Redevelopment Overlay district.

The Planning and Zoning Commission conducted a public hearing on February 20, 2019 and voted 6-0 in favor of recommending approval of the development concept plan, subject to multiple conditions outlined in the Staff report.

Scott Shelton, rep. for Ryan Homes, gave a PowerPoint presentation of the proposed Canterbury Estates development on Block G. Mr. Shelton answered the Board's questions as did the staff. The Board's concerns included parking,

egress, snow removal, HOA, SSA, soundproofing, permeable surface, price point and garage spaces are included in the village code.

**Recommended Action:** A motion was made by Trustee Sprawka, seconded by Trustee Spacone, to approve Ordinance #2019-04-309 Granting Approval of a Planned Unit Development, Development Concept Plan and Modifications to the Zoning and Land Development Code for a Residential Townhouse Subdivision (Canterbury Estates Subdivision at 80 Genesee Street on Block G).

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Mayor Poynton recognized the contributions Trustee Shaw has given to the Board, Village and many organizations in the village. Trustee Shaw ends his term of office on April 30<sup>th</sup>, 2019.

9. **TRUSTEE REPORTS**

There were none.

10. **VILLAGE MANAGER'S REPORT**

A. Monthly Data Metric Reports

11. **ATTORNEY'S REPORT**

There was none.

12. **DEPARTMENT HEAD REPORTS**

13. **ADJOURNMENT**

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

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

NAYS: 0

ABSENT: 0

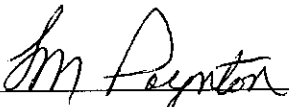
MOTION CARRIED.

Meeting adjourned at 9.20pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:

  
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Thomas M. Poynton, Village Mayor

5-7-2019  
Date.

