

APPROVED
LAKE ZURICH BOARD OF TRUSTEES
REGULAR MEETING
70 East Main Street
Monday, December 3, 2012

1. **CALL TO ORDER** by Village President Suzanne Branding at 7.01 PM.
2. **ROLL CALL:** Village President Suzanne Branding, Trustee Jeff Halen Trustee Terry Mastandrea, Trustee Tom Poynton, Trustee Dana Rzeznik, Trustee Jonathan Sprawka, and Trustee Rich Sustich. Also present: Village Manager Jason Slowinski, Asst. Village Manager Roy Witherow, Village Attorney Scott Uhler, Building/Zoning Dir. Dan Peterson, Finance Dir. Jodie Andrew, I/T Dir. Michael Duebner, Park and Rec. Interim Dir. Kathy Katz, Public Works Dir./Engineer Dave Heyden, Police Chief Pat Finlon, Fire Chief Dave Wheelock and Planning Manager Vijay Gadde.
3. **PLEDGE OF ALLEGIANCE** was led by Mrs. Gorman's 4th grade class from Sarah Adams School, and the Eagle Scouts and representatives from the Girl Scout troops being honored during the meeting.
4. **PUBLIC COMMENT**
There were none.
5. **PRESIDENT'S REPORT**
 - A. Proclamation Honoring Eagle Scout Kevin Perkowitz, Troop #964
 - B. Proclamation Honoring Eagle Scout Adam Griffith, Troop #964
 - C. Certificates Honoring Local Girl Scout Troops 1244, 547, 262, 376, 534, 1411, 63, 1490, and 942.
 - D. President Branding recognized Mrs. Gorman's 4th Grade class for raising over \$2000.00 for Hurricane Sandy victims. Also, the funds were matched by a donor.
 - E. Proclamation Honoring Susan T. Ragsdale, Executive Assistant/Deputy Village Clerk for 32 Years of Service. Former Mayors Hank Paulus and John Tolomei and Trustee Mastandrea addressed the meeting and honored Ms. Ragsdale.
 - F. Proclamation, National Drunk and Drugged Driving (3-D) Month, December 2012
 - G. Annual Schedule of Meetings for Calendar Year 2013. Atty. Uhler advised the Board to give consensus on the dates. The Board gave approval of the schedule by Voice Vote. AYES: 6, NAYS: 0, ABSENT: 0.
 - H. Community Update. President Branding reminded small businesses about their ability to join the electrical aggregation and information is on the village website.
6. **CONSENT AGENDA**
Trustee Sustich requested the removal of item E from the consent agenda.

- A. **Minutes of the Village Board Meeting, November 19, 2012**
- B. **Special Event Permit and Resolution for Iron Girl on June 16, 2013** (Assign RES. #2012-12-03A)

Summary: Stefanie Wertovich of Iron Girl has submitted an application for a special event permit to hold a Women Specific Triathlon on Sunday, June 16, 2013 in the Village. Their application has been reviewed by all the Village departments and submitted to the Park & Recreation Advisory Board. Approval of the

application as a profit organization and the resolution seeking approval from Illinois Department of Transportation for street closures is recommended.

C. Special Event Permit and Resolution for Lake Zurich Area Triathlon, July 14, 2013 (Assign RES. #2012-12-03B)

Summary: 3,2,1 Go! Event Promotions has submitted an application for a special event permit to hold a Triathlon on Sunday, July 14, 2013 in the Village. Their application has been reviewed by all the Village departments and submitted to the Park & Recreation Advisory Board. Approval of the application as a profit organization and the resolution seeking approval from Illinois Department of Transportation for street closures is recommended.

D. Series 2013 Bond Issuance (Assign ORD. #2012-12-874)

Summary: During February of 2009, the Village issued Taxable General Obligation Funding Bonds (Alternate Revenue Source), Series 2009A as part of a debt restructuring and refunding. Payment of these bonds is from the annual issuance of taxable general obligation bonds as part of the Village's one-half of one percent of EAV debt extension limit and fall within the Village's tax cap limit. The Series 2013 bonds will pay interest due August 1, 2013 and interest and principal due February 1, 2014. Costs of issuance will also come from the bonds. The Village has determined that it is advisable and in the best interest of the Village to borrow \$537,000 at this time for purposes of paying costs of the 2009 refunding.

Motion made by President Branding to approve the Consent Agenda as presented, seconded by Trustee Poynton.

AYES: 6 Halen, Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

E. Clairview Estates Dedication of Public Improvements

Summary: The Village has received a written request from the attorney representing the developer, Naples Papa Properties, L.L.C. requesting dedication of the public improvements to the Village. In addition, they are requesting the Village waive the 2 year maintenance bond that is required by Village Code. Although all the public improvements have been completed prior to August of 2011, the dedication has been postponed due to outstanding issues between the homeowners association and the developer, primarily related to the wetland management plan and buffer areas, which has now been resolved.

Public Works Dir./Engineer Dave Heyden answered Trustee Sustich's questions.

Motion by President Branding, seconded Trustee Sustich, to approve the Clairview Estates dedication of public improvements.

AYES: 6 Halen, Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

7. OLD BUSINESS

A. Capital Improvement Plan 2013/2014 to 2017/2018 (Trustee Rzeznik)

Summary: This document contains the proposed long term capital spending plan for the Village. The CIP is a compilation of proposed capital expenditures tendered by

the Village's operating departments and is subject to change by the Board before any requests for funding would be forthcoming during the budget process for each individual fiscal year. This document builds on the work conducted by staff in previous years, and is the next step in an evolutionary process of continuous improvement. It should be viewed as a planning tool and a multi-year reference document.

Finance Dir. Jodie Andrew thanked those who had submitted questions and she answered further questions from the Board.

Motion by Trustee Rzeznik, seconded Trustee Halen, to accept the Capital Improvement Plan 2014-2018 as presented.

AYES: 6 Halen, Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

8. NEW BUSINESS

B. Bradford Town Crossing (McDonald's) amendment to PUD (Trustee Mastandrea)

Summary: Bradford Equities, LLC is the contract purchaser of the property located at the northwest corner of Route 22 and Quentin Road. The Applicant filed an application with the Village of Lake Zurich seeking the approval of: (i) an amendment to Planned Unit Development (PUD), (ii) an amendment to plat of subdivision, (iii) special use permit, (iv) site plans, and (v) exterior appearance plans for the proposed McDonald's restaurant on the new Outlot 3 at the Subject Property. The Lake Zurich Plan Commission conducted a public hearing on November 21, 2012, to consider the project and recommended that the Board of Trustees approve the Application with certain conditions listed in the Findings and Recommendations of the Plan Commission.

Building/Zoning Dir. Dan Peterson explained the changes in the proposed ordinance and answered the Board's questions. Atty. Uhler advised the Board and answered their questions.

Recommended Action:

Motion made by Trustee Mastandrea, seconded by Trustee Sustich, to approve, "An Ordinance Amending Bradford Town Crossing Planned Unit Development And Approving An Amended Plat Of Subdivision, Site Plan, Exterior Appearance And Special Use Permits. (northwest corner of Quentin and Route 22)" Assign ORD. #2012-12-875

AYES: 6 Halen, Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 0

MOTION CARRIED/DENIED

B. Bid award for roof replacement at 351 Lions Drive (Trustee Halen)

Summary: The existing roof on the structure at 351 Lions Drive is in poor condition and in need of replacement. A bid specification was written, the bid was advertised and bids were opened on February 19th. The low bidder was All American Exterior Solutions in the amount of \$62,675.00. Staff is requesting an additional \$9,325.00 be authorized to account for any unforeseen deck damage under the roof for a projected total project cost of \$72,000. As this facility is now anticipated to be used equally by three departments, staff recommends \$24,000 be funded by the Park

Improvement Fund and the remaining \$48,000 be funded from the Capital Projects Fund.

Public Works Dir./Engineer Dave Heyden explained that three Departments use the facility and the reason for the funding from other departments. Dir. Heyden and Dir. Andrew answered the Board's questions. President Branding suggested that the Board vote on the motion and if it fails to bring it back to the Board at a later date.

Recommended Action: Motion made by Trustee Halen, seconded by Trustee Sustich, approve the awarding the roof replacement at 351 Lions Drive to All American Exterior Solutions in the amount of \$62,675.00 and to authorize staff to expend up to an additional \$9,325.00 for unforeseen incidental costs that may arise after the roof surface is removed.

AYES: 2 Trustee Halen, Sustich.

NAYS: 4 Trustees Mastandrea, Poynton, Rzeznik, Sprawka

: ABSENT: 0

MOTION DENIED.

C. ADT/TYCO Agreement for Alarm Monitoring (Trustee Sustich)

Summary: The Village of Lake Zurich is party to a long-term alarm monitoring agreement with ADT/TYCO [originally SecurityLink]. Police Department Telecommunicators monitor the alarm board in the Police Department Communications Center. The original agreement was initiated on July 7, 1999. The original agreement was renewed by means of several riders. Members of the Fire and Police Departments have met with ADT/TYCO representatives to negotiate a successor agreement. On November 27, 2012 the Village Attorney's comments were received and provided to ADT/TYCO. The major areas of concern are addressed in the attached proposed agreement. This matter is presented to the Village Board for review.

Police Chief Pat Finlon addressed the Board and answered their questions.

Recommended Action: Motion made by Trustee Sustich, seconded by Trustee Sprawka, to approve the agreement with ADT/TYCO for Alarm Monitoring

AYES: 6 Halen, Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

D. Three-Year Microsoft Enterprise Agreement for Server and Desktop Software Licenses not to exceed \$154,000.

Summary: Staff is recommending the transition of the Villages network environment from Novell Netware to Microsoft Windows. An integral part of the upgrade process to a virtualized and cloud computing environment, operating systems, desktop software and client access licenses along with software maintenance are being purchased from CDWG through the Microsoft State of Illinois Master Agreement.

I/T Dir. Michael Duebner addressed the Board and answered the Board's questions. Dir. Andrew answered questions about the financing of the agreement.

Motion by President Branding, seconded by Trustee Poynton, to table to the next meeting the approval of Three-Year Microsoft Enterprise Agreement for Server and Desktop Software Licenses not to exceed \$154,000.

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

NAYS: 1 Rzeznik.

ABSENT: 0

MOTION CARRIED.

E. Semi-Monthly Warrant Register Dated December 3, 2012, Totaling \$1,982,688.71
(Trustee Rzeznik)

Recommended Action: Motion made by Trustee Rzeznik, seconded by Trustee Sustich, to approve the semi-monthly warrant register dated December 3, 2012, totaling \$1,982,688.71

AYES: 6 Halen, Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

F. Sandy Point Dedication of Public Improvements (Trustee Halen)

Summary: The Village has received a written request from the Sandy Point Home Owners Association in essence (SPHOA), to dedicate all site improvements within their Planned Unit Development (PUD) that are thought to be public based on the Section 7 of the Development Agreement including all underground utilities, streets, street lighting and parkway landscaping. The Village has always considered the above ground improvements (access roadways, lighting and parkways) within the Sandy Point Planned Unit Development to be private and under the responsibility of the Sandy Point Home Owners Association (SPHOA). After investigation as shown in the attached memo, staff has found no information to the contrary.

This item has been withdrawn at the request of the petitioner.

9. TRUSTEE REPORTS

Trustee Mastandrea requested that there be a funding mechanism for items on the agenda.

10. MANAGER'S REPORT

A. Bi-weekly Departmental reports as of November 21, 2012

11. ATTORNEY'S REPORT

Atty. Uhler gave a verbal report, shared a written copy and requested feedback on the format.

12. DEPARTMENT HEAD REPORTS

A. Director of Building and Zoning Peterson:

1) Update on progress of the Industrial Work Group.

2) Discussion of Mariano's Economic Incentive Agreement. Atty. Uhler advised the Board and answer their questions which included NHRST and the I.G.A. Dir. Peterson introduced Mr. Steve Pagnano, Bradford Real Estate, who addressed the Board.

A recess was taken to facilitate a video tape change at 9.01pm

The meeting resumed at 9.06pm

Mr. Steve Pagnano stated that he would like to come before the Board on 12/10/12 at a special meeting.

President Branding requested that the agreement be simplified. Dir. Peterson asked that the Board be polled on a meeting on 12/10/12 and five trustees stated that they were available for a meeting on that date.

B. Interim Recreation Director Katz: Use of temporary lighting by Ela Soccer at Countryside East and Buffalo Creek parks. After discussion the board advised the notification to neighbors of the parks in question about the temporary lighting.

13. EXECUTIVE SESSION (5 ILCS 120/2 (c) (21) Motion made by President Branding seconded by Trustee Sustich to adjourn to Executive Session to approve Executive Session minutes of October 1, 2012 and the review of approved Executive Session minutes for public viewing.

AYES: 6 Trustees Halen, Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Meeting adjourned at 9.33 p.m.

Meeting reconvened at 9.50 p.m. by President Suzanne Branding.

ROLL CALL: Village President Branding, Trustee Halen, Trustee Mastandrea, Trustee Rzeznik, Trustee Poynton, Trustee Sprawka, and Trustee Sustich. Also present: Village Manager Jason Slowinski and Village Attorney Scott Uhler

14. ADJOURNMENT

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

AYES: 6 Trustees Halen, Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Meeting adjourned at 9.51 p.m.

Respectfully submitted by: Kathleen Johnson, Village Clerk.

Approved by:

/s/Suzanne K. Branding. Village President

12/17/12.