

APPROVED
LAKE ZURICH BOARD OF TRUSTEES
REGULAR MEETING
70 East Main Street
Monday, November 5, 2012

1. **CALL TO ORDER** by Village President Suzanne Branding at 7:00 PM.
2. **ROLL CALL:** Village President Suzanne Branding, Trustee Jeff Halen Trustee Terry Mastandrea, Trustee Tom Poynton, Trustee Jonathan Sprawka, and Trustee Rich Sustich. Trustee Dana Rzeznik was excused. Also present: Village Manager Jason Slowinski, Asst. Village Manager Roy Witherow, Village Attorney Scott Uhler, Building/Zoning Dir. Dan Peterson, Public Works Dir./Engineer Dave Heyden, Police Chief Pat Finlon, Fire Chief Dave Wheelock, Finance Director Jodie Andrew, and Director of IT Michael Duebner.
3. **PLEDGE OF ALLEGIANCE** – Led by Cub Scout Pack
4. **PUBLIC COMMENT** - None
5. **PRESIDENT'S REPORT**

A. Presentation of Police Pension Municipal Compliance Report

John Filantres, President of the Lake Zurich Police Pension Board, presented their request for the tax levy as stated in their letter to the Board of Trustees dated October 29, 2012 and presented the highlights. Mr. Filantres said according to their actuarial report, the Village must levy a minimum amount of \$1,222,822. The pension board recommends the Village levy the suggested actuarial amount of \$1,258,003.00 to meet actuarial requirements of the fund. They concur with Finance Director Andrew's assumption of 6.75% investment rate and thanked her for her assistance.

B. Presentation of Firefighters Pension Municipal Compliance Report

Fire Department Lt. David Pilgard summarized the information in a letter to President Branding from the Firefighters Pension Board dated October 31, 2012. Based upon an actuarial evaluation performed by Art Tepfer, they are requesting a levy of \$1,827,742. Finance Director Andrew explained the two types of methodology that can be used with one being an entry age normal and the other projected unit cost. She stated that Village Attorney Sharp recommended a levy of \$1.7 million.

C. Community Update

President Branding introduced the new IT Director Michael Duebner and welcomed him to the Village. She said the Lake Zurich Bears football team is moving to the quarter finals and wished them well. President Branding said the electrical aggregation is in place now and suggested residents visit www.mycomedbill.com and visit the Village website for further information. She said the Village of Lake Zurich will participate in the Metropolitan Mayor's Caucus. All are encouraged to participate in the food drive for Hoboken, NJ due to the aftermath of the recent storm. New Age Transportation will store the food and transport it.

6. CONSENT AGENDA – Read by Recording Secretary McKay

Trustee Sustich asked that Item 6-A, Minutes, and Item 6-C, Illinois Emergency Telecommunicator Response Task Force, be removed from the Consent Agenda.

- A. Minutes of the Village Board Meeting, October 15, 2012.** – Removed
- B. Ordinance declaring certain personal property items as surplus.** (Assign ORD. #2012-11-863)

Summary: Village staff has determined that the items listed with the proposed ordinance are no longer necessary, useful or for the best interests of the Village to retain ownership. The proposed ordinance declares the personal property as surplus and authorizes the Manager to direct the sale or disposal of the items in the most appropriate manner to be consistent with the State Statute.

- C. Illinois Emergency Telecommunicator Response Task Force.** - Removed.
- D. Dedication of Improvements for LA Fitness, 825 South Rand Road.**

Summary: Oxford Lake Zurich, LLC, the property owner of 825 South Rand Road has completed the site improvements for the LA Fitness Facility located on the site. They have formally requested dedication of the “site improvements” and a release of their cash security. All site improvements have been inspected by staff and found to be acceptable. Village Code requires that upon acceptance of site improvements, the improvements are required to have a warranty bond in the amount of 10% for a period of one year following acceptance. The developer has requested that in lieu of the 10% warranty bond, he has agreed to deposit \$10,000 with the Village to guarantee the public improvements (water mains and appurtenances) and private irrigation system which has not yet been tested after installation. As the developer is the owner of the property and LA Fitness leases the facility, the developer has agreed to indemnify and hold the Village harmless from any defects in the workmanship and/or materials in connection with the other Site Improvements.

- E. Plat of Vacation for Utility Easement, 475 Capital Drive.**

Summary: Joel Schauer of Fairchild Industries is in the process of purchasing an existing building at 475 Capital Drive in the industrial park. The building is located on two lots that have not been consolidated and has a public utility easement running between the lots. His title company has requested that a Plat of Vacation for Utility Vacation be completed prior to the purchase. The requested Plat of Vacation has been submitted, reviewed and is ready for approval.

- F. Plat of Consolidation, 475 Capital Drive.**

Summary: Joel Schauer of Fairchild Industries is in the process of purchasing an existing building at 475 Capital Drive in the industrial park. The building is located on two lots that have not been consolidated and has a public utility easement running between the lots. His title company has requested that a Plat of Consolidation be completed prior to the purchase. The requested Plat of Consolidation has been submitted, reviewed and is ready for approval.

Motion made by President Branding to approve the Consent Agenda with Items 6 A and C removed, seconded by Trustee Poynton.

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik.

MOTION CARRIED.

A. Minutes of the Village Board Meeting, October 15, 2012.

Trustee Sustich asked that a typographical correction be made to the minutes and the roll call vote on Item D, *Newsline* be corrected to show that he voted Nay.

Motion made by President Branding, to approve the October 15, 2012 Board minutes as amended, seconded by Trustee Halen.

AYES: 4 President Branding, Trustees Halen, Poynton, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik.

ABSTENTION: 2 Trustees Mastandrea and Sprawka

MOTION CARRIED.

C. Illinois Emergency Telecommunicator Response Task Force. (Assign RES. #2012-11-05A)

Summary: The Illinois Telecommunicator Emergency Response Taskforce (IL-TERT) is an organization that provides emergency assistance in the form of trained telecommunicators to member agencies stricken by an emergency. This is similar to other mutual aid organizations such as MABAS and ILEAS. Because the Village of Lake Zurich operates a Public Safety Answering Point (PSAP), the Village is eligible to be an Active member. The Village must enter into an intergovernmental agreement to participate in this organization. It is recommended that the Village of Lake Zurich adopt a resolution allowing membership in this organization in order to more fully prepare the Village to respond to emergencies that may affect the area.

Trustee Sustich took exception to the word “reckless” in the transmittal letter discussing the proposed agreement although he understood it had legal connotations. Village Attorney Uhler said he did not see any legal problem with the proposed agreement but it was up to the Board if they wanted to recommend a change.

Motion made by President Branding to adopt a resolution allowing membership in Illinois Telecommunicator Emergency Response Taskforce, seconded by Trustee Mastandrea.

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik.

MOTION CARRIED.

7. OLD BUSINESS – None.

8. NEW BUSINESS

A. Dipiero's Restaurante, 17 E. Main Street, addition for kitchen (Trustee Mastandrea)

Summary: Robert Narcisi, the owner of the property located on 17 East Main Street, filed an application with the Village seeking approval of (i) site plans, and (ii) exterior appearance plans to construct an addition to the existing building on the Subject Property for new kitchen space, and to reconfigure and add additional parking spaces on the Subject Property classified in the Village's B-2 Central Business District and the DR (Downtown) Overlay District. The Lake Zurich Plan Commission conducted a public meeting on October 17, 2012, and unanimously recommended that the Board of Trustees approve the Application.

Motion made by Trustee Mastandrea, seconded by Trustee Poynton, to approve "An Ordinance Approving Site Plans and Exterior Appearance Plans for 17 East Main Street (Dipiero's Restaurante)" Assign ORD. 2012-11-864

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik.

MOTION CARRIED.

B. TIF District Lift Station Study (Trustee Halen)

Summary: The current Mionske lift station, located behind the old Police Building site on Main Street is antiquated, inefficient and lacks adequate capacity for the potential redevelopment of downtown. The Village performed a land swap with the Canadian National Railroad for the purposes of constructing a new lift station to handle all potential redevelopment on the south side of the railroad near the IDOT Route 22 bypass detention pond across from Concord Village. Our Engineering Consultant, Baxter & Woodman has submitted a contract to perform a study to verify downstream capacity, pipe size and location. Baxter & Woodman has been utilized by the Village for multiple utility projects over the past few years and has completed these projects on time and under budget. The charge for service to complete the proposed work is not to exceed a lump sum of \$23,000 which includes two months of flow monitoring of the downstream interceptor sewer. Should inadequate flow data be obtained, additional flow metering can be performed at a cost of \$815 per week.

Public Works Dir./Engineer Heyden stated the need for this study especially if the proposed hotel development moves forward. He answered questions posed by the Trustees. Methods to recapture costs for new development will need to be considered.

Motion made by Trustee Halen, seconded by Trustee Sustich, to approve the Contract between the Village of Lake Zurich and Baxter & Woodman, Inc. for engineering services for the TIF District Lift Station Study in an amount not to exceed \$23,000 with additional flow testing of \$815 per week if necessary.

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik.

MOTION CARRIED.

C. Semi-Monthly Warrant Register Dated November 5, 2012, Totaling \$1,092,581.67
(Trustee Sprawka)

Motion made by Trustee Sprawka, seconded by Trustee Halen, to approve the semi-monthly warrant register dated November 5, 2012, totaling \$1,092,581.67.

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik.

MOTION CARRIED.

9. TRUSTEE REPORTS – No reports

10. MANAGER'S REPORT

A. Bi-weekly Departmental reports as of October 19, 2012

B. Action Items and Recommendations

Village Manager Slowinski said the department heads have submitted the organizational analysis reports and the administrative staff is reviewing them. He would like to prepare specific action items and recommendations from the department heads reports and have them read and discussed as a group perhaps at a Committee of the Whole meeting and the Board concurred. He said he and his staff would be available for individual meetings additionally.

11. ATTORNEY'S REPORT –No separate report

12. DEPARTMENT HEAD REPORTS

A. Director of Building and Zoning Peterson: Third Quarter Industrial Vacancy Report.

13. ADJOURNMENT

Motion made by Trustee Sustich, seconded by Trustee Poynton, to adjourn.

AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Rzeznik.

MOTION CARRIED.

Meeting adjourned at 7:50 PM.

Respectfully submitted by: Janet McKay, Recording Secretary

Approved by:

/s/Suzanne K. Branding. Village President.

Date: 11/19/12