

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

Monday, June 2, 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, Deputy Police Chief Finlon, Public Works Director/Engineer Heyden, Fire Chief Mastandrea, Park Director Perkins, Building/Zoning Director Peterson and Finance Director Zochowski.

2. PLEDGE OF ALLEGIANCE

3. PRESIDENT'S REPORT

4. PUBLIC COMMENT

Judy Thode, 52 & 58 Robertson, thanked the Board for their consideration and urged them to vote for the Flint Creek Watershed Plan under the Consent Agenda this evening.

5. APPROVAL OF MINUTES

A. Regular Village Board meeting May 19, 2008

MOTION was made by Trustee McAvoy, seconded by Trustee Callahan, to approve the Regular Village Board meeting minutes of May 19, 2008.

Voice vote, all in favor.

MOTION CARRIED.

B. Special Village Board meeting May 27, 2008

MOTION was made by Trustee Poynton, seconded by Trustee McAvoy, to approve the Special Village Board meeting minutes of May 27, 2008.

Voice vote, all in favor.

MOTION CARRIED.

6. CONSENT AGENDA

Trustees Poynton and Taylor requested Item J be removed from the Consent Agenda for further discussion under Other Business.

Village Attorney Burkland requested item M be removed from the Consent Agenda since the proposed ordinance does not meet the regulations of the Special Use ordinance already in place on this property.

A. Warrant dated June 2, 2008. The Finance Committee recommends approval and the Board of Trustees approves the Warrant dated June 2, 2008 in the amount of \$1,165,789.70 which includes the following items over 5% of the total:

1. Bank of New York	\$357,411.29	30.66%
2. Wells Fargo Bank	\$248,087.50	21.28%
3. Manusos General Contracting	\$221,908.50	19.03%
4. Illinois EPA	\$ 65,107.30	5.58%

- B. Parekh, 284 Hanbury Drive, rear yard variation for patio. The Planning and Development Committee recommends approval and the Board of Trustees approves AN ORDINANCE GRANTING A VARIATION FOR 284 HANBURY DRIVE. (Assign ORD. #2008-06-567)
- C. Prevailing wage rate ordinance. The Public Works Committee recommends approval and the Board of Trustees approves AN ORDINANCE ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, MECHANICS, AND OTHER WORKERS FOR LAKE ZURICH PUBLIC WORKS PROJECTS AS OF JUNE 2008. (Assign ORD. #2008-06-568)
- D. 258 Clair View, retaining wall modification to Land Development Code. The Board of Trustees approves AN ORDINANCE APPROVING A MODIFICATION FROM THE LAKE ZURICH LAND DEVELOPMENT CODE FOR A RETAINING WALL AT 258 CLAIR VIEW COURT. (Assign ORD. #2008-06-569)
- E. Resolution adopting Flint Creek Watershed Plan. The Public Works Committee recommends approval and the Board of Trustees approves a Resolution Adopting the Flint Creek Watershed Plan. (Assign RES. #2008-06-02A)
- F. Resolution accepting a plat of easement on high school property for sewer line. The Public Works Committee recommends approval and the Board of Trustees approves a Resolution Approving a Plat of Easement on the high school property for a sewer line. (Assign RES. #2008-06-02B)
- G. Resolution accepting a plat of consolidation for Schweda, N. Old Rand Road. The Public Works Committee recommends approval and the Board of Trustees approves a Resolution Approving a Plat of Consolidation for Schweda property on North Old Rand Road. (Assign RES. #2008-06-02C)
- H. Resolution accepting a plat of consolidation for Hansen, N. Old Rand Road. The Public Works Committee recommends approval and the Board of Trustees approves a Resolution Approving a Plat of Consolidation for Hansen property on North Old Rand Road. (Assign RES. #2008-06-02D)
- I. Resolutions with IDOT for maintenance of streets. The Public Works Committee recommends approval and the Board of Trustees approves:
- 1) A Resolution for contractual service with IDOT for installation of pavement surface in the amount of \$70,022.00 (Assign RES. #2008-06-02E); and
 - 2) A Resolution for Public Works to complete necessary patching, storm sewer, curb and sidewalk repairs in the amount of \$287,085.00. (Assign RES. #2008-06-02F)
- K. Consultant services for Bristol Trail project. The Public Works Committee recommends approval and the Board of Trustees approves a contract with Thompson Dyke & Associates in the amount of \$39,500 for consultant services

for Bristol Trail park, with reimbursable expenses not to exceed an additional \$4,345.

- L. Paulus Park Phase II, OSLAD grant application. The Public Works Committee recommends approval and the Board of Trustees approves the Paulus Park Phase II Master Plan for submittal of an OSLAD matching grant application.
- N. Agreement with GAS for Mionske Pond. The Committee of the Whole recommends approval and the Board of Trustees approves a Professional Services Agreement with Graef, Anhalt, Schloemer & Associates, Inc. (GAS) in the amount of \$32,025 for basic services to provide construction documents for the Mionske Pond improvements.

MOTION was made by Trustee Johnson, seconded by Trustee Poynton, to approve the Consent Agenda as read, minus items J and M.

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

NAYES: 0

ABSENT: 0

MOTION CARRIED

7. ADMINISTRATOR'S REPORT

No report.

8. ATTORNEY'S REPORT

No report.

9. COMMITTEE AND TRUSTEE REPORTS

Trustee Branding requested additional discussion on the Charette process scheduled for the following week. President Tolomei stated this will be discussed under Other Business.

10. OTHER BUSINESS

- A. Courtesy review referral. Geremarie Corporation, Donata Court, 8.64 acres, request for coating, engraving and allied services.
No additional information was provided. This item will now move forward to the appropriate Boards and Commissions for further review without recommendation from the Board.
- B. Courtesy review referral. Wicklow Village cluster homes, request for PUD amendment to permit decks/patios.
No additional information was provided; however, President Tolomei did not receive an unanimous approval to move forward for review. A roll call was taken to determine the outcome. A majority of the Board approved this item moving forward to the appropriate Boards and Commissions for further review without recommendation from the Board.
- C. Lake Michigan Water Feasibility Study. Consideration of a contract with Applied Technologies in the amount not to exceed \$24,900 for the Lake Michigan Allocation Study subject to cost related information prior to approval.

Public Works Director/Engineer Heyden attended a "Save the Water" seminar held last week for all Lake County municipalities. If the Lake Michigan water feasibility study is approved, it will determine the Village of Lake Zurich's allocation, which will be ours to use, if desired. The allocation study is scheduled to be complete by the end of the year. Public Works Director/Engineer Heyden updated the Board on current aquifer conditions and answered questions from the Board. If water is secured from Lake Michigan in the future, several Village wells will stay on line for emergency purposes.

MOTION was made by Trustee McAvoy, seconded by Trustee Callahan, to approve a contract with Applied Technologies in the amount not to exceed \$24,900 for the Lake Michigan Allocation Study.

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

NAYES: 0

ABSENT: 0

MOTION CARRIED

Consent Agenda Items:

- J. Request to hold Lake County Triathlon, August 10, 2008. The Public Works Committee recommends approval and the Board of Trustees approves a Resolution seeking permission from IDOT to close roadways for the Lake County Triathlon on August 10, 2008. (Assign RES. #2008-06-02G)

Trustee Taylor requested additional information from the LPOA who plan to host this event this year. Three different organizations have stepped up to run the Triathlon event since February, with two withdrawing their applications. Staff provided a chronological timeline of events that has led up to today. If the LPOA is given the Board's approval to sponsor this event, now known as the Lake County Triathlon, the prior resolution will need to be rescinded.

Final action to rescind this resolution needs to be posted on an agenda for a minimum of 48 hours. This will allow time for the Village Attorney to write this resolution. Action to approve the request to hold the triathlon; however, could be taken today stated Village Attorney Burkland.

MOTION was made by Trustee Poynton, seconded by Trustee Callahan, to approve the Resolution seeking permission from IDOT to close roadways for the Lake County Triathlon of Lake Zurich on August 10, 2008, and is conditioned upon receipt of organizer submitting appropriate forms for insurance coverage and waiver of documents for liability.

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

NAYES: 0

ABSENT: 0

MOTION CARRIED

- M. Cricket Communications, 690 June Terrace, special use for antennas. The Planning and Development Committee recommends approval and the Board of

Trustees approves AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR 690 JUNE TERRACE (CROWN CASTLE TOWER). (Assign ORD. #2008-06-570)

Village Attorney Burkland recommended the Board table this item until the petitioner either complies with the current special use permit or seeks alternative relief.

MOTION was made by Trustee Johnson, seconded by Trustee Callahan, to table this ordinance until the Village receives revised plans.

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

NAYES: 0

ABSENT: 0

MOTION CARRIED

Other Business:

A copy of the Lake Zurich Charette schedule was distributed by President Tolomei. Trustee Branding requested more evening and weekend hours be added to the schedule and suggested this be delayed for several weeks to allow adequate time to get the word out to all interested parties. Both Trustees Johnson and Poynton concurred.

Trustee Taylor reminded everyone the planners only have four months to complete this process as agreed upon in the signed contract. President Tolomei stated postponing the Charette with Torti Gallas could mean waiting until the fall and an opening in his schedule. Trustee Callahan also suggested a Stakeholder session be held on Saturday.

In the past several weeks, residents have made comments they were not aware of opportunities for community input in developing the previous plans. President Tolomei read a prepared list of meetings held during 2002 through 2005 for the purpose of collecting resident input.

Trustee Branding complained about the Charette being scheduled too soon to get the word out, no time scheduled for residents to provide input, and that the stakeholder sessions were for invited guests only.

Trustee Taylor reminded Trustee Branding this was how the Charette was presented to the Village and what they were hired to do. Any delay in holding the Charette will hurt the Village. President Tolomei reminded everyone the Village is in a serious financial situation due to these delays. The Village has a contract with highly talented people that have been hired to plan the downtown.

Village Administrator Vitas gave his explanation of what a Charette process entails and strongly encouraged residents and stakeholders to participate. It was suggested prior information, collected from resident meetings held in 2002-2005, be submitted to Torti Gallas for review.

Many Board members offered suggestions to amend the schedule and allow for more resident input. President Tolomei challenged the Board members to write a description of their vision for downtown.

President Tolomei will contact Torti Gallas to see what changes, if any, could be made to the proposed schedule.

Comments:

Trustee Callahan congratulated the recent graduates of Lake Zurich; especially, Administrator Vitas' daughter and Trustee Callahan's son.

11. ADJOURNMENT

An Executive Session was called for the purpose of discussing pending, probable, or imminent litigation and potential property transfer.

MOTION was made by Trustee McAvoy, seconded by Trustee Callahan, to reconvene to Executive Session and not reconvene to open session.

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

NAYES: 0

ABSENT: 0

MOTION CARRIED

Meeting adjourned at 8:42 pm.

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

Approved by: _____
President John G. Tolomei