

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



Monday, March 2, 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, Finance Dir. Bane Thomey, 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 and Rec Dir. Bonnie Caputo, Atty. Carmen Forte Jr.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Marty Filson, 33 E. Harbor Dr., addressed the Board on the budgeted monies for engineering of projects; volunteering to be on a committee; and park brochure is competing with local businesses.

Alexa Alt, Junior Miss Lake Zurich, addressed the Board in support of the Alt Family Unplugged Fest on June 6<sup>th</sup>, 2020 at Paulus Park which is for the youth of the area. Miss Alt is a 5<sup>th</sup> grader at Seth Paine School.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**

Mayor Poynton recognized Lieutenant Brian Blaauw of the Fire Dept. on his promotion.
6. **CONSENT AGENDA**
  - A. Approval of Minutes of the Village Board Meeting, February 18, 2020
  - B. Approval of Semi-Monthly Warrant Register Dated March 2, 2020 Totaling \$459,790.36
  - C. Ordinance Authorizing Disposal of Surplus Property Owned by the Village of Lake Zurich ORD. #2020-03-359

**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.
  - D. Ordinance Amending Title 3 of Chapter 3 of the Village of Lake Zurich Municipal Code to Amend Authorized Liquor Licenses for Hidden Café, Inc at 751 Route 22 (Class A-1) ORD. #2020-03-360

**Summary:** Hidden Café at 751 Route 22 is requesting a *Class A1 – Full-Service Restaurant with Indoor and Outdoor Seating* liquor license from the Village that will authorize it to serve alcoholic beverages for consumption on premises and for off premises consumption in conjunction with a take-out order.

**E. Ordinance Approving Amendments to the Official Zoning Map of the Village of Lake Zurich ORD. #2020-03-361**

**Summary:** State statutes require that all municipalities annually publish an updated zoning map by March 31 of each year. Amendments this year include rezoning to *R-5 Single-Family Residential District* the recently incorporated 37-acre property at 24168 Midlothian Road for a new residential subdivision called Avery Ridge and rezoning to *O-1 Office / Residential District* the property at 101 Oak Street for new business Ismano Communications.

**F. Paulus Park Shelter and Field Rental Requests for May Whitney Elementary School Picnic on May 28, 2020, the Lake Zurich Girl Scouts Overnight Camping Event on June 27-28, 2020, and the Alt Family Unplugged Fest on June 6, 2020**

**Summary:** Special event requests with anticipated attendance over 100 are reviewed by the Park and Recreation Advisory Board with final approval by the Village Board. May Whitney plans to hold its 5<sup>th</sup> grade picnic with about 140 people on May 28<sup>th</sup>, the Girl Scouts plan to hold its overnight camping event with about 100 people the night of June 27, 2020, and Junior Miss Lake Zurich Alexis Alt plans to hold a youth unplugged fest modeled after the National Day of Unplugging on June 6, 2020 with over 100 people expected.

**G. Agreement with Layne Christensen Company for Well #8 Preventative Maintenance in the Amount Not-to-Exceed \$150,000**

**Summary:** The Fiscal Year 2020 budget includes \$150,000 in the Water and Sewer Fund for regular preventative maintenance on the village's deep aquifer wells. In February 2017, the Village Board approved a five-year professional services agreement with Layne Christensen Company for this annual project, which includes pulling, cleaning, and repairing over 1,000 feet of column pipe, the submersible motor, and pump assembly.

Trustee Gannon requested an explanation of Agenda Item 6#D and Dir. of Innovation Michael Duebner and Atty. Uhler provided the information.

**Recommended Action:** A motion was made by Mayor Poynton, seconded by Trustee Sprawka, to approve the Consent Agenda as presented.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

**7. OLD BUSINESS**

None at this time.

**8. NEW BUSINESS**

**A. Ordinance Amending Municipal Code Title 3 "Business Licensing, Regulation, Taxation and Fees," Section 8 "Food Service Establishments" to adopt regulation of home kitchen operations and cottage food operations ORD. #2020-03-362**

**Summary:** Adoption of this code amendment would enact the "Cupcake Law," which allows "home kitchen operations" to produce home-prepared goods for

limited commercial sale or sale by religious, charitable and nonprofit organizations. These home businesses cannot exceed \$1,000 in gross monthly sales and must label their products as being made in a home kitchen. "Cottage food operations" are also allowed to produce home prepared goods for direct sale at farmers' markets. The statute limits the types of products that may be sold under this provision and specifies how the products must be labeled. These products would not require a commercial kitchen, health inspections, or be subject to regulations typically applied to commercial food production facilities. State statute requires the adoption of a local ordinance to enact these provisions.

Trustee Sprawka stated that a resident had brought this to the attention of the Board.

**Recommended Action:** A motion was made by Trustee Sprawka, seconded by Trustee Euker, to approve Ordinance #2020-03-362 amending Municipal Code Section 3-2-8 "Food Service Establishments" to adopt regulation of home kitchen operations and cottage food operations.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

**B. Courtesy Review for Luxury Automobile Storage Condominiums known as "The Garage Lodge" at 629 Rose Road**

**Summary:** Pinpoint Developments and Colliers International are proposing the development of a portion of the vacant property at 629 Rose Road with a new automobile storage condominium project to be known as "The Garage Lodge." The property is ten acres located on the south side of Rose Road in the Lake Zurich Industrial Zoning District. The proposed concept is similar to those that have been completed recently in Naperville and are currently under development in Mundelein and Palatine, which offers car enthusiasts a place to store their vehicles in one location and occasionally get together to network.

The development proposes to offer customized individual garage condominiums in a temperature and humidity controlled environment accompanied by services such as a club house, Wi-Fi, battery trickle charge, free fuel stabilizers, tire checks, and monthly auto dusting. No residential uses will be allowed in the private condominiums as well as no outdoor storage, vehicle repair, body work or painting.

The developer has indicated that if positive feedback on the proposed redevelopment is provided by the Village, they would move forward with an application for a Special Use Permit at a Planning and Zoning Commission Public Hearing with final approval by the Village Board.

Dir. Of Community Services Sarosh Saher introduced Rick Kriva, Pinpoint Developments Inc., who gave a PowerPoint presentation of the proposed "The Garage Lodge". The Board then asked questions of Mr. Kriva including: available for watercraft, leased or owned, taxes, number of units (47), price point, no kitchens or residential, hours, triple basins for repairs, square footage, presales and sales at other facilities, and landscaping. The Board gave their feedback which was positive to move to the PZC.

**Recommended Action:** This is a non-voting item at this time. The developer and Staff seek to understand the Village Board's preferences towards the proposed

development of the subject property and highlight any areas of concerns to the applicant.

**C. Agreement with EO Sullivan for Community Engagement Consulting Services to Focus on Funding Options for Municipal Facilities and Infrastructure Investment in the Amount Not-to-Exceed \$55,000**

**Summary:** In light of the park and recreation and fire department building investments that the community may consider, Staff have solicited proposals from firms that specialize in community engagement processes that focus on municipal facilities and infrastructure. Six firms participated in initial discussions, resulting in three proposals submitted for the Village's consideration.

Staff is now recommending entering into a contract with EO Sullivan based out of Libertyville, whose proposals and process are included in the Board packet. The project cost of \$55,000 would be funded from the Fiscal Year 2020 Capital Fund, in place of engineering work that was originally proposed for two parking lot projects that are now being deferred to a future fiscal year.

Village Manager Ray Keller gave background information and explanation of the proposal and introduced Ed Sullivan, of E O Sullivan, who explained the service. Collin Corbett, E O Sullivan, went through the Phases one through four and then answered the Board's questions which included: number of residents on the committee and hours of commitment, how to choose committee members, other communities they have helped, timeframe, defining results, screened calls, choice of survey questions, community involvement and community meetings. Trustee Gannon questioned staff about which parking lots were not going to be paved in the 2020 budget to provide the monies for this service. V.M. Keller said that the Station #1 and Buffalo Creek facility were not going to be repaved this year.

**Recommended Action:** A motion was made by Mayor Poynton, seconded by Trustee Beaudoin, to approve the agreement with EO Sullivan for Community Engagement Consulting Services in the Amount Not-to-Exceed \$55,000.

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

NAYS: 1 Trustee Gannon.

ABSENT: 0

MOTION CARRIED.

**9. TRUSTEE REPORTS AND COMMENTS**

Trustee Euker read the following statement. "At this time, and on behalf of myself and Trustee Spacone, I would like to request Ray and staff to place on the agenda for the next VOLZ meeting a voting item to exercise the rescind clause in the 2017 LPOA/VOLZ agreement contained in Section 11 and, further, to rescind the Municipal Code Section 7. After reviewing the 2017 agreement and the rescind clause and being contacted by many taxpayers, I want to be completely transparent that I am no longer in favor of the Village being in the enforcement endeavors on a private lake as it is inequitable to the vast majority of taxpayers and an unprecedented endeavor that is an unnecessary expense and use of the taxpayers dollars".

**10. VILLAGE MANAGER'S REPORT**

There was no report.

11. DEPARTMENT HEAD REPORTS

There were none.

12. ADJOURNMENT

Motion to adjourn was made by Mayor Poynton, seconded by Trustee Sprawka.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Meeting adjourned at 8.21pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

4-13-2020

Date.

