

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

Tuesday, September 2, 2008

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

The meeting was called to order at 7:30 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, Park Director Perkins, Building/Zoning Director Peterson, Deputy Fire Chief Wheelock and Finance Director Zochowski.

**2. PLEDGE OF ALLEGIANCE**

**3. PRESIDENT'S REPORT**

A. Certificates of Appreciation for Bill Kehrmann and volunteers in Environmental Education Program.

Public Works Director/Engineer Heyden, on behalf of the Village of Lake Zurich, thanked Scout Bill Kehrmann and his volunteers for their assistance in initiating and completing this project. A description of the Environmental Education Program was given. Scout Bill Kehrmann was congratulated for receiving his Eagle Scout ranking upon completion of this project.

**4. PUBLIC COMMENT**

Jim Tarbet, 1195 Cedar Creek Dr., spoke regarding the Ela Township tree requirements listed on the evening's Consent Agenda. Mr. Tarbet suggested trees be planted on the Knox Park property before adding more to Knigge Park and the township garage property.

**5. APPROVAL OF MINUTES**

A. Regular Village Board meeting August 18, 2008

MOTION was made by Trustee McAvoy, seconded by Trustee Callahan, to approve the Regular Village Board meeting minutes of August 18, 2008.

Voice vote, AYES have it. Trustee Branding abstained.

MOTION CARRIED.

**6. CONSENT AGENDA**

Trustee Johnson requested Item F be removed for further discussion. Trustee Branding requested Item A also be removed for further discussion.

B. Goodwill Store and Donation Center, 746 S. Rand Road. The Planning and Development Committee recommends approval and the Board of Trustees

approves AN ORDINANCE APPROVING A SPECIAL USE PERMIT AND EXTERIOR APPEARANCE PLANS FOR 746 S. RAND ROAD. (Assign ORD. #2008-09-576)

- C. Geremarie Corporation, Lot 1 Donata III subdivision. The Planning and Development Committee recommends approval and the Board of Trustees approves AN ORDINANCE AMENDING THE TEXT OF THE ZONING CODE AND GRANTING A SPECIAL USE PERMIT, SITE PLAN APPROVAL, AND EXTERIOR APPEARANCE APPROVAL FOR DEVELOPMENT LOT 1 DONOTA SUBDIVISION, GEREMARIE CORPORATION. (Assign ORD. #2008-09-577)
- D. Resolution supporting Lake County Board's pursuit for State Capital Funding Bill for transit and highway needs. The Public Works Committee recommends approval and the Board of Trustees approves a Resolution Supporting Lake County Board's Pursuit For State Capital Funding Bill For Transit And Highway Needs. (Assign RES. #2008-09-02A)
- E. State joint purchasing bid for rock salt. The Public Works Committee recommends and the Board of Trustees approves the filing of a protest with the State's Central Management Services agency of the current bid process for rock salt and a request that the rock salt procurement program be re-bid and authorizing the Village Administrator to purchase up to 2,000 tons of rock salt if necessary through alternate sources.
- G. Resolution appointing Nancy Pankiw, Human Resources Manager as Authorized Agent for IMRF. The Committee of the Whole recommends approval and the Board of Trustees approves A Resolution appointing Nancy Pankiw, Human Resources Manager as Authorized Agent for IMRF. (Assign RES. #2008-09-02B)
- H. Resolution appointing Nancy Pankiw, Human Resources Manager as Alternate to IRMA. The Committee of the Whole recommends approval and the Board of Trustees approves A Resolution appointing Nancy Pankiw, Human Resources Manager as Alternate to IRMA. (Assign RES. #2008-09-02C)

MOTION was made by Trustee Poynton, seconded by Trustee Johnson, to approve the Consent Agenda as read.

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

NAYES: 0

ABSENT: 0

MOTION CARRIED

## 7. ADMINISTRATOR'S REPORT

Village Administrator Vitas provided an update on the acquisition of rock salt for the upcoming winter. The Village was able to secure enough salt for snow accumulations no greater than 40" at a price of \$127.46 per ton delivered.

Village Administrator Vitas described a summary of topics recently discussed at a meeting with Ms. Diane O'Keefe from the Illinois Department of Transportation,

Village President Tolomei, Public Works Director/Engineer Heyden and Building/Zoning Director Peterson. Since this meeting, several parties have been in touch with Village staff and things seem to be getting resolved.

Village Administrator Vitas mentioned a letter addressed to President Tolomei was received from Midwest Real Estate Equities in regards to their decision to withdraw their request to develop the Churchill property. All contracts with residents and business owners along the northwest corner of the property have been terminated.

Trustee Poynton questioned whether the recent purchase of salt would terminate the protest recently filed. Village Administrator Vitas stated it would not make sense to continue with the protest, but should look into alternate products for the future due to the limited supply of salt.

#### **8. ATTORNEY'S REPORT**

No report.

#### **9. COMMITTEE AND TRUSTEE REPORTS**

No report.

#### **10. OTHER BUSINESS**

A. Courtesy review referral to appropriate hearing boards. Cricket Communications, 511 Capital Drive, request for special use permit for three new antennas at 110 feet.

No additional information was provided. This item will move forward to the appropriate Boards and Committees for review without recommendation from the Board.

B. Courtesy review referral to appropriate hearing boards. Equity Builders, LLC, Leapn' Lizards, 130 Oakwood Road request for special use permit for indoor playground.

Building/Zoning Director Peterson noted Equity Builders, LLC was to contact the Village by today with a possible alternate location. Since this transaction did not take place, Village Attorney Burkland suggested this item be tabled until the next Board meeting. This will allow time for the petitioner to provide the Village with an alternate location or for the Village Attorney to prepare an ordinance to summarily deny their request.

MOTION was made by Trustee Johnson, seconded by Trustee Branding, to table this courtesy review for two weeks.

Voice vote, all in favor.

MOTION CARRIED

#### Consent Agenda:

A. Warrant dated September 2, 2008. The Finance Committee recommends approval and the Board of Trustees approves the Warrant dated September 2,

2008 in the amount of \$652,166.83, which includes the following items over 5% of the total:

1. Manusos General Contracting	\$217,221.43	33.31%
2. Maxim Construction Corp.	\$96,071.44	14.73%
3. Special Recreation Assoc.	\$89,483.62	13.72%
4. Holland & Knight	\$37,930.07	5.82%

Trustee Branding questioned whether several items listed on the warrant under Holland and Knight's invoice that referenced legal issues regarding local government official pertained to her conflict of interest issue. Village Attorney Burkland stated that would be his educated response without having the warrant for him to view.

MOTION was made by Trustee Callahan, seconded by Trustee McAvoy, to approve the Warrant dated September 2, 2008 in the total amount of \$652,166.83.

AYES: 5 Trustees Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

ABSTAIN: 1 Trustee Branding

MOTION CARRIED

- F. Ela Township tree requirements. The Board of Trustees concurs with the recommendation of the Tree Commission and directs the Village Attorney to prepare an Intergovernmental Agreement for approval by Ela Township and the Village of Lake Zurich.

Trustee Johnson summarized what has transpired between the Village of Lake Zurich, the Tree Commission and Ela Township to date. He further explained his frustration by the continuous requests and changes being made after an agreement or compromise had been reached. Trustee Johnson described another site currently under development and requested an explanation as to why these two situations differ. Director Peterson explained this situation is entirely different than that on Country Club Road.

Al Froedhe, Tree Commission Member, reiterated 112 trees were removed without approval. Village ordinance states the penalty for this error requires 281 trees be planted. A new landscape plan was proposed and approved; however, additional trees still need to be planted to meet the penalty and will be placed in other areas. The Township has until May 31, 2013 to plant the total of 281 trees.

MOTION was made by Trustee Callahan, seconded by Trustee Taylor, to approve the Ela Township tree requirements and direct the Village Attorney to prepare an Intergovernmental Agreement for approval by Ela Township and the Village of Lake Zurich.

AYES: 5 Trustees Branding, Callahan, McAvoy, Poynton, and Taylor

NAYES: 1 Trustee Johnson

ABSENT: 0  
MOTION CARRIED

11. **EXECUTIVE SESSION** for the purpose of discussing a personnel matter and labor contracts.

MOTION was made by Trustee Taylor, seconded by Trustee McAvoy, to adjourn to Executive Session for the purpose of discussing personnel matters and ratification of collective bargaining agreements, and reconvene to open session.

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

NAYES: 0

ABSENT: 0

MOTION CARRIED

Meeting adjourned to the Conference room at 8:10 pm.

Meeting reconvened to the Board room at 9:52 pm with a quorum present.

A. Ratification of Collective Bargaining Agreement. Consideration of Agreement Between the International Union Of Operating Engineers, Local 150, Public Employees Division and Village Of Lake Zurich.

MOTION was made by Trustee Poynton, seconded by Trustee Callahan, to approve the agreement between the International Union of Operating Engineers, Local 150, Public Employees Division and Village of Lake Zurich.

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

NAYES: 0

ABSENT: 0

MOTION CARRIED

12. **ADJOURNMENT**

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

Voice vote, all in favor.

MOTION CARRIED

Meeting adjourned at 9:54 pm.

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

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