

AMENDED\*  
**LAKE ZURICH BOARD OF TRUSTEES  
REGULAR MEETING  
70 East Main Street**

Monday, April 7, 2008

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 7:32 pm.

Present were Village President Tolomei, Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor. Also present were Village Administrator Vitas, Village Attorney Burkland, Assistant Public Works Director Duprey, Fire Chief Mastandrea, Park Director Perkins, Building/Zoning Director Peterson, Police Chief Urry and Finance Director Zochowski.

**2. PLEDGE OF ALLEGIANCE**

**3. PRESIDENT'S REPORT**

A. Proclamation, *Special Needs Athletic Program (S.N.A.P.) Day, April 25, 2008*

A proclamation recognizing April 25, 2008 as *Special Needs Athletes Day* was read by Village Clerk Palmblad. Spring Green, Program Coordinator, thanked the Village and its residents for their support over the last 10 years. This program is self-funded and relies totally on donations. Funding is supplemented by the sale of t-shirts and this year, from the sale of special cookies at Old World Bakery.

B. Proclamation honoring the *Lake Zurich Flames Elite 3 All-Stars*

A proclamation recognizing the highlights of the *Lake Zurich Flames Elite 3 All-Stars* was read by Clerk Palmblad. The cheerleaders came forward to receive their own proclamation as they were congratulated by Village President Tolomei. President Stephanie Zimmermann thanked the girls for all their hard work.

C. Proclamation, *Telecommunicator Week, April 13-19, 2008*

A proclamation, recognizing April 13-19, 2008 as *Telecommunicator Week*, was read by Village Clerk Palmblad.

D. Proclamation, *Alcohol Awareness Month, April 2008*

A proclamation, recognizing the month of April, 2008 as *Alcohol Awareness Month*, was read by Village Clerk Palmblad.

E. Presentation of *Certificate of Achievement for Excellence in Financial Reporting for FY 2007* from Government Finance Officers Association to Albert Walczak, Assistant Finance Director and Finance Department

The Government Finance Officers Association awarded the Village of Lake Zurich, for the 18<sup>th</sup> straight year, the Certificate of Achievement for Excellence in Financial Reporting for fiscal year 2007. This achievement is marked every year with a plaque. Finance Director Zochowski announced this achievement takes professionalism and expertise from the entire Finance Department in order to attain this high standard. The entire Finance Department was on hand to receive this recognition and was congratulated on a job well done.

- F. Presentation of *IMAP Accreditation 2007 award* from IRMA to former Safety Chairman Mike Brown, General Services Superintendent, Public Works Dept.

Safety Chairman Brown applauded the Departments for their assistance with IRMA's inspections. Thanks to their fine work, the Village of Lake Zurich has been excused from IRMA inspections for the next six years. A plaque was presented to Chairman Brown from President Tolomei on behalf of IRMA.

#### **4. PUBLIC COMMENT**

Dave Brask, 41 East Main Street, referenced a letter he received from the Lake Zurich Lions Club where they proposed to close Main Street for a week during the Alpine Day festival. Mr. Brask spoke to many of the business owners downtown and the general consensus preferred the road not be closed.

Tirtha Roy, 1025 Cedar Creek Drive, is concerned the value of his house will depreciate if the proposed business developments are built on the north and south sides of Route 22, west of Quentin Road.

Vince , 350 Victor Lane, spoke against rezoning the property south of Route 22 and west of Quentin to commercial.

Joe Eschenbaum, 1290 Berkley Road, agrees with previous comments and he strongly opposes any commercial development at both the southwest and northwest corners of Route 22 and Quentin Road. Traffic and safety are their two major concerns and asked the Board to consider these issues.

Suresh Sajnani, 332 Victor Lane, also opposes commercial development at the southwest corner of Route 22 and Quentin Roads.

Vijay Belur, 316 Victor Lane, spoke against commercial development at the Quentin Road and southwest corner of Route 22.

President Tolomei reminded the residents the property they are speaking about is currently not incorporated within Village of Lake Zurich limits. The developer has submitted documents to the county for approval with very large commercial buildings.

Larry Hoofnagle, 55 Fern Road, vehemently opposes any development at the southwest corner. The buffer that was referred to by the developer would need to be improved upon.

**5. PUBLIC HEARING** to allow for public comments regarding proposed Budget Fiscal Year 2009

The hearing was open to the public for comments at 8:12 pm.  
No comments were presented from the public.  
The public hearing closed at 8:13 pm.

**6. APPROVAL OF MINUTES**

A. Regular Village Board meeting March 17, 2008

MOTION was made by Trustee Taylor, seconded by Trustee Callahan, to approve the Regular Village Board meeting minutes of March 17, 2008.  
Voice vote, all in favor.  
MOTION CARRIED

B. Special Joint meeting with Kildeer March 27, 2008

MOTION was made by Trustee Taylor, seconded by Trustee Poynton, to approve the Special Joint meeting with Kildeer meeting minutes of March 27, 2008.  
Voice vote, all in favor.  
MOTION CARRIED

C. Special Village Board meeting March 31, 2008

MOTION was made by Trustee Johnson, seconded by Trustee Branding, to approve the Special Village Board meeting minutes of March 31, 2008.  
Voice vote, all in favor.  
MOTION CARRIED

**7. CONSENT AGENDA**

President Tolomei requested item J be removed from the Consent Agenda until the project is ready to move forward.

Trustee Poynton requested verification that Item I, Paulus Park internal fence, was for a four foot fence in the amount of \$39,500. Park Director Perkins concurred.

A. Warrant dated April 7, 2008. The Finance Committee recommends approval and the Board of Trustees approves the Warrant dated April 7, 2008 in the amount of \$242,887.99 which includes the following items over 5% of the total:

1. Radicom Inc.	\$68,721.92	28.29%
2. North American Salt	\$37,404.17	15.40%
3. Holland & Knight	\$22,802.00	9.39%
4. Hendrickson	\$16,656.00	6.86%
5. Bell Fuels	\$15,299.87	6.30%

B. Alpine Race, September 7, 2008. The Public Works Committee recommends approval and the Board of Trustees approves A Resolution seeking permission from IDOT and Lake County to close roads for the annual Alpine Race on

September 7, 2008, and use of Paulus Park with payment of standard fees.  
(Assign RES. #2008-04-07A)

- \* C. Contract for water conditioning rock salt. The Public Works Committee recommends approval and the Board of Trustees approves a contract with Morton Salt in the amount of \$71.48 per ton controlled dump deliveries for Wells 8, 9, 10, and 12 and \$76.30 per ton for pneumatic delivery for Well 7, which was the lowest total amount among the solicited quotes, with waiver of the formal bidding process.
- D. Resolution approving a plat of dedication for 462 N. Old Rand Road. The Public Works Committee recommends approval and the Board of Trustees approves A Resolution Approving a Plat of Dedication. (Assign RES. #2008-04-07B)
- E. OSLAD grant, Paulus Park Phase II and revision to Paulus Park Master Plan. The Public Works Committee recommends approval and the Board of Trustees approves a contract with Thompson Dyke and Associates in the amount of \$12,550 with out-of-pocket expenses not to exceed an additional 15% of the professional fee, for grant preparation and revisions to Master Plan for Phase II of Paulus Park.
- F. Amendment to Municipal Code for ambulance transport fees. The Finance Committee recommends approval and the Board of Trustees approves AN ORDINANCE AMENDING SECTION 4-1A-10 OF THE LAKE ZURICH MUNICIPAL CODE RELATED TO CERTAIN FEES FOR AMBULANCE SERVICES. (Assign ORD. #2008-04-553)
- G. Amendment to Municipal Code for fire re-inspection fees. The Finance Committee recommends approval and the Board of Trustees approves AN ORDINANCE AMENDING CHAPTER 9 OF TITLE 8 OF THE MUNICIPAL CODE PERTAINING TO FIRE RE-INSPECTION FEES. (Assign ORD. #2008-04-554)
- H. Ordinance declaring certain items as surplus property. The Committee of the Whole recommends approval and the Board of Trustees approves AN ORDINANCE DECLARING CERTAIN ITEMS AS SURPLUS PROPERTY. (Assign ORD. #2008-04-555)
- I. Paulus Park internal fence proposal. The Committee of the Whole recommends approval and the Board of Trustees approves the contract with Universal Fence, Inc. in the amount of \$39,500 for replacement of the fence north of The Barn to the northern limits of Paulus Park with a four-foot Elite Model Commercial Lifeguard-style fence.

MOTION was made by Trustee McAvoy, seconded by Trustee Taylor, to approve the Consent Agenda as read.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

## 8. ADMINISTRATOR'S REPORT

No report.

**9. ATTORNEY'S REPORT**

No report.

**10. COMMITTEE AND TRUSTEE REPORTS**

No report.

**11. OTHER BUSINESS**

- A. Ordinance amending Section 3-2-5 of Lake Zurich Municipal Code relating to Elevator Inspections. Consideration of AN ORDINANCE AMENDING SECTION 3-2-5 OF THE LAKE ZURICH MUNICIPAL CODE RELATING TO ELEVATOR INSPECTIONS to finalize the elevator safety program regulations. (Assign ORD. #2008-04-552)

Building/Zoning Director Peterson reminded everyone the Village has begun their own elevator self-inspection program with the State Fire Marshal that includes required standards for elevator safety, inspections and maintenance. These standards have been posted the required 30 days and the Department is looking for adoption of this ordinance to begin enforcing the safety inspection program.

MOTION was made by Trustee Johnson, seconded by Trustee Branding, to approve the ordinance amending Section 3-2-5 of the Lake Zurich Municipal Code relating to Elevator Inspections, ordinance #2008-04-552.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

- B. Automated Red Light Enforcement Program. Consideration of a contract with GATSO subject to establishment of local administrative adjudication system.

Administrator Vitas mentioned the contract is currently near a final draft but would like to defer this matter for two weeks in order to allow time for Gatso to respond to our questions.

- C. Review of executive session minutes. Approval of release of executive session minutes.

MOTION was made by Trustee Taylor, seconded by Trustee Poynton, to approve the release of executive session minutes as listed.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

**Other Business:****Churchill Property**

President Tolomei requested the Board's viewpoints on the proposed development of the Churchill property. Mayor Stefaniak is seeking approval of the concept plan for the property located at Cuba and Route 12. Several combined meetings have been held with members from both Villages in attendance. President Tolomei feels all three pieces of properties; Cedar Hill (northwest corner of Route 22 and Quentin), Cummings (southwest corner of Route 22 and Quentin) and the Churchill (northeast corner of Cuba and Route 12), should be resolved simultaneously. Several weeks have passed since the Churchill plans were discussed and the Village of Kildeer is seeking our approval to continue.

Trustee Poynton stated the northern developments proposed on the Cedar Hill and Cummings property will never be close to impacting the Village of Kildeer as the two big retail boxes proposed for the Churchill property will impact the residents from the Village of Lake Zurich.

Trustee Taylor stated the Churchill developer has addressed some of the Village's earlier concerns, especially by adding an entrance from Cuba Road to alleviate the stress on South Old Rand Road.

Trustee Branding agrees with others concerning the proposed large buildings and is totally against de-annexing any Lake Zurich property.

Administrator Vitas had previously suggested the Village conditionally approve the concept plan for the Churchill property and include a list of issues in order to continue an open dialogue.

To summarize, President Tolomei feels the main issues are: big box density, setbacks, de-annexation, ingress/egress as shown, flooding, revenue sharing, and resolution to the northwest and southwest developments.

Trustee McAvoy stated his uncertainty is whether this area can support both a Home Depot and a Lowe's and the possibility of another vacant big box.

Trustee Callahan also dislikes the plan to build two big retail boxes but would consider one big box and smaller retail buildings at this location.

Trustee Johnson feels the economic issues need to be resolved before moving forward and accepting the concept plan.

Currently, the Village of Kildeer could develop the Churchill property without our input, as long as it abides by the intergovernmental agreement as far as codes, sharing revenue produced from this development, and both Village's come to an agreement on the sewer service. The Village of Kildeer could potentially wait until the agreement terminates in 2013 to develop and keep all sales tax within the Village of Kildeer. It

would be in the Village of Lake Zurich's best interest to continue working with them in order to share sales tax revenue, possibly in perpetuity. The Village of Kildeer is working with us now in hopes of acquiring a small portion of land from Lake Zurich so their project could include the two large retail boxes.

The Board continued to discuss the individual issues but struggled with coming to some consensus.

President Tolomei will advise the Village of Kildeer that the Village of Lake Zurich will consider accepting the two big boxes of retail on condition of better shielding from our residents, revenue split, economic analysis, ingress/egress remain as shown, consideration of smaller stores with only one big box, flood issues on Windemere, and is conditional to agreement with northern two properties.

### 2008 Street Maintenance Program

Village Administrator Vitas announced the MFT funds will not be sufficient to cover the full cost of the work planned for the 2008 street maintenance program. The Village has had a plan in place, the last 5 to 7 years, to improve roads each year somewhere around one million dollars; with 50% coming from the MFT funds and 50% from the general fund. Due to the budget crunch this year, it was suggested we not accept this year's bid and spend \$60,000 to \$80,000 of the MFT funds for three specific roads in drastic need of repair that were not included in this bid, and save the balance for next year's road improvements. The Village does have the option of accepting new bids for half the project equaling this year's MFT funds. However, \$120,000 could be used for improvements near the high school. Staff was directed to look at our options and be prepared to discuss further at next week's Public Works Committee meeting.

## **12. ADJOURNMENT**

MOTION was made by Trustee Callahan, seconded by Trustee Johnson, to adjourn the meeting.

Voice vote, all in favor.

MOTION CARRIED

Meeting adjourned at 9:30 pm.

Respectfully submitted: *Gloria M. Palmblad, Village Clerk*

Approved by: \_\_\_\_\_  
President John G. Tolomei

\*Amended