

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



Monday, January 6, 2020 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 Janice Gannon, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider. Also in attendance: Village Manager Ray Keller, Asst. Village Manager Roy Witherow, Village Atty. Scott Uhler, Dir. of Innovation Michael Duebner, Fire Chief John Malcolm, Police Chief Steve Husak, Dir. Of Community Services Sarosh Saher, Public Works Dir. Mike Brown, Park Dir. Bonnie Caputo, H.R. Doug Gibson.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Zoe Schwartz, 785 Spencer Lane, LZ., addressed the Board and read a statement about her concerns about climate change.

Marty Filson, 33 E. Harbor Dr., addressed the Board on the Park programmes' participants not being subsidised by taxpayers; asked the Trustees to look closely at this issue; issues with the Bank building proposal and village concessions.

Jeff Halen, 154 S. Pleasant Rd., addressed the Board on items on the agenda:- liquor licenses; special event Craft Beer fest; PUD for McDonald's; Breezewald Park playground equipment; the proposal of the Bank building; grant for replacement of the damaged Barn.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**

Mayor Poynton read a statement given to the Daily Herald in response to the recent graffiti on Seth Paine Elementary School.
6. **CONSENT AGENDA ***

Item 6 H pulled for a separate vote

 - A. Approval of Minutes of the Village Board Meeting, December 16, 2019
 - B. Approval of Semi-Monthly Warrant Register Dated January 6, 2020 Totaling \$712,348.82
 - C. Agreement to Purchase One 2021 International HV607 Two-Ton Dump Truck from Rush Truck Center via the State of Illinois Joint Purchasing Contract in an Amount Not-to-Exceed \$198,000

Summary: The Fiscal Year 2020 budget includes \$198,000 in the Equipment Replacement Fund to replace an existing 2003 dump truck in the Public Works

Department. The proposed replacement truck will be purchased from Rush International for \$192,591.

- D. **Agreement to Purchase One 2021 International HV607 Chassis and Crane Remount from Rush International via the State of Illinois Joint Purchasing Contract in an Amount Not-to-Exceed \$125,000**

Summary: The Fiscal Year 2020 budget includes \$125,000 in the Water and Sewer Fund to replace an existing 1992 crane truck in the Public Works Department. The proposed replacement chassis will be purchased from Rush International for \$73,200 with the existing crane being refurbished on the new chassis with a new flatbed and hydraulic system for \$36,475.

- E. **Ordinance Amending the Village of Lake Zurich Municipal Code Title 2 Entitled "Boards and Commissions," Chapter 7 Entitled "Park and Recreation Advisory Board" to Create a Lake Zurich Residency Requirement for the Appointment of Members by the Village President ORD. 2020-01-349**

Summary: The proposed Ordinance amends the Code to create a residency requirement for all appointees to the Village Park and Recreation Advisory Board, which is scheduled to meet the second Tuesday of every-other month. This advisory body provides a forum for discussion on all matters related to the development and operation of recreation programs, playgrounds, facilities, parks, and open space within Lake Zurich.

- F. **Ordinance Approving a Special Use Permit for Wiz Team Inc. to Establish a Carpet and Upholstery Cleaning Business at 490 Telser Road Unit C and D ORD. 2020-01-350**

Summary: Wiz Team Inc. has filed a zoning application for the property at 490 Telser Road Unit C and D seeking a Special Use Permit to establish a carpet and upholstery cleaning and restoration business. This property is located within the I-Industrial Zoning District. The Planning and Zoning Commission held a public hearing on December 18, 2019 and voted 5-0 in favor of recommending approval of this Special Use Permit.

- G. **Ordinance Amending the Zoning Map of Lake Zurich for Ismano Communications, Inc. to Rezone 101 Oak Street from R-5 Single-Family Residential District to O-1 Office / Residential District ORD. 2020-01-351**

Summary: Ismano Communications has filed a zoning application for the property at 101 Oak Street seeking re-zoning of the property to establish an office for a marketing graphic design agency. This property is currently located within the R-5 Single-Family Residential District and was previously used by the Lake Zurich Masonic Lodge from 1960 until earlier in 2019. The Planning and Zoning Commission held a public hearing on December 18, 2019 and voted 5-0 in favor of recommending approval of this rezoning.

- *H. ***Ordinance Amending Title 3 of Chapter 3 of the Village of Lake Zurich Municipal Code to Amend Authorized Liquor Licenses for Carlos Mexican Grill and Seafood 4, Inc. and La Parraquia Mexican Pancake House Inc. at 500 Ela Road, Roaring Table Brewing, LLC at 739 Route 22, and Zin Gastropub at 583 North Rand Road ORD. 2020-01-352**

Pulled from the Consent Agenda for separate vote.

I. Fiscal Year 2020 Special Event Requests for External Organizations

Summary: The Village Special Event guidelines require events using public parks and facility space with anticipated attendance over 100 to be reviewed and approved by the Park and Recreation Advisory Board and Village Board. The Advisory Board recommends approval of the following external events: Purple Plunge at March 7, 2020 / Arts at the Lake Festival on May 30-31, 2020 / A Long Swim on June 7, 2020 / Tunnel to Towers 5k on June 14, 2020 / Lake Zurich Triathlon on July 12, 2020 / Boy Scouts Overnight Camping on August 22-23, 2020 / Mighty Oaks Celebration on September 19, 2020 / Alpine Races on September 27, 2020.

J. Fiscal Year 2020 Special Event Requests for Village-Organized Events

Summary: The following special events are recommended by Staff for Board approval: Breakfast with the Bunny and Egg Hunt on April 4, 2020 / Cruise Nights the first Wednesday of each month May – October, 2020 / Movies in the Park on June 5, 2020 and July 10, 2020 / Farmer's Market each Friday from June 5 – September 11, 2020 / Independence Day Celebrations on July 4, 2020 / Rock the Block on September 12, 2020 / and Miracle on Main Street on December 5, 2020.

Trustee Gannon requested the removal of Agenda item 6H and 6I from the Consent Agenda.

Trustee Gannon stated she was confused that Sunset Pavilion was not included in the External Organisation's events. Staff clarified that the events at Sunset Pavilion were not a special event but part of their contract. 6I was then included in the Consent Agenda.

Motion was made by Trustee Sprawka, seconded by Trustee Spacone, to approve the Consent Agenda with the exclusion of item 6H.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

H. Ordinance Amending Title 3 of Chapter 3 of the Village of Lake Zurich Municipal Code to Amend Authorized Liquor Licenses for Carlos Mexican Grill and Seafood 4, Inc. and La Parraquia Mexican Pancake House Inc. at 500 Ela Road, Roaring Table Brewing, LLC at 739 Route 22, and Zin Gastropub at 583 North Rand Road ORD. 2020-01-352

Summary: La Parraquia Mexican Pancake House has assumed the lease and operations of the former Carlos 4 Mexican Grill at 500 Ela Road and is requesting a *Class A1 - Full Service Restaurant* liquor license with indoor and outdoor seating. Roaring Table Brewing at 739 Route 22 is requesting *Class P – Craft Brewery* and *Class M – BYOB* liquor licenses to allow them to self-distribute its beers and allow guests to bring their own beverage to consume it on premises. Zin Gastropub at 583 North Rand Road has recently expanded its dining operations into an adjoining space and is requesting a *Class V – Video Gaming* liquor license.

Atty. Uhler advised the Board on the Liquor license code and the category. Trustee Gannon asked about the BYOB category and Dir. Duebner explained. Discussion followed by the Board on the categories and the moratorium on videogaming. Mayor Poynton gave a brief history on the videogaming law in

Lake Zurich and stated that the State has increased the number of terminals for 5 to 6.

Motion was made by Trustee Sprawka, seconded by Trustee Beaudoin, to approve the Ordinance Amending Title 3 of Chapter 3 of the Village of Lake Zurich Municipal Code to Amend Authorized Liquor Licenses for Carlos Mexican Grill and Seafood 4, Inc. and La Parraquia Mexican Pancake House Inc. at 500 Ela Road, Roaring Table Brewing, LLC at 739 Route 22, and Zin Gastropub at 583 North Rand Road ORD. 2020-01-352

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

7. OLD BUSINESS

A. Ordinance Granting a Major Adjustment to a Planned Unit Development for the Construction of a Monument Sign for McDonald's Restaurant at 653 South Rand Road ORD. #2020-01-353

Summary: McDonald's Corporation is requesting a major adjustment to the Planned Unit Development (PUD) approved at the April 15, 2019 Village Board meeting for its restaurant at 653 South Rand Road. That PUD approval ordinance contained a condition that required the site landscape plan and monument sign to be reviewed by Village Staff and the Village Board.

The applicant proposes to construct a monument sign in place of the existing pole sign, but the dimensions of the proposed monument sign do not conform to the requirements of the Lake Zurich Sign Code. The requested modifications may be allowed by means of a Major Adjustment to the Final Plan approved through PUD Ordinance #2019-04-307.

The proposed sign is 139 square feet in surface area and would be accompanied by an electronic message center. The sign would be located on elevated grade that is contained within a 30-inch tall block garden, which would increase the height of the sign to 14 feet, 6 inches. The Sign Code requires no greater than 12 feet in overall height from normal grade and no greater than 120 square feet in surface area.

Dir. Of Community Services Sarosh Saher introduced James Olguin, Buikema Law Group, counsel for McDonald's who gave a presentation on the proposed changes and the PUD request. The Board members then asked questions about the size of the proposed sign to Mr. Olguin and to Dir. Saher. Dir. Saher explained the sign code requirements and the staff's recommendation and he answered the Board's questions. Following the discussion the Board opted for Option #1

Recommended Action: The Village Board has the following options available:

- Option #1: Motion was made by Trustee Weider, seconded by Trustee Euker, to approve the request of the Applicant to install the proposed monument sign as submitted requiring a Major Adjustment to the PUD and to approve Ordinance #2020-01-353 Granting a Major Adjustment to a Planned Unit Development for the Construction of a Monument Sign for McDonald's Restaurant at 653 South Rand Road.

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

NAYS: 1 Trustee Beaudoin.

ABSENT: 0

MOTION CARRIED.

Option #2: Require the proposed monument sign to conform to the requirements of the Lake Zurich Sign Code. This option is recommended by Staff.

Option #3: Refer the applicant to the Planning and Zoning Commission for further hearing and review on the sign proposal.

8. **NEW BUSINESS**

A. **Agreement to Purchase Breezewald Park Playground Equipment from Burke Equipment / Play Illinois, LLC in the Amount Not to Exceed \$98,971**

Summary: The Fiscal Year 2020 budget includes \$70,000 in the Capital Projects Fund and \$25,000 in the Special Recreation Association Fund for the replacement of playground equipment per the Village's playground replacement plan. This year's replacement is the 22-year old playground at Breezewald Park on North Old Rand Road. A request for proposals was released in November 2019 and resulted in 10 designs being received. The Village engaged the community to vote for its preferred playground, with the recommended equipment as the favorite, receiving 38% of the votes cast.

The removal of the existing equipment will be donated to *Kids Around the World*, a 501 (c) (3) non-profit organization that improves the lives of children in over 60 countries by providing playgrounds and other enrichment activities.

Park Dir. Bonnie Caputo explained the process of the survey and the results and answered the Board's questions. Trustee Spacone stated that an opportunity has been missed in not having amenities for children with disabilities.

Recommended Action: A motion was made by Trustee Weider, seconded by Trustee Spacone, to approve an agreement with Burke Equipment / Play Illinois, LLC to remove the existing playground and install a new playground at Breezewald Park.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

B. **Courtesy Review for Proposed Redevelopment of the Former Bank of America Building at 23 and 35 West Main Street and Consideration of a Redevelopment Agreement with the Village of Lake Zurich**

Summary: Don and Cindy Malin, 584 N. Old Rand Rd., are proposing the redevelopment of the former Bank of American building located close to the intersection of Old Rand Road and Main Street. The owner of the property is Lake Zurich Center LLC, doing business as the Lynmark Group, represented by Josh Goldstein. The property is comprised of two buildings that are combined to provide approximately 10,000 square feet as well as a parking lot across Park Avenue that contains 36 parking spaces.

The proposed redevelopment includes leasing spaces within a renovated building for uses such as a coffee shop, restaurant, community theater, wine and coffee bar, arts center, micro-brewery or tasting room, salon / spa, coding business, or dental / medical office.

The Malins' proposal reflects a total investment of \$1,225,000 into the property, including the purchase cost of \$425,000 and \$800,000 in renovation costs. The developers have requested the Village's financial participation to close a financing

gap of \$300,000. They have also asked to acquire the adjacent Village-owned properties at 22 and 28 Park Avenue at no cost to accommodate their development plan. Staff identified nearby infrastructure improvements, estimated to cost \$270,000, that would be needed to support the property's reuse. The accompanying staff memo and draft redevelopment agreement further outline the framework of a potential public/private partnership.

Asst. Village Manager Roy Witherow gave background information on the property and introduced Mar. and Mrs. Don Malin who gave a PowerPoint presentation on their proposal for multiple tenants. Mayor Poynton stated that the trustees address the actual proposal first and then discuss the private/public partnership. The Board then shared their comments about the proposal and were enthusiastic about it.

At 8.55pm there was an 8 minute recess. The meeting resumed at 9.03pm.

Mayor Poynton then opened discussion about the private/public partnership. Questions were answered by Malin's and Staff, including the infrastructure on W. Main St; timeframe; two properties; drive through traffic problems. There was unanimous support by the Board on the private/public partnership.

Village Manager Keller recognised Asst. Village Manager Witherow for working on this proposal along with Dir. Brown and Dir. Saher.

Recommended Action: This is a non-voting item at this time. The developer and Village Staff request the Village Board's guidance on the proposed redevelopment of the property with the proposed land uses, and the inclination of the Village Board to financially participate in the project through a public/private partnership.

C. Park and Recreational Facility Construction (PARC) Grant Program for Paulus Park Barn: Presentation from Hitchcock Design Group and BKV Group

Summary: The Village has contracted with Hitchcock Design Group to submit an application with the Illinois Department of Natural Resources for PARC grant funding. This program provides grants to local governments for park and recreation construction projects and land acquisition. PARC grants must be used for "bondable" or "brick and mortar" projects. If approved by the State, the grant covers 75% of capital project costs for most applicants with the max grant amount of \$2.5 million. This year's application would require a financial commitment from the Village of at least \$625,000 (25% project funding), which would be funded through the 2021 and 2022 fiscal year budgets.

This year's PARC application will focus on the renovation of the Paulus Park Barn with a 9,000 square foot multipurpose expansion off of the current main site. BKV Group, initially contracted to conduct a study to evaluate long term community needs assessment for Park and Recreation, is working with Hitchcock Design Group to provide layouts, elevations and cost estimates associated with the grant project. Steve Konters from Hitchcock Design Group and Henry Pittner from BKV Group will present an overview of the grant application process, preliminary project open house feedback and proposed renovations.

Henry Pittner, BKV Group, gave a PowerPoint presentation of the proposed Barn renovation with four options with or without grant funds. The options included replacement of the Barn to as it was; or replacement plus adding a 9000 sq. ft. addition; or, replacement plus second storey over the addition; or, demolition and then a new building. Costs were allocated to each option including approximate

yearly tax increase to residents. Discussion followed and the Staff and Mr. Pittner answered them.

Steve Konters, Hitchcock Design Group, gave the grant application information and the process, and answered the Board's questions. Mayor Poynton requested feedback from the public meeting held earlier in the evening and Mr. Konters said that the second option was popular.

Recommended Action: This is a non-voting item at this time. Staff and consultants will be presenting information for discussion purposes only.

9. TRUSTEE REPORTS AND COMMENTS

Trustee Spacone asked Dir. Caputo about sprinklers at Buffalo Creek facility. Dir. Caputo answered that there were sprinklers there but didn't think there were any at the rental facilities being used.

10. VILLAGE MANAGER'S REPORT

There was no report.

11. DEPARTMENT HEAD REPORTS

Fire Chief Malcolm warned residents about walking on icy lakes as there was a rescue recently when a female went through the ice and had to be rescued.

12. ATTORNEY'S REPORT

Atty. Uhler stated that he will be bringing procedural rules to be adopted by the Board.

13. ADJOURNMENT

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

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Meeting adjourned at 10.15pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

1-22-2020
Date.

