

Monday, January 7, 2013, 7:00 p.m.

**A G E N D A**

**1. CALL TO ORDER**

**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

**3. PLEDGE OF ALLEGIANCE**

**4. PUBLIC COMMENT**

(This is an opportunity for residents to comment briefly on matters included on the agenda and otherwise of interest to the Board of Trustees.)

**5. PRESIDENT'S REPORT**

(This is an opportunity for the Village President to report on matters of interest to the Village.)

A. Community Update

**6. CONSENT AGENDA**

(These titles will be read by the Village Clerk and approved by a single Roll Call Vote. Any item may be pulled from the Consent Agenda for discussion by any member of the Board)

A. Minutes of the Village Board Special Meeting, December 10, 2012

B. Minutes of the Village Board Meeting, December 17, 2012

C. Soccer Goal Policy

**Summary:** In response to Illinois Public Act 097-0234, the Moveable Soccer Goal Safety Act, commonly known as "Zach's Law", the Park & Recreation Advisory Board has reviewed and approved the enclosed Soccer Goal Safety and Education Policy. The Village Attorney has also reviewed the policy. Approval of the policy by the Village Board is recommended.

D. Tuf-Tite Letter of Credit Reduction

**Summary:** The Engineering staff has reviewed the submitted Letter of Credit reduction request and has inspected and approved the completed site improvements. Based on the aforementioned analysis, the Engineering Department concurs with the request and recommends that Letter of Credit #450028017, in the amount of \$63,332.50, be reduced to 10% of the original amount. The remaining 10% will be withheld as a guarantee of the improvements.

**E. Smalley Steel Ring Parking Lot Letter of Credit Reduction**

**Summary:** The Engineering staff has reviewed the submitted Letter of Credit reduction request and has inspected and approved the completed site improvements. Based on the aforementioned analysis, the Engineering Department concurs with the request and recommends that Letter of Credit #107987-901, in the amount of \$182,511.74, be reduced to 10% of the original amount. The remaining 10% will be withheld as a guarantee of the improvements.

**F. Smalley Steel Ring Building Addition Letter of Credit Release**

**Summary:** The Engineering staff has reviewed the submitted Letter of Credit release request and has inspected and approved the completed site improvements. Based on the aforementioned analysis, the Engineering Department concurs with the request and recommends that Letter of Credit #107987-900, in the amount of \$68,663.43, be returned. All site work has been completed and found to be acceptable.

**G. Shops of Lakeview Performance Bond Release**

**Summary:** The Engineering staff has reviewed the requested return of the performance bond from Kimco Realty and has inspected and approved the completed site improvements. Based on the aforementioned analysis, the Engineering Department recommends that Letter Bond #42BCSEX9440, in the amount of \$986,269.50, be returned. All site work has been completed and found to be acceptable.

**Recommended Action:** Motion to approve the Consent Agenda as presented. (Roll Call Vote)

**7. OLD BUSINESS**

(This agenda item includes matters for action by the Board of Trustees.)

No matters to discuss at this time.

**8. NEW BUSINESS**

(This agenda item includes matters coming to the Board of Trustees for discussion and possible action.)

**A. Beelow's Exterior Appearance Amendment (Trustee Mastandrea)**

**Summary:** Dan Beelow, the owner of the property located on 763 South Rand Road, filed an application with the Village on November 15, 2012, seeking approval of an amendment to exterior appearance plans, to allow temporary wind/weather guard panels on the north and south walls of the outdoor patio on the Subject Property. Lake Zurich Plan Commission conducted a public meeting on December 19, 2012, and unanimously recommended that the Board of Trustees approve the Application.

**Recommended Action:** A motion approving "An Ordinance Approving an Amendment to Exterior Appearance Plans for 763 South Rand Road (Beelow's Steakhouse)" (Roll Call Vote) Assign ORD. #2013-01-878

**B. Park and Recreation Advisory Board Resolution, PIF** (Trustee Poynton)

**Summary:** The Park and Recreation Advisory Board (PAB) held discussions recently regarding expenditures from the Park Improvement Fund (PIF). At its December 11, 2012 meeting, the PAB recommended to the Board of Trustees its definition of appropriate expenditures from this fund.

**Recommended Action:** It is recommended that the Village Board acknowledge receipt of the attached recommendation in preparation for the FY-2014 Budget deliberations. (Roll Call Vote) Assign RES. #2013-01-07

**C. Semi-Monthly Warrant Register Dated January 7, 2013, Totaling \$1,278,262.04** (Trustee Rzeznik)

**Recommended Action:** Motion to approve the semi-monthly warrant register dated January 7, 2013, totaling \$1,278,262.04 (Roll Call Vote)

**9. TRUSTEE REPORTS**

(This is an opportunity for Trustees to report on matters of interest to the Board of Trustees.)

**10. VILLAGE MANAGER'S REPORT**

(This is an opportunity for the Village Manager to report on matters of interest to the Board of Trustees.)

**A. Bi-weekly Departmental reports as of December 28, 2012**

**11. ATTORNEY'S REPORT**

(This is an opportunity for the Village Attorney to report on legal matters of interest to the Board of Trustees.)

**12. DEPARTMENT HEAD REPORTS**

(This is an opportunity for department heads to report on matters of interest to the Board of Trustees.)

**A. Finance Director: Water Rates**

**13. ADJOURNMENT**

Attachments:

1. Tree Commission meeting minutes, December 4, 2012
2. Committee of the Whole special meeting minutes, December 5, 2012.
3. Park and Recreation Advisory Board meeting minutes, December 11, 2012.
4. Plan Commission meeting minutes, December 19, 2012.
5. Tree Commission meeting agenda, January 8, 2013.
6. Police Pension Board agenda, January 8, 2013.

7. Zoning Board of Appeals agenda, January 17, 2013.
8. Calendar for January, 2013.

The Village of Lake Zurich is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at 847.438.5141 (TDD 847.438.2349) promptly to allow the Village to make reasonable accommodations for those individuals.

UNAPPROVED  
LAKE ZURICH BOARD OF TRUSTEES  
REGULAR MEETING  
Monday, December 17, 2012, 7:00 p.m.

1. **CALL TO ORDER** by President Suzanne Branding at 7.00pm.
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. Trustee Jeff Halen was absent and excused. Also present: Village Manager Jason Slowinski, Asst. Village Manager Roy Witherow, Village Attorney Scott Uhler, Building/Zoning Dir. Dan Peterson, I/T Dir. Michael Duebner, Public Works General Services Superintendent Mike Brown, Police Chief Pat Finlon, Fire Chief Dave Wheelock.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**  
There were none.
5. **PRESIDENT'S REPORT**
  - A. Presentation from Retired Fire Fighters Association, Donation to Fire Department. Chuck Wendt and Robert Block, representatives of the Retired Fire Fighters Association, presented a check for \$2000.00 to the Fire Department. Village President Branding and Chief Wheelock thanked the Retired Fire Fighters Association for their generous donation.
  - B. Community Update:
    1. Frank Jucha was honored on his recent return from serving on USS Enterprise and Lake Zurich Police and Fire Departments escorted the sailor to Lake Zurich.
    2. There will be a Community Luminaria on Friday, December 21, 2012 from 7-9pm. Residents are encouraged to light a Luminaria on their porch in remembrance of the 26 victims in Newtown, Conn. President Branding has sent a message of sympathy from the Village of Lake Zurich to First Selectman, Pat Llodra, of Newtown, Conn.
6. **CONSENT AGENDA**

*Trustee Poynton requested the removal of 6C and 6F from the Consent Agenda.*

  - A. Minutes of the Village Board Meeting, December 3, 2012.
  - B. Guiding Principles for the 2013/14 Budget (Assign RES. #2012-12-17A)  
**Summary:** During the creation of the 2012/13 budget, the Village Board passed a resolution to provide staff with guiding principles to be used in the construction of the budget. These principles have been updated for the 2013/14 budget with minor changes. Approval of the resolution is recommended.
  - D. Plat of Utility Easement- Victor A. Cummings Property  
**Summary:** The Bradford Real Estate Companies has proposed the Bradford Town Crossing Development on the Northwest corner of Route 22 and Quentin Road. To provide proper sewer service to the site, the developer was required to connect to the existing 10-inch sanitary sewer main located on the near the north property line of the Coventry Creek Subdivision. In order to make the connection and avoid

potential conflicts with the future Quentin Road widening, a utility easement is needed through the property currently owned by Victor A. Cummings. The attached utility easement plat has been developed by the Bradford Real Estate Companies for execution and approval by the property owner and the Village of Lake Zurich.

**E. Plat of Utility Easement- Harvest Bible Chapel of Lake Zurich**

**Summary:** The Bradford Real Estate Companies has proposed the Bradford Town Crossing Development on the Northwest corner of Route 22 and Quentin Road. To provide proper potable water service to the site, the developer was required to connect to the existing 12-inch water main located on the south side of the Harvest Bible Chapel of Lake Zurich near the Quentin Road right-of-way. In order to make the connection and avoid potential conflicts with the future Quentin Road widening, a utility easement is needed through the property currently owned by Harvest Bible Chapel of Lake Zurich. The attached utility easement plat has been developed by the Bradford Real Estate Companies for execution and approval by the property owner and the Village of Lake Zurich.

**G. Release of Executive Session Minutes**

**Summary:** Every six months it is required for the Executive Session minutes to be reviewed to determine if any minutes may be released for public viewing. The Village Board met in Executive Session on December 3, 2012, to review staff's recommendation on the release of Executive Session minutes. The list of approved minutes to release is attached.

**Recommended Action:** Motion made by President Branding, seconded by Trustee Sustich, to approve the Consent Agenda as presented with the exclusion of items 6C and 6F.

AYES: 5 Trustee Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Halen.

MOTION CARRIED.

**C. Bid award for Noise Wall along the EJ&E at Railroad Project**

**Summary:** The Canadian National (CN) Railroad purchased the Elgin, Joliet and Eastern (EJ&E) Railroad in 2009. The Village entered into an agreement with CN in 2010 that included funding for noise mitigation due to the impacts caused by the increased use of the railroad. A study was performed by the Village to determine the preferred type of noise mitigation in the various impacted area along the railroad. The residents of Carolyn Court preferred the noise wall option. Over the past year, plans and specifications have been developed and the project was recently let for bid. The low responsible bidder was Alliance Contractors, Inc. in the amount of \$522,263.50.

Building/Zoning Dir. Dan Peterson answered the Board's questions regarding monies remaining in the fund after this awarded bid and the Village of Lake Zurich's request for an extension.

**F. Lake County I-Passage Wireless Equipment Agreement Amendment**

**Summary:** Lake County Department of Transportation made a request to the Village to install wireless equipment on top and within the Village's water tower

located in Paulus Park. The original agreement was passed by the Village Board at the August 6, 2012 regular meeting. During the construction process, Lake County has requested to install a third antenna on the tower to have the ability to pick up the traffic signals at the intersections of Ela Rd./ Cuba Rd. and Ela Rd./Lake Cook Road. Staff does not believe the additional equipment will have any impacts on the tower or existing communications equipment. The revised Site Plan has been attached for your use and will be attached to the original agreement as an amendment.

Village Manager Jason Slowinski and General Services Superintendent Mike Brown answered the Board's questions.

Motion made by President Branding, seconded by Trustee Poynton, to approve the Agenda items 6C and 6F.

AYES: 5 Trustee Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Halen.

MOTION CARRIED.

## 7. OLD BUSINESS

### A. 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. This item was brought before the Village Board on December 3<sup>rd</sup> for approval but following discussion was asked to be continued due to lack of an identified funding source. The attached memo has been developed to clarify the exact sources of funding for the project as the entire project was not fully funded in the current year budget.

*Staff requested that Agenda item 7A be removed from the Agenda.*

## 8. NEW BUSINESS

### A. Semi-Monthly Warrant Register Dated December 17, 2012, Totaling \$1,530,207.57 (Trustee Rzeznik)

**Recommended Action:** Motion made by Trustee Rzeznik, seconded by Trustee Poynton, to approve the semi-monthly warrant register dated December 17, 2012, totaling \$1,530,207.57

AYES: 5 Trustee Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Halen.

MOTION CARRIED.

### B. Amendment of the Village Liquor Code (Trustee Sustich)

**Summary:** It has become known that a newly established restaurant is engaged in a practice of allowing patrons to bring their own alcoholic beverages to drink with food that is prepared and served. Additionally, in researching this issue another class of liquor license was also identified – beauty parlors and spas serving alcohol. These two types of businesses are currently unregulated in regard to the use of alcohol. Because there is a potential for patrons to be over-served without having an ability to sanction the business similar to a business that holds a liquor license, it is necessary to establish a classification of license in the Village's Liquor Code. This amendment will not allow the sale of alcoholic beverages to patrons by business owners of such licensed premises. This will alleviate the requirement set forth in section 3-3B-7 - License Required.

Chief Finlon explained his research on this item and answered the Board's questions. Atty. Uhler advised the Board on amendments to the proposed ordinance and the amended motion.

**Recommended Action:** \*Amended Motion made by Trustee Sustich, seconded by Trustee Sprawka, to approve the amendment of the current Liquor Code to address establishments that allow patrons to bring alcoholic beverages to their premise, and also address those businesses providing a cosmetic or styling service serving alcoholic beverages to patrons incidental to the services offered with the \*amendments of Section Q. adding Barbershops and Q. 1 striking "to sell" and changing hours to 9pm on weekdays; Section 4 adding zero to # of L and M Licenses issued; Section 6 adding zeros to L and M base fee and removing L and M from 6B. Assign ORD. #2012-12-877

AYES: 5 Trustee Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Halen.

MOTION CARRIED.

**C. Public Works Virtual Server Implementation Project (Trustee Mastandrea)**

**Summary:** Staff has been working with our consultant B&W Control Systems Integration (BWCSI) on the integration of (SCADA) at each of the Ion-Exchange Plants since early 2011. As part of the upgrade work, the seven year old hardware and software was identified for replacement as it has been experiencing failures. The current SCADA software version cannot be run on the existing failing desktop computer nor is it compatible with our current communications system. BWCSI has submitted a proposal to replace the equipment with a new public works virtual server loaded with the necessary current software upgrades for a lump sum fee of \$49,900. Funding for this project was approved in the past and current fiscal year budgets in the combined amount of \$58,600.

**Recommended Action:** Motion made by Trustee Mastandrea, seconded by Trustee Sprawka, to approve the B&W Control Systems Integration Proposal for the Public Works Virtual Server Implementation Project in an amount of \$49,900.

AYES: 5 Trustee Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Halen.

MOTION CARRIED.

**D. Consultant Selection - Stone & Thistle Watershed Study (Trustee Sprawka)**

**Summary:** The drainage basin in the vicinity of Stone Avenue and Thistle Lane has experienced unsatisfactory flooding in recent years. In order to properly investigate the cause and impact of the flooding, a hydraulic model for the entire watershed area is required. Following creation of the hydraulic model, drainage improvement alternatives can be evaluated and a list of cost effective solutions can be created. Upon review of the Village's current consultants, staff believes 2im Group is best qualified for this project. This firm specializes in these types of drainage studies and currently has an ongoing contract with IDOT to remediate localized drainage issues throughout the Chicagoland region. The approved FY 12-13 Capital Improvement Project budget includes \$50,000 for this project. As the total cost of the project is estimated to be \$64,450 staff recommends splitting the study into two phases; existing conditions (\$47,800) and proposed conditions



(\$16,650) with existing conditions phase to be completed this fiscal year and proposed conditions phase to be completed after May 1, 2013.

Trustee Sustich had concerns about the contractor. President Branding suggested tabling this item and the Board agreed to the suggestion.

**Recommended Action:** *tabled to a future agenda.*

**9. TRUSTEE REPORTS**

There were none.

**10. VILLAGE MANAGER'S REPORT**

A Bi-weekly Departmental reports as of December 7, 2012

B. Financial Report for Month of October, 2012

**11. ATTORNEY'S REPORT**

There was none.

**12. DEPARTMENT HEAD REPORTS**

A. Finance Director: Water Rates. There was no report as Dir, Andrew was absent.

B. Police Chief Finlon reported that retired Village of Lake Zurich Policemen Kris Zak had died and gave funeral details.

*President Branding announced an Executive Session.*

**13. EXECUTIVE SESSION: 5ILCS 120/2c(1) Personnel – for the purpose of an appointment, compensation or discipline of a specific employee.**

President Branding made a motion to move to Executive Session, seconded by Trustee Sustich.

AYES: 5 Trustee Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Halen.

MOTION CARRIED.

Meeting adjourned to Executive Session at 7.43pm.

Meeting reconvened at 7.59pm by President Branding.

**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. Trustee Jeff Halen was absent and excused. Also present: Village Manager Jason Slowinski, Village Attorney Scott Uhler.

**14. ADJOURNMENT**

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

AYES: 5 Trustee Mastandrea, Poynton, Rzeznik, Sprawka, Sustich.

NAYS: 0

ABSENT: 1 Trustee Halen.

MOTION CARRIED.

Meeting adjourned at 8.00pm.

Respectfully Submitted: Kathleen Johnson, Village Clerk.

Approved by:

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Suzanne K. Branding, Village President.

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Date.

**SPECIAL MEETING  
LAKE ZURICH BOARD OF TRUSTEES  
December 10, 2012 at 7:00 P.M.  
70 E. Main Street, Lake Zurich, Illinois,**

1. **CALL TO ORDER:** by President Suzanne Branding at 7.00pm.
2. **ROLL CALL:** President Suzanne Branding, Trustees Terry Mastandrea, Tom Poynton, Jonathan Sprawka, and Rich Sustich. Also present: Village Manager Jason Slowinski, Atty. Scott Uhler, Finance Director Jodie Andrew, Building/Zoning Dir. Dan Peterson, Public Works Dir./Engineer Dave Heyden, I/T Dir. Michael Duebner. Trustee Jeff Halen, Trustee Dana Rzeznik was absent and excused. Trustee Jeff Halen arrived at 7.07pm.
3. **PUBLIC COMMENTS:**  
Jim Tarbet, 1195 Cedar Creek Drive, Lake Zurich, addressed the Board on the handout he had given the Board.
4. **DISCUSSION and APPROVAL of Bradford Town Crossing (Marianos) Economic Incentive Agreement.**  
President Branding stated that there had been a fresh ordinance handed out before the start of the meeting. Building/Zoning Dir. Dan Peterson agreed and explained the change, he then introduced Steve Pagnano and Chad Jones from Bradford Real Estate Companies. Questions from the Board were answered by Dir. Dan Peterson, Dir. Jodie Andrew and Dir./Engineer Dave Heyden. Atty. Scott Uhler clarified questions and advised the Board. Chad Jones answered questions from the Board.  
**Recommendation:** Staff recommends that the Village Board of Trustees approve and authorize An Ordinance Approving an "Economic Incentive Agreement between the Village of Lake Zurich and Bradford Lake Zurich 1LLC".  
Motion by Trustee Sprawka, seconded by Trustee Sustich, to approve and authorize An Ordinance Approving an "Economic Incentive Agreement between the Village of Lake Zurich and Bradford Lake Zurich 1LLC".  
AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.  
NAYS: 0  
ABSENT: 1 Trustee Rzeznik.  
MOTION CARRIED.
5. **ADJOURNMENT:**  
Motion to adjourn made by Trustee Sustich, seconded by Trustee Poynton.  
AYES: 5 Trustees Halen, Mastandrea, Poynton, Sprawka, Sustich.  
NAYS: 0  
ABSENT: 1 Trustee Rzeznik.  
MOTION CARRIED.

Meeting adjourned at 7.56pm.

Respectfully submitted: Kathleen Johnson, Village Clerk.

Approved by:

\_\_\_\_\_  
Suzanne K. Branding, Village President.

\_\_\_\_\_  
Date.

70 E. Main Street  
Lake Zurich, IL 60047



AGENDA ITEM

6C

Phone: (847)438-5141  
Fax: (847)540-1768  
Web: www.volz.org

## MEMORANDUM

Date: December 13, 2012

To: Jason T. Slowinski, Village Manager *JS*

From: Kathy S. Katz, Interim Park and Recreation Director *KSK*

Subject: Soccer Goal Safety and Education Policy

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**Issue:** The Moveable Soccer Goal Safety Act, commonly known as "Zach's Law" requires the Village to be in compliance with this law effective immediately. It outlines the correct manner in which to secure the goals so they cannot be tipped over causing injury.

**Analysis:** The Park Advisory Board has reviewed the policy and forwards it to the Village Board for their approval. The City Attorney has reviewed the policy as well. Although the Village does not own or maintain any soccer goals, our risk management firm maintains that since the goals are on Village property, the Village needs to adopt the policy. Ela Soccer Club, the owner of the goals has adopted their own policy in accordance with the law.

As it is desired that the Village enter into a Facility Use Agreement with Ela Soccer Club in the future, it shall be required that the organization adopt and abide by the Soccer Goal Safety Policy to be in compliance with "Zach's Law".

**Recommendation:** It is recommended that the Village Board approve the Soccer Goal Safety and Education Policy.

w/Attachments: Policy

**VILLAGE OF LAKE ZURICH PARK & RECREATION DEPARTMENT  
SOCCER GOAL SAFETY AND EDUCATION POLICY**

**I. INTRODUCTION AND IDENTIFICATION OF ACT**

This Soccer Goal Safety and Education Policy ("Policy") is adopted pursuant to the Illinois Movable Soccer Goal Safety Act, also known as Zach's Law, ILCS (the "Act"). The Act requires **VILLAGE OF LAKE ZURICH PARK & RECREATION DEPARTMENT** to create a policy to outline how it will specifically address the safety issues associated with movable soccer goals.

**II. DEFINITIONS**

The following words shall have the following meanings when used in this Policy.

"Act" means the Illinois Movable Soccer Goal Safety Act, also known as Zach's Law, \_ ILCS \_.

"Authorized Personnel" means Permitted Users and all Village employees who have responsibility for or contact with Movable Soccer Goals.

"Board" means the Village Board of Trustees.

"Village" means Village of Lake Zurich.

"Movable Soccer Goal(s)" means a freestanding structure consisting of at least 2 upright posts, a crossbar, and support bars that is designed: (1) to be used for the purposes of a soccer goal; (2) to be used without any form of support or restraint other than pegs, stakes, augers, counter-weights, or other types of temporary anchoring devices; and (3) to be able to be moved to different locations.

"Organization" means any unit of local government other than the Village, and any school district, sporting club, soccer organization, religious organization, business, or other similar organization.

"Permitted User(s)" means an Organization and all of its employees, agents, coaches and volunteers that use Property for Soccer-Related Activities.

"Policy" means this Soccer Goal Safety and Education Policy.

"Property" means real property owned or leased by the Village where Movable Soccer Goals are used.

"Safety Guidelines" mean the Guidelines for Safely Securing Movable Soccer Goals attached to this Policy as Attachment 1.

"Soccer-Related Activity" means use of Movable Soccer Goals on Property, including without limitation, soccer games, scrimmages, practices and the like.

### **III. MOVING AND SECURING MOVABLE SOCCER GOALS; WARNING LABELS**

Prior to the commencement of the soccer season each year, the Authorized Personnel will place and secure Movable Soccer Goals on its Property in accordance with the Safety Guidelines. Only the Authorized Personnel shall be permitted to move any Movable Soccer Goal the Village or Organization owns, installs, or places on its Property.

Thereafter, if a Movable Soccer Goal becomes unanchored or improperly secured, only Authorized Personnel shall be permitted to re-secure it in accordance with the Safety Guidelines.

A warning label such as the following shall be posted on all Movable Soccer Goals:

**ONLY AUTHORIZED PERSONNEL MAY MOVE AND ANCHOR THIS GOAL. IF THIS GOAL IS NOT ANCHORED DOWN, DO NOT USE IT AND CONTACT THE VILLAGE OF LAKE ZURICH. SERIOUS INJURY INCLUDING DEATH CAN OCCUR IF IT TIPS OVER.**

### **IV. ROUTINE INSPECTIONS**

The Village or Organization shall routinely inspect all Movable Soccer Goals that has been installed or placed onto its Property to verify that they are properly secured and document such inspection in writing.

### **V. PERMITTED USER INSPECTIONS, PLACEMENT IN NON-USE POSITION AND NOTICE TO PLAYERS**

As a condition of the use of Property, before and after any Soccer-Related Activity, Permitted Users shall make a physical inspection of each Movable Soccer Goal to assure that the goal is secure in accordance with the Safety Guidelines. If any Movable Soccer Goal is not properly secured, the Permitted User shall secure the goal in accordance with the Safety Guidelines. If the Permitted User does not have the necessary equipment to secure the goal in accordance with the Safety Guidelines, the Permitted User shall place the goal in a non-use position by laying it forward onto its front bars and crossbar and shall immediately notify the Village or Organization of the location of the goal.

As a condition of the use of Property and prior to the commencement of the soccer season each year, each Organization shall advise their players and the players' parents and guardians that Movable Soccer Goals may not be moved and that any use of a Movable Soccer Goal that is inconsistent with Soccer-Related Activity is strictly prohibited, including without limitation, playing, climbing, or hanging on any part of the Movable Soccer Goal. According to the U.S. Consumer Product Safety Commission, these activities can result in serious injury, including death. The notice is attached hereto as Attachment 2.

### **VI. USE OF VILLAGE PROPERTY BY PERMITTED USERS**

A copy of this Policy shall be provided to all Organizations using the Property for Soccer-Related Activity. Prior to using Property for Soccer-Related Activity, each Organization shall provide each of its Permitted Users with a copy of this Policy and shall require that each of its Permitted Users comply with all applicable provisions of this Policy.

## **VII. REMOVAL**

At the conclusion of each soccer season, the Village will either remove all Movable Soccer Goals that it has installed or otherwise placed on its Property and store such goals at a secure location or otherwise secure such goals on its Property by placing the goal frames face to face (front posts and crossbars facing toward each other) and securing them at each goalpost with a lock and chain; or locking and chaining the goals to a suitable fixed structure such as a permanent fence; or locking unused portable goals in a secure storage room after each use; or fully disassembling the goals for season storage.

## **VIII. ACQUISITION OF TIP-RESISTANT MOVABLE SOCCER GOALS**

After the effective date of this Policy, the Village will not purchase any Movable Soccer Goal unless it is tip resistant. A Movable Soccer Goal whose inside measurements are 6.5 to 8 feet high and 18 to 24 feet wide is not tip-resistant unless it conforms to the American Society for Testing and Materials (ASTM) standard F2673-08 for tip-resistant Movable Soccer Goals or is otherwise equipped with another design-feature approved by the U.S. Consumer Product Safety Commission. Notwithstanding the foregoing provisions, the Village or Organization may continue to use its existing goals in a manner consistent with this Policy.

## **IX. APPLICABILITY**

If any provision of this Policy conflicts with any provision of the Act, the provisions of the Act shall prevail.

This Policy shall not create any new liability or increase any existing liability of the Village, or any of its officers, employees, or agents, which exists under any other law, including but not limited to the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/1-101 *et seq.* Nor shall this Policy alter, diminish, restrict, cancel, or waive any defense or immunity of the District or any of its officers, employees, or agents, which exists under any other law, including but not limited to the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/1-101 *et seq.*

## **X. AVAILABILITY OF POLICY**

All Village employees who have responsibility for or contact with Movable Soccer Goals shall be advised of this Policy.

A copy of the Policy is available to all other employees and any member of the public by requesting a copy from: Lake Zurich Park & Recreation Department, 200 South Rand Road, Lake Zurich, 847-438-5146.

## **XI. AMENDMENTS**

This Policy may be amended by the Village at any time.

## **XI. EFFECTIVE DATE**

This Policy becomes effective immediately.



## ATTACHMENT 1

*NOTE: The Guidelines for Movable Soccer Goal Safety published by the U.S. Consumer Product Safety Commission state that there are several different ways to properly secure a soccer goal and that the number and type of anchors to be used depend on a number of factors, such as soil type, soil moisture content, and total goal weight. The following guidelines are taken from the CPSC recommendations for Anchoring/Securing/Counterweighting goals. It is advisable to adapt Attachment 1 to the extent the recommendations are appropriate to the Village or Organization's particular situation.*

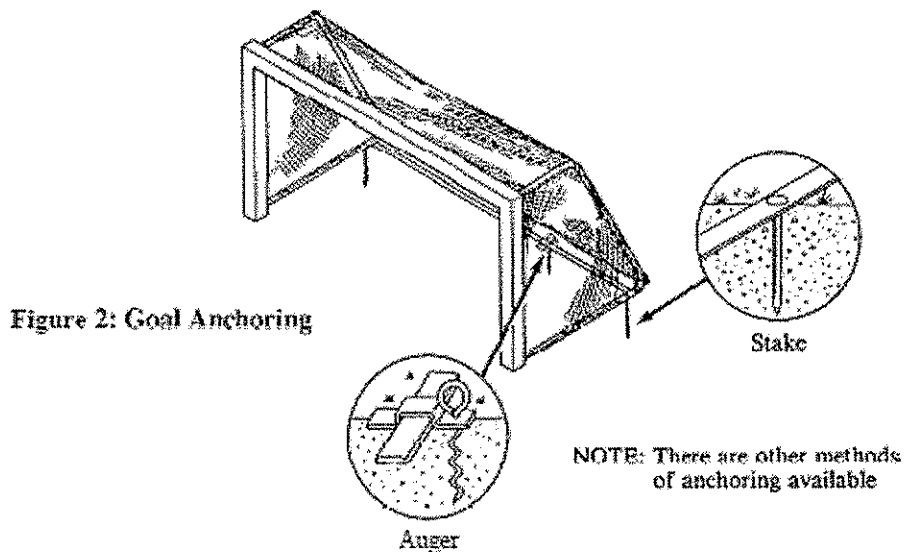
### GUIDELINES FOR SAFELY SECURING MOVABLE SOCCER GOALS

According to the U.S. Consumer Product Safety Commission (CPSC), a properly anchored / counter-weighted movable soccer goal is much less likely to tip over. Accordingly, it is **IMPERATIVE** that ALL movable soccer goals are always anchored properly (e.g., see Figure 2 below) and that they are secured to the ground (preferably at the rear of the goal), making sure the anchors are flush with the ground and clearly visible.

There are several different ways to secure a Movable Soccer Goal. The number and type of anchors to be used will depend on a number of factors, such as soil type, soil moisture content, and total goal weight. Each goal shall be secured in accordance with the appropriate anchoring system as set forth below.

In addition, warning labels required by the Village's Soccer Goal Safety and Education Policy will be attached to each goal. Nets shall be secured to posts, crossbars, and backdrops with tape or Velcro straps at intervals of no less than one every four feet.

#### Illustrations and Recommendations according to the U.S. Consumer Product Safety Commission



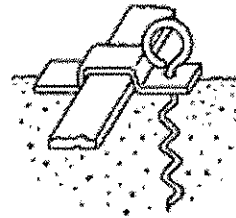
## ATTACHMENT 1 - continued

### Anchor Types

#### 1. Auger style

This style anchor is “helical” shaped and is screwed into the ground. A flange is positioned over the ground shoes (bar) and rear ground shoe (bar) to secure them to the ground. A minimum of two auger-style anchors (one on each side of the goal) are recommended. More may be required, depending on the manufacturer’s specifications, the weight of the goal, and soil conditions.

Figure 3.1: Auger Style Anchor



#### 2. Semi-permanent

This anchor type is usually comprised of two or more functional components. The main support requires a permanently secured base that is buried underground. One type (3.2a) of semi-permanent anchor connects the underground base to the soccer goal by means of 2 tethers. Another design (3.2b) utilizes a buried anchor tube with a threaded opening at ground level. The goal is positioned over the buried tube and the bolt is passed through the goal ground shoes (bar) and rear ground shoe (bar) and screwed into the threaded hole of the buried tube.

Figure 3.2a: Semipermanent Anchor

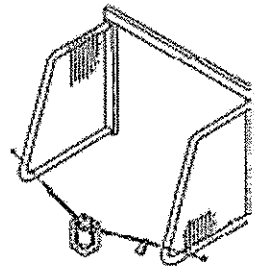
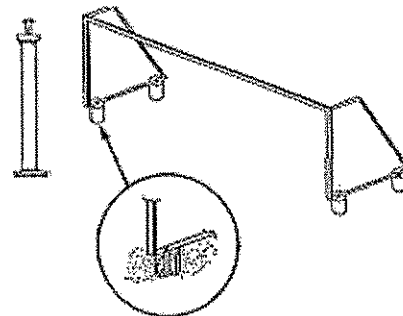


Figure 3.2b: Semipermanent Anchor

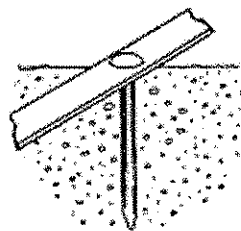


## ATTACHMENT 1 - continued

### 3. Peg or Stake style (varying lengths) Anchor

Typically two to four pegs or stakes are used per goal (more for heavier goals) (Figure 3.3). The normal length of a peg or stake is approximately 10 inches (250mm). Care should be taken when installing pegs or stakes. Pegs or stakes should be driven into the ground with a sledge-hammer as far as possible and at an angle if possible, through available holes in the ground shoes (bar) and rear ground shoe (bar) to secure them to the ground. If the peg or stake is not flush with the ground, it should be clearly visible to persons playing near the soccer goal. Stakes with larger diameters or textured surfaces have greater holding capacity.

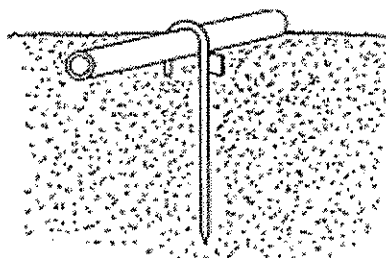
Figure 3.3: Peg or Stake Style Anchor



### 4. J-Hook Shaped Stake style

This style is used when holes are not pre-drilled into the ground shoes (bars) or rear ground shoe (bar) of the goal. Similar to the peg or stake style, this anchor is hammered, at an angle if possible, directly into the earth. The curved (top) position of this anchor fits over the goal member to secure it to the ground (Figure 3.4). Typically, two to four stakes of this type are recommended (per goal), depending on stake structure, manufacturers specifications, weight of goal, and soil conditions. Stakes with larger diameters or textured surfaces have greater holding capacity.

Figure 3.4: J-Hook Anchor



## ATTACHMENT 1 - continued

### 5. Sandbags/Counterweights

Sandbags or other counterweights could be an effective alternative on hard surfaces, such as artificial turf, where the surface cannot be penetrated by a conventional anchor (i.e., an indoor practice facility) (Figure 3.5). The number of bags or weights required will vary and must be adequate for the size and total weight of the goal being supported.

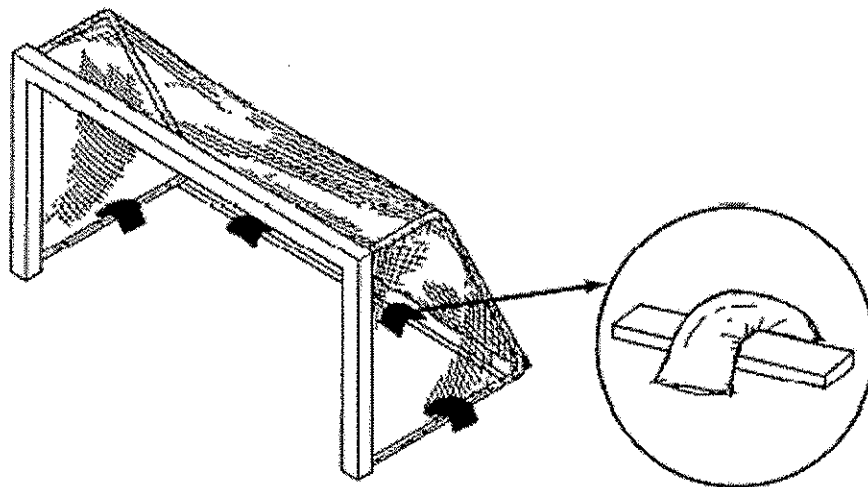
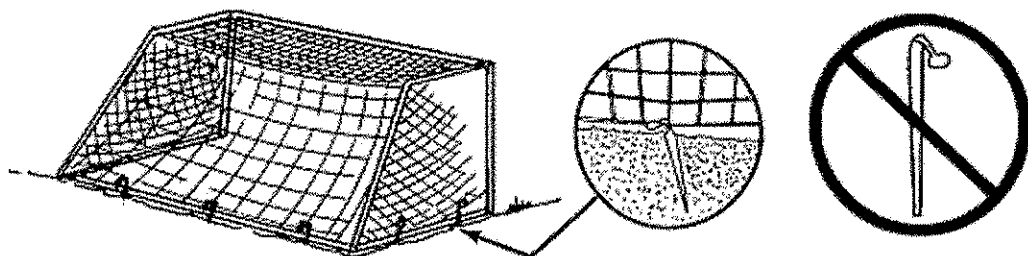


Figure 3.5: Sandbag Method of Anchoring

(Rear) Ground Bar/Shoe

### 6. Net Pegs

These tapered, metal stakes should be used to secure only the NET to the ground (Figure 3.6). Net pegs should NOT be used to anchor the movable soccer goal.



Net pegs should  
**never** be used to  
anchor a soccer goal

Figure 3.6: Net Pegs

## ATTACHMENT 2

### NOTICE

TO WHOM IT MAY CONCERN: All parents and guardians of soccer players:

One of our primary objectives is that children have safe recreation areas. To that end, soccer goals should remain securely anchored to the ground and nets firmly attached to the goals.

In an effort to keep the goals and nets secure and children safe, you are required to advise your children/soccer players and any other person accompanying you for whom you are responsible that the following is strictly prohibited: moving any soccer goals and any use of a soccer goal that is inconsistent with soccer-related activity, including without limitation, playing, climbing, or hanging on any part of the soccer goal. This especially applies to children climbing on or hanging from nets or goal frames. According to the U.S. Consumer Product Safety Commission, these activities can result in serious injury, including death.

If you observe any child inappropriately using a soccer goal or net, immediately and politely ask the child to stop. If the activity continues, please notify a coach or referee as soon as possible. Players violating this rule may be forced to sit out, at the coach's discretion.

Finally, if you see any soccer goal that is not anchored down or any net that is not firmly secured to the goal, please notify a coach or referee immediately.

Sincerely,

Kathy S. Katz, Interim Park and Recreation Director

70 E. Main Street  
Lake Zurich, IL 60047



AGENDA ITEM

6D

Phone: (847)438-5141

Fax: (847) 540-1768

Web: www.volz.org

## MEMORANDUM

Date: December 28, 2012

To: Jason Slowinski, Village Manager

From: Kurt J. Kaszuba, Engineering *KS*

Subject: Agenda item for Village Board Meeting on January 7, 2013

---

**Issue:** Letter of Credit Reduction for the 2012 Tuf-Tite Building Addition at 1200 Flex Court.

**Analysis:** The Engineering staff has reviewed the submitted Letter of Credit reduction request and has inspected and approved the completed site improvements.

**Recommendation:** Based on the aforementioned analysis the Engineering Department concurs with the request and recommends that Letter of Credit #450028017, in the amount of \$63,332.50, be reduced to 10% of the original amount. This reduction will revise the total amount being withheld to \$6,333.25. The remaining 10% is being withheld as a guarantee of the improvements.

w/Attachments: Developer's reduction request dated November 30, 2012. (1 page)



Drainage and Septic Products

November 30, 2012

Mr. Jason Slowinski  
**VILLAGE OF LAKE ZURICH**  
70 E. Main Street  
Lake Zurich, IL 60047

RE: Letter of Credit #45002817  
Tuf-Tite -1200 Flex Court, Lake Zurich, IL  
Addition, Consolidation with Lot 11B

Dear Mr. Slowinski,

Please accept this as our formal request to reduce the letter of credit #450028017 issued by First Midwest Bank for the Tuf-Tite Addition. The original letter of credit was issued in the amount of \$63,332.50.

At this time all site work is complete and we would appreciate a reduction of the letter of credit to 10% or \$6,333.25. We would request that the Village of Lake Zurich approve and accept cash in lieu of letter of credit for the remaining 10% or \$6,333.25.

We will look forward to Board approval of this reduction, release of the original letter of credit and acceptance of cash in lieu of letter of credit. Once we have your confirmation of approval we will notify First Midwest Bank of release and the \$6,333.25 will be delivered to the Village of Lake Zurich.

Thank you for your cooperation. If you should have any questions or comments, please do not hesitate to call.

Sincerely,

Theodore Meyers

**Tuf-Tite**

KAS/TT2-LETTER OF CREDIT REDUCTION.LTR

Cc: Mac Jackson, First Midwest Bank  
Flex Construction Corporation

Tuf-Tite® Inc., 1200 Flex Court, Lake Zurich, Illinois 60047 Phone 847-550-1011 Fax 847-550-8004  
Toll-Free 800-382-7009

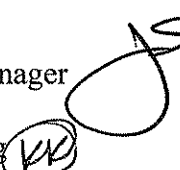
70 E. Main Street  
Lake Zurich, IL 60047



AGENDA ITEM 6E

Phone: (847)438-5141  
Fax: (847) 540-1768  
Web: www.volz.org

## MEMORANDUM

Date: December 28, 2012  
To: Jason Slowinski, Village Manager  
From: Kurt J. Kaszuba, Engineering   
Subject: Agenda item for Village Board Meeting on January 7, 2013

---

**Issue:** Letter of Credit Reduction for the 2012 Smalley Steel Ring Parking Lot Addition at 555 Oakwood Road.

**Analysis:** The Engineering staff has reviewed the submitted Letter of Credit reduction request and has inspected and approved the completed site improvements.

**Recommendation:** Based on the aforementioned analysis the Engineering Department concurs with the request and recommends that Letter of Credit #107987-901, in the amount of \$182,511.74, be reduced to 10% of the original amount. This reduction will revise the total amount being withheld to \$18,251.17. The remaining 10% is being withheld as a guarantee of the improvements.

w/Attachments: Developer's reduction request dated November 30, 2012. (1 page)





Spirolox® Retaining Rings  
Wave Springs

555 Oakwood Rd • Lake Zurich, IL 60047 • Fax: (847) 719-5999 • (847) 719-5900 • info@smalley.com • www.smalley.com

November 30, 2012

Mr. Jason Slowinski  
**VILLAGE OF LAKE ZURICH**  
70 E. Main Street  
Lake Zurich, IL 60047

RE: Letter of Credit #107987-901  
Smalley Steel Ring -555 Oakwood Road, Lake Zurich, IL  
Parking Lot Addition

Dear Mr. Slowinski,

Please accept this as our formal request to reduce the letter of credit #107987-901 issued by Cole Taylor Bank for Smalley Steel Ring Parking Lot Addition. The original letter of credit was issued in the amount of \$182,511.74.

At this time all site work is complete, please reduce letter of credit #107987-901 to 10% of the original \$18,251.17.

We will look forward to Board approval of this reduction. Once we have your confirmation of approval we will notify Cole Taylor Bank of same.

Thank you for your cooperation. If you should have any questions or comments, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Greenhill", written over a horizontal line.

Mark Greenhill

**SMALLEY STEEL RING**

kas/SPL-LETTER OF CREDIT REDUCTION.LTR

Cc: Gloria Favela, Cole Taylor Bank  
Kurt Kaszuba, Village of Lake Zurich – Engineering Department  
Flex Construction Corporation

70 E. Main Street  
Lake Zurich, IL 60047



AGENDA ITEM 6F

Phone: (847)438-5141  
Fax: (847) 540-1768  
Web: www.volz.org

## MEMORANDUM

Date: December 28, 2012  
To: Jason Slowinski, Village Manager  
From: Kurt J. Kaszuba, Engineering *[Signature]*  
Subject: Agenda item for Village Board Meeting on January 7, 2013

---

**Issue:** Release of the remaining 10% Letter of Credit guaranty for the 2011 Smalley Steel Ring Building Addition at 555 Oakwood Road.

**Analysis:** The Engineering staff has reviewed the submitted Letter of Credit release request and has inspected and approved the completed site improvements.

**Recommendation:** Based on the aforementioned analysis the Engineering Department concurs with the request and recommends that the remaining 10% guaranty, Letter of Credit #107987-900, in the amount of \$68,663.43 be returned. All site work has been completed and found to be acceptable.

w/Attachments: Developer's release request dated December 19, 2012. (1 page)



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December 19, 2012

Mr. Jason Slowinski, Village Administrator  
**VILLAGE OF LAKE ZURICH**  
70 E. Main Street  
Lake Zurich, IL 60047

RE: Letter of Credit #107987-900  
Smalley Steel Ring -555 Oakwood Road, Lake Zurich, IL

Dear Mr. Slowinski,

Please accept this as our formal request to release the letter of credit #107987-900 issued by Cole Taylor Bank for Smalley Steel Ring. The original letter of credit was issued in the amount of \$686,634.30 by Cole Taylor Bank dated April 1, 2011. In September of 2011 this LOC was reduced to 10% of the original or \$68,663.43

At this time we request you release letter of credit #107987-900.

We will look forward to Board approval of this release. Once we have your confirmation we will notify Cole Taylor Bank that this LOC has been released.

Thank you for your cooperation. If you should have any questions or comments, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Greenhill", is written over the word "Sincerely,".

Mark Greenhill

**SMALLEY STEEL RING**

kas/SSR-LETTER OF CREDIT REDUCTION.LTR2

Cc: Cole Taylor Bank  
Kurt Kaszuba, Village of Lake Zurich - Engineering Department  
Flex Construction Corporation

70 E. Main Street  
Lake Zurich, IL 60047




AGENDA ITEM LOG

Phone: (847)438-5141  
Fax: (847) 540-1768  
Web: www.volz.org

## MEMORANDUM

Date: December 13, 2012

To: Jason Slowinski, Village Manager

From: Kurt J. Kaszuba, Engineering 

Subject: Agenda item for Village Board Meeting on January 7, 2013

---

**Issue:** Requested return of the performance bond for the Shops of Lakeview, 195 South Rand Road.

**Analysis:** The Engineering staff has both, reviewed the requested return of the performance bond from Kimco Realty dated November 1, 2012 and, completed final inspections of the site improvements for the project.

**Recommendation:** Based on the aforementioned, the Engineering Department recommends that Bond #42BCSEX9440, in the amount of \$986,269.50, be returned. All site work has been completed and found to be acceptable.

w/Attachments: Developer's correspondence dated November 1, 2012. (1 page)



FNC LAKE ZURICH, LLC.

Neil Goldberg  
Property Manager

Writer's Direct Dial: (847) 294-6408  
Writer's Direct Fax: (516) 233-3095  
[ngoldberg@kimcorealty.com](mailto:ngoldberg@kimcorealty.com)

November 1, 2012

The Village of Lake Zurich, Illinois  
Attention: Jason Slowinski  
70 E. Main St.  
Lake Zurich, IL 60047

DELIVERED BY FEDEX OVERNIGHT DELIVERY

Re: The Shops of Lakeview- 195 South Rand, Lake Zurich, Illinois

Dear Mr. Slowinski,

On or about February 8, 2008 the Developer posted a bond with the Village of Lake Zurich for faithful performance of certain development functions for the above captioned project. That bond is secured by Hartford Fire Insurance Company and noted as Bond Number 42BCSEX9440.

As the primary development of the this project has been completed, final Certificates of Occupancy were issued on May 5, 2012 for Suite 200 and on August 6<sup>th</sup> for Suites 100-190. Additionally, all site work requested by Kurt Kaszuba was completed and certified by Christopher B. Burke Engineering, Ltd., per their report dated and submitted to the Village of Lake Zurich on January 19, 2012.

Kimco Realty Corporation, on behalf of JFA-FNC Lake Zurich, LLC, hereby respectfully requests the Village vacate and release the bond requirement of the Developer.

Please forward the bond to me at 10600 West Higgins Avenue, Suite 408, Rosemont, Illinois 60018.

Thank you for your cooperation and assistance.

KIMCO REALTY CORPORATION  
As Agent for JFA-FNC Lake Zurich, LLC



Neil Goldberg

Enclosed: Bond, Monitoring Report 2011, COOs

10600 West Higgins, Suite 408 Rosemont, IL 60018 USA



70 E. Main Street  
Lake Zurich, IL 60047

Phone: (847) 540-1698  
Fax: (847) 540-1769

### MEMORANDUM

To: Jason Slowinski, Village Manager  
From: Daniel A. Peterson, Director of Building & Zoning *JS*  
Date: December 26, 2012  
Subject: Ordinance Approving an Amendment to Zoning Application for Beelow's Steakhouse

---

**Issue:** Dan Beelow (the "*Applicant*") is the owner of the property located at 763 South Rand Road in the Village of Lake Zurich, filed an application with the Village on November 15, 2012, (the "*Application*") seeking approval of (i) an amendment of exterior appearance plans, to amend exterior appearance plans to allow temporary wind/weather guard panels on the north and south walls of the outdoor patio on the Subject Property. The Subject Property is currently classified in the Village's B-3 Regional Shopping Center District.

**Analysis/Preliminary Findings:** The Lake Zurich Plan Commission conducted a public meeting on December 19, 2012, to consider the project and all of the facts and circumstances affecting the project and, after the conclusion of the public meeting, the Plan Commission recommended that the Board of Trustees approve the Application.

**Recommendation:** Approve an Ordinance, "Approving An Amendment to Exterior Appearance Plans for 763 South Rand Road (Beelow's Steakhouse)."

*w/Attachments:* Ordinance for Consideration; Findings of the Plan Commission

VILLAGE OF LAKE ZURICH  
ORDINANCE NO. 2013-01-878

AN ORDINANCE APPROVING  
AN AMENDMENT TO EXTERIOR APPEARANCE PLANS  
FOR 763 SOUTH RAND ROAD  
(BEELOW'S STEAKHOUSE)

WHEREAS, Dan Beelow (the "*Applicant*"), the owner of the property located on 763 South Rand Road, in the Village of Lake Zurich, legally described in Exhibit A (the "*Subject Property*"), filed an application with the Village on November 15, 2012, (the "*Application*") seeking approval of an amendment of exterior appearance plans, to allow temporary wind/weather guard panels on the north and south walls of the outdoor patio on the Subject Property (the "*Project*"); and

WHEREAS, the Subject Property is currently classified in the Village's B-3 Regional Shopping District; and

WHEREAS, the Lake Zurich Plan Commission conducted a public meeting on December 19, 2012, to consider the Project and all of the facts and circumstances affecting the Project and, after the conclusion of the public meeting, the Plan Commission recommended that the Board of Trustees approve the Application; and

WHEREAS, the President and Board of Trustees of the Village of Lake Zurich have considered the findings and recommendations of the Plan Commission and have considered all of the facts and circumstances affecting the Project, and the President and Board of Trustees have determined that the standards set forth in Chapters 21 of the Zoning Code related to the approval of an amendment to exterior appearance plans have been met, subject to the conditions stated in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lake Zurich, Lake County and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

Section 2. Approval of an Amendment to Exterior Appearance Plans. The President and Board of Trustees, pursuant to the authority vested in them under the laws of the State of Illinois and Chapters 21 of the Lake Zurich Zoning Code, hereby approve an amendment to the exterior appearance plans previously approved via Ordinance 2011-05-775 and attached to this Ordinance as Exhibit B, subject to the conditions set forth in Section 3 of this Ordinance.

Section 3. Conditions. The approvals granted in Section 2 of this Ordinance have been granted expressly subject to, and are at all times subject to, the following conditions:

- A. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Subject Property. Except as otherwise specifically provided in writing in advance by the Village, no work may be commenced on the Subject Property pursuant to the approvals granted in this Ordinance until all conditions precedent of this Ordinance to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. Compliance with Approved Exterior Appearance Plans. All development within the Subject Property must be undertaken in strict compliance with the exterior appearance plans approved pursuant to this Ordinance.
- C. Code and Plan Compliance. The Subject Property must be developed and maintained in compliance with all applicable federal, state, and local ordinances and regulations, including without limitation the Village's Building Code and Zoning Code.
- D. Building Permits. Prior to commencing any work on the Subject Property, the Owner must submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials should be prepared in compliance with all applicable Village codes and ordinances.

Section 5. Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or any applicable code, ordinance, or regulation of the Village will be grounds for the rescission of the approvals made in this Ordinance.

Section 6. Effective Date. This Ordinance will be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2013.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Suzanne K. Branding, Village President

ATTEST:

\_\_\_\_\_  
Kathleen Johnson, Village Clerk



**EXHIBIT A**  
**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

*PARCEL ONE: LOT 3 IN LAKE ZURICH THEATER SUBDIVISION, BEING A RESUBDIVISION OF LOT 1 AND 2 IN RHYAN SUBDIVISION IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, AND PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED JANUARY 2, 2001 AS DOCUMENT NUMBER 4620380, IN LAKE COUNTY, ILLINOIS.*

*PARCEL TWO: EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL ONE OVER THAT PORTION OF LOT 1 IN LAKE ZURICH THEATER SUBDIVISION, AFORESAID, DESIGNATED ON THE PLAT OF SUBDIVISION AS INGRESS AND EGRESS EASEMENT FOR THE BENEFIT OF LOTS 1, 2, 3, 4, 5, 6 AND 7.*

*PARCEL THREE: NON-EXCLUSIVE EASEMENT FOR INGRESS EGRESS AND PARKING FOR THE BENEFIT OF PARCEL ONE OVER THAT PORTION OF LOT 1 IN LAKE ZURICH THEATER SUBDIVISION, AFORESAID, AS LOCATED AND DEPICTED ON THE PLAT OF SUBDIVISION.*

*PARCEL FOUR: EASEMENT FOR ACCESS AND PARKING FOR THE BENEFIT OF PARCEL ONE OVER LOT 4 IN LAKE ZURICH THEATRE SUBDIVISION, AFORESAID, AS CONTAINED IN INSTRUMENT DATED MARCH 22, 2001 AND RECORDED MARCH 27, 2001 AS DOCUMENT 4664036, IN LAKE COUNTY, ILLINOIS. (DOCUMENT NOT PROVIDED)*

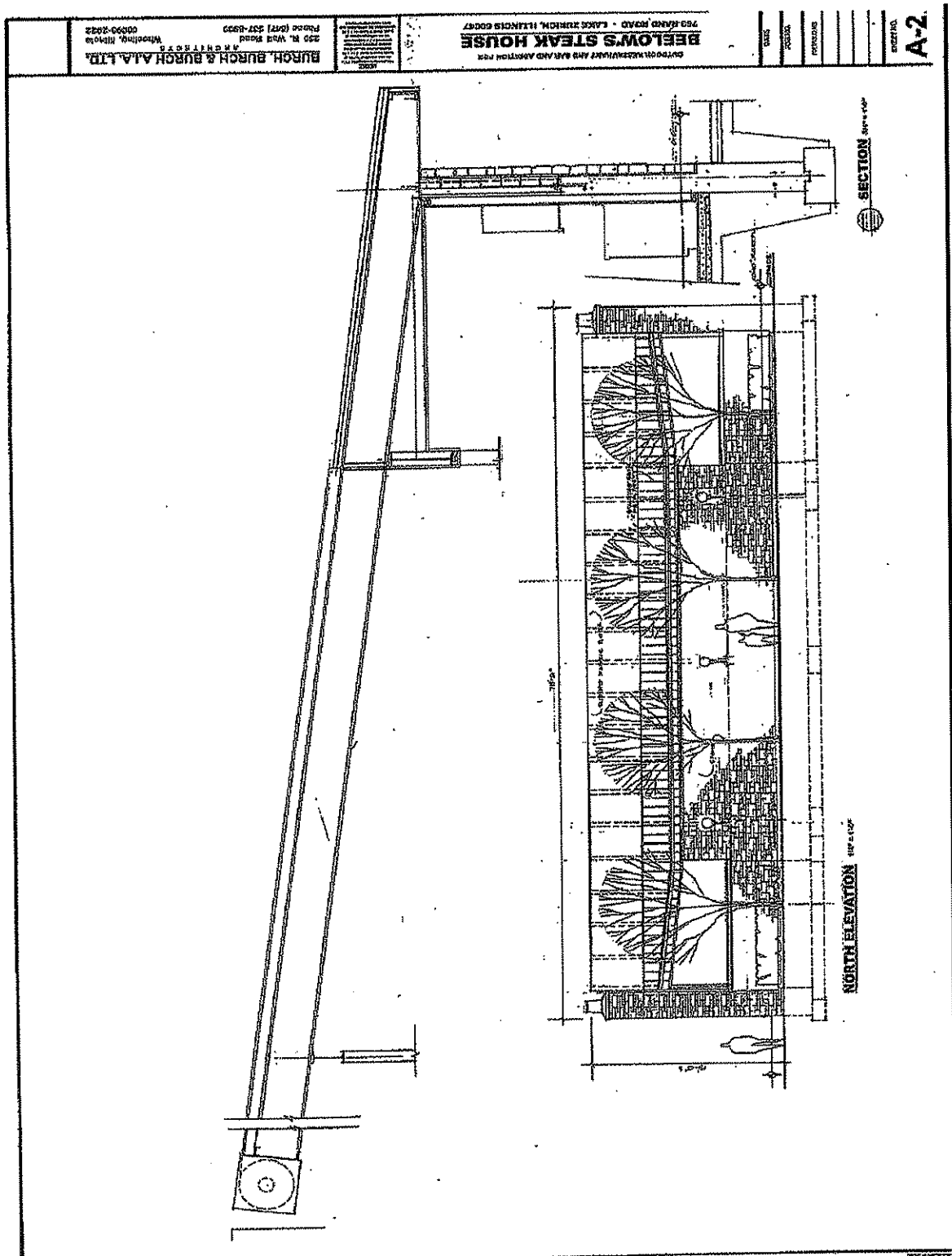
**CONTAINING 52,122 SQ. FT. OR 1.1966 ACRES.**

*THE FOREGOING LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS SHOWN IN SCHEDULE A OF TITLE INSURANCE COMMITMENT NUMBER 1409 000735683 NSC BEARING AN EFFECTIVE DATE OF JULY 8, 2010 AS PREPARED BY CHICAGO TITLE INSURANCE COMPANY*

*THE SUBJECT PROPERTY ADJOINS RAND ROAD (A PUBLIC STREET) ON THE NORTH AND ADJOINS AN EASEMENT FOR INGRESS AND EGRESS (PARCELS 2 AND 3) ON THE SOUTH AND WEST. DIRECT ACCESS TO RAND ROAD IS PROVIDED VIA THE AFOREMENTIONED EASEMENTS.*

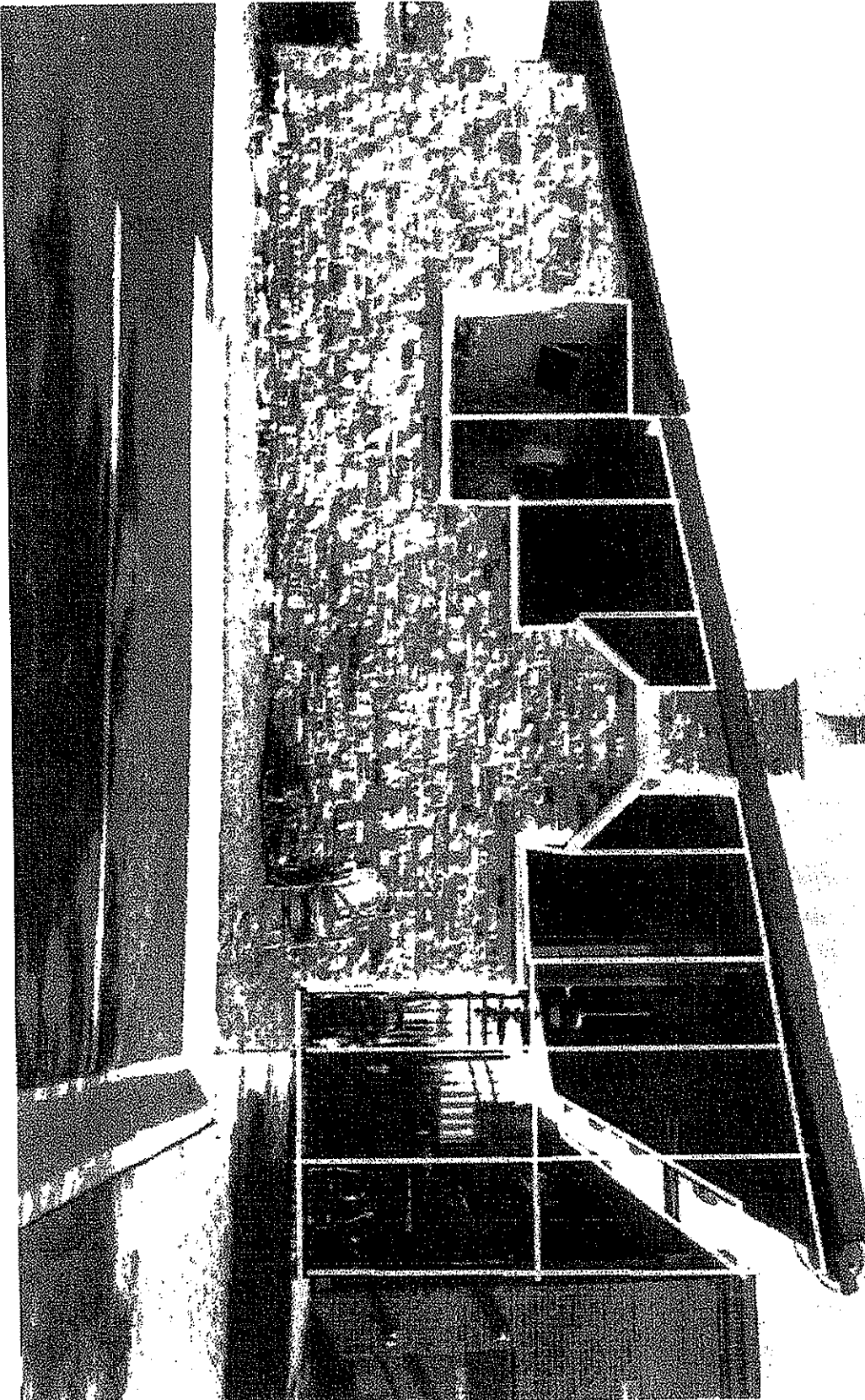
# EXHIBIT B

## EXTERIOR APPEARANCE PLANS

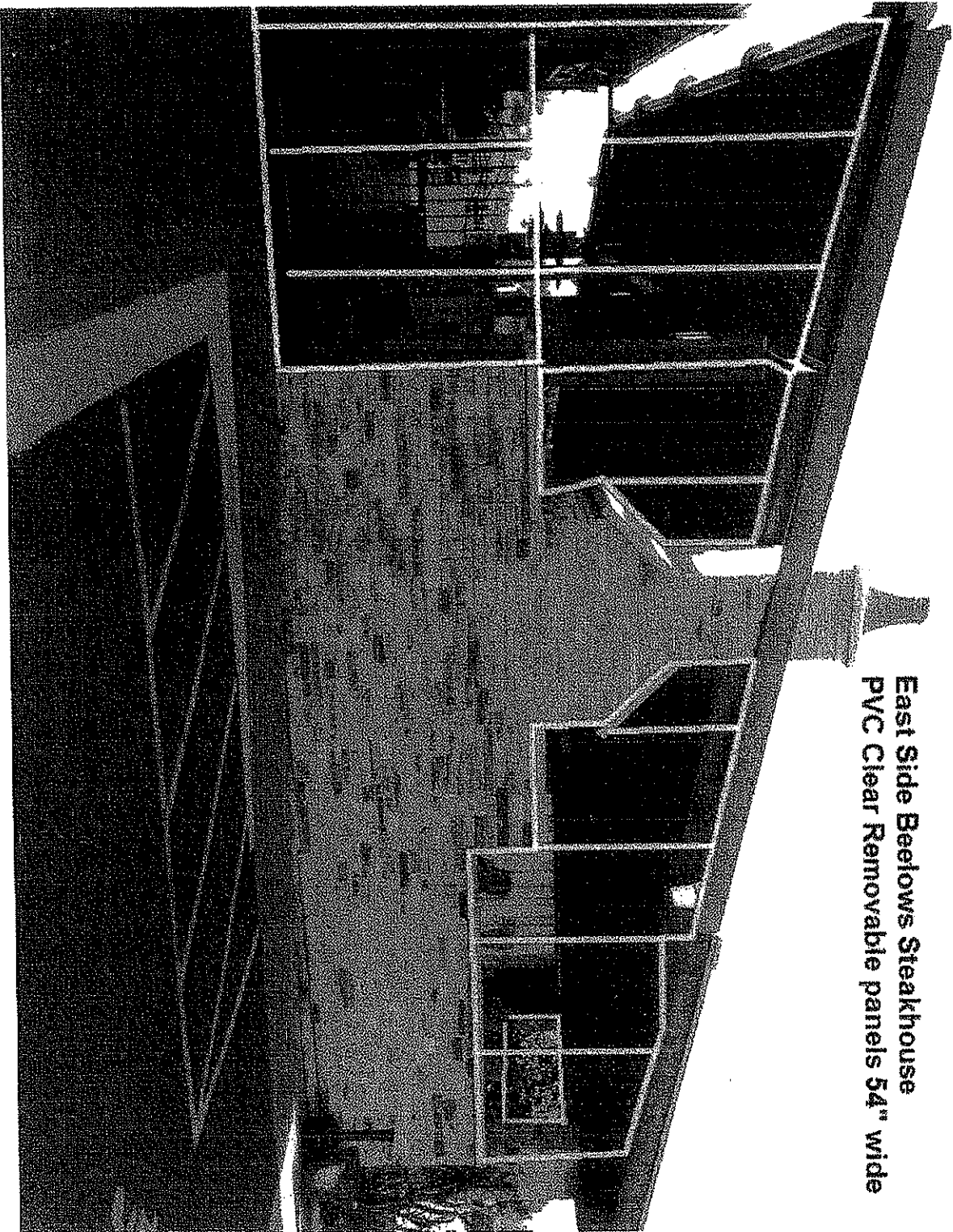


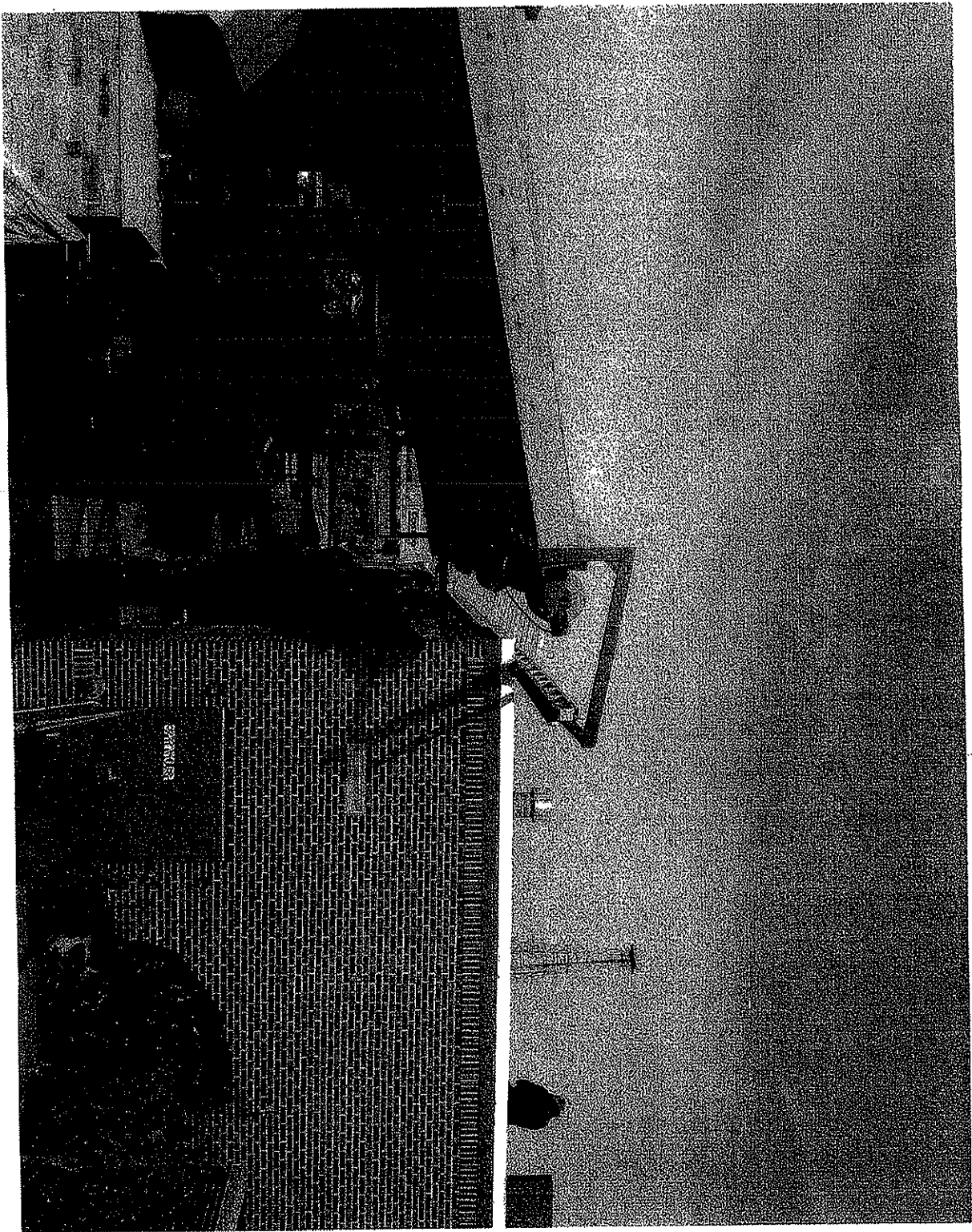


**West Side- Beelows Steakhouse**  
**PVC Clear Removable Panels 54" Wide**



**East Side Beelows Steakhouse  
PVC Clear Removable panels 54" wide**





**LAKE ZURICH PLAN COMMISSION  
FINAL FINDINGS & RECOMMENDATIONS  
FOR 763 SOUTH RAND ROAD  
December 19, 2012**

The Plan Commission hereby recommends approval of the Application PC 2012-12 #1, subject to and including the terms, conditions and findings contained in the Staff Report dated December 10, 2012 for this Application as follows:

- ☒ Without any further additions, changes and modifications.
- ☐ With the following additions, changes and modifications.

  
Orlando Stratman, Vice-Chairperson



70 E. Main Street  
Lake Zurich, IL 60047

Phone: (847) 540-1698  
Fax: (847) 540-1769

### STAFF REPORT

To: Chairperson Jackson and Members of the Plan Commission  
From: Ryan Slattery, Economic Development Assistant  
C: Daniel Peterson, Director of Building & Zoning  
Date: December 10, 2012  
Re: PC 2012-12 #1 Zoning Application for Beelow's Steakhouse, 763 South Rand Road

---

**Issue/Application:** Dan Beelow (the "*Applicant*") is the owner of the property commonly known as 763 South Rand Road legally described in **Exhibit A** attached hereto (the "*Subject Property*").

The Applicant filed an application with the Village of Lake Zurich dated November 15, 2012, (the "*Application*") seeking the following approvals:

- An amendment to exterior appearance approval granted via Ordinance 2011-05-775.

The Subject Property is classified in the Village's B-3 Regional Shopping District.

**Analysis/Preliminary Findings:** Detailed staff reviews from the Building and Zoning Department, Police Department, and the Fire/Rescue Department are attached.

**Recommendation:** Your recommendations should be based on the standards included in Section 21-103 Standards for Exterior Appearance Approval.

*Please refer to **Exhibit B** for staff's review of compliance of the Application with these zoning standards. Staff requests the Plan Commission make these standards a part of the official record for the Application.*

Staff recommends approval of the following subject to any terms and conditions that may be discussed at the public meeting.

- An amendment to exterior appearance approval granted via Ordinance 2011-05-775.

Should you have any questions, please call me at 847-540-1698.



**EXHIBIT B**  
**REVIEW OF COMPLIANCE WITH ZONING STANDARDS**  
**FOR 763 SOUTH RAND ROAD**

**21-103            STANDARDS AND CONSIDERATIONS FOR EXTERIOR APPEARANCE APPROVAL**

In their consideration of applications for exterior appearance approval, the Plan Commission and the Board of Trustees shall consider and evaluate the propriety of granting the approval in terms of the effect of the application on the purposes for which exterior appearance approval is required. In addition, the Plan Commission and the Board of Trustees shall be guided by the following standards and considerations:

- A.     General Quality of Design and Site Development. New and existing buildings and structures and appurtenances thereof which are constructed, reconstructed, materially altered, repaired, or moved shall be evaluated under the following quality of design and site development guidelines:
1.     Open Spaces. The quality of the open spaces between buildings and in setback spaces between street and facade.  
Staff Response: The Subject Property is located in the B-3 Regional Shopping District and does not require provision of open spaces.
  2.     Materials. The quality of materials and their relationship to those in existing adjacent structures.  
  
The quality of materials does not comply the Village code of masonry, however structure is for temporary use due to inclement weather.
  3.     General Design. The quality of the design in general and its relationship to the overall character of neighborhood.  
  
The architecture is designed to be compatible to existing structure of building. The proposed building addition meets this standard.
  4.     General Site Development. The quality of the site development in terms of landscaping, recreation, pedestrian access, automobile access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible.  
  
The site will not be disturbed.
- B.     General Standards for Visual Compatibility. New and existing buildings and structures, and appurtenances thereof, which are constructed, reconstructed, materially altered, repaired, or moved shall be visually compatible in terms of the following guidelines:
1.     Height. The height of the proposed buildings and structures shall be visually compatible with adjacent buildings.  
  
No change in height of existing structure.
  2.     Proportion of Front Facade. The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.  
  
The proposed building meets this standard.

3. Proportion of Openings. The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.  
No change to windows.
4. Rhythm of Solids to Voids in Front Facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.  
The proposed building meets this standard.
5. Rhythm of Spacing and Buildings on Streets. The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.  
The proposed building meets this standard.
6. Rhythm of Entrance, Porch, and Other Projections. The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.  
The proposed building meets this standard.
7. Relationship of Materials and Texture. The relationship of the materials and texture of the facade shall be visually compatible with the predominant materials used in the buildings and structures to which it is visually related.  
The proposed building meets this standard for temporary barrier use.
8. Roof Shapes. The roof shape of a building shall be visually compatible with the buildings to which it is visually related.  
The proposed building meets this standard.
9. Walls of Continuity. Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related.  
The proposed building meets this standard.
10. Scale of Building. The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related.  
The proposed building meets this standard.
11. Directional Expression of Front Elevation. A building shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or non-directional character.  
The proposed building meets this standard.

C. Additional Standards Applicable to Development in the B-2 Central Business District. New and existing buildings and structures and appurtenances thereof in the B-2 Central Business District which are constructed, reconstructed, materially altered, or moved shall be evaluated under the following quality of design and site development guidelines in addition to the standards set in Subsections A and B of this Section:

1. Overall Compatibility. The proposed improvements should be compatible with adjacent structures and with the overall redevelopment strategy for the B-2 District set forth in the Official Comprehensive Plan.

The proposed addition is in B-3 Regional Shopping district and does not require meeting this standard.

2. Building Frontage Lines. Buildings along Main Street and Old Rand Road should have frontage directly adjacent to the sidewalk right-of-way line. Building setbacks may be permitted if the area between the building face and the sidewalk is used for outdoor retailing, seating, or usable public-access open space and is compatible with adjacent properties.

The proposed addition is in B-3 Regional Shopping district and does not require meeting this standard.

3. Principal Entrance. Buildings along Main Street and Old Rand Road should have the principal store entrance accessible directly from the public sidewalk. A short private walkway to the entrance may be permissible if it is consistent with the character of the building and adjacent properties.

The proposed addition is in B-3 Regional Shopping district and does not require meeting this standard.

4. Entrance Highlights. Store entrances should be highlighted with architectural features compatible with the overall building design.

The proposed addition is in B-3 Regional Shopping district and does not require meeting this standard.

5. Windows. Windows should be subdivided to emphasize vertical proportions.

The proposed addition is in B-3 Regional Shopping district and does not require meeting this standard.

6. Story Distinctions. The first story of the building should be distinguished from the second story by means of a horizontal lintel, second floor overhang or setback, or similar detail.

The proposed addition is in B-3 Regional Shopping district and does not require meeting this standard.

7. Building Materials. Exterior building materials should be any of the following: brick, masonry, stucco, cementitious products, wood-like vinyl siding, and/or natural wood siding.

The proposed addition is in B-3 Regional Shopping district and does not require meeting this standard.

8. Signs. Sign materials, forms, and designs shall be integral with the building architecture. Custom designed individual letters, carved wood, or etched metal signs will be strongly encouraged. Perpendicular signs extending over the sidewalk may be permitted if limited in size and if compatible with adjacent properties and safety concerns. Back-lighted fluorescent box signs shall be prohibited.

The proposed addition is in B-3 Regional Shopping district and does not require meeting this standard.

- D. Additional Standards Applicable to Development in the LP Lake Protection District. New and existing buildings and structures and appurtenances thereof in the LP Lake Protection District which are constructed, reconstructed, materially altered, repaired, or moved shall be

evaluated under the following development guidelines in addition to the standards set in Subsections A, B, and, if applicable, C of this Section:

1. No Adverse Impact on Views. The proposed development should create no undue adverse impact on existing views of the lake, subject to the other guidelines in this Subsection D.
2. Diminution of value. Impacts on existing views of the lake may be offset by the degree to which the value of the subject property would be diminished by avoidance or elimination of such impacts on existing views.
3. Protection of Lake Features. Such diminution in value may be offset, however, by the protection of a valuable existing feature of the lake.
4. Value of Adjacent Properties. The use and enjoyment, or value, of adjacent properties should not be adversely affected by the proposed use or development.

Not applicable.

- E. Special Considerations for Existing Buildings. For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing.

The temporary walls are new technology of PVC material.



# **ACK-TEMP**

## **MECHANICAL SERVICES INC.**



DESIGN • INSTALLATION • SERVICE • AND REPAIR OF  
REFRIGERATION • HVAC • HOOD SYSTEMS • AIR BALANCING  
DISHWASHERS • DRAFT SYSTEMS • CUSTOM STAINLESS STEEL

805 Oakwood Road Suite B Lake Zurich IL 60047 Phone: 847-719-2665 Fax: 847-474-4444 E-mail: [mail@acktemp.com](mailto:mail@acktemp.com)

November 13, 2012

Mr. Dan Peterson  
Director of building and zoning  
Village of Lake Zurich, IL 60047  
Copy: Vijay Gadde, Planning manager

To all concerned,

This letter is in regard to the proposed temporary wind/weather guard panels to be installed on the north and south open walls of the outdoor patio. The purpose of these panel will be to prevent the weather elements, when unfavorable, from entering the patio and disturbing guests at the restaurant. These panels will used on temporary basis only when weather is inclement. Panels are designed to be astatically appealing as this is very important to the restaurant owner. Also the goal is for ease of removal as panels are not wanted when weather permits, most of the year.

Sincerely,

Jennifer

ACK-TEMP MECHANICAL SERVICES INC.  
805 Oakwood Rd. Suite B  
Lake Zurich IL, 60047  
[rackerman@acktemp.com](mailto:rackerman@acktemp.com)  
O-1-847-719-2665  
F-1-847-474-4444  
C-1-847-774-1136



## OFFICIAL ANNEXATION AND ZONING APPROVAL APPLICATION

Building & Zoning Department  
Planning & Development Division  
70 E. Main Street  
Lake Zurich, IL 60047  
Phone: (847) 540-1698  
Fax: (847) 540-1769

Daniel A. Peterson, Director

(Please Type or Print)

① Address of Subject Property: 763 South Rand Road

→ 2. Legal description: Lot 3 Block \_\_\_\_\_ Subdivision Lake Zurich Theater

Please attach complete legal description and email a copy to planning staff at [gadde@volz.org](mailto:gadde@volz.org) (for PC packets) and to [meyer@volz.org](mailto:meyer@volz.org) (for ZBA packets).

→ Property dimensions are: \_\_\_\_\_ ft. by \_\_\_\_\_ ft. = 52,122 square feet

If more than two acres, then give area in acres: \_\_\_\_\_

→ 3. Property Identification number(s): 4626385

4. Owner of record is: Dan Beelow Phone: 847-878-8926

Fax: 21402 W. Rte 60 E-Mail bandbpsi@sbcglobal.net

Address: Mundelein IL 60030 1

4. Applicant is (if different from owner): ACK-TEMP Phone: 847-719-2665

Fax: 847-474-4444 E-Mail rackerman@acktemp.com

Address: 805 Oakwood Rd Solt B Lake Zurich IL 60047

6. Applicant's interest in the property: Dan Beelow  
(owner, agent, contractor, Realtor, etc.)

### 7. THE FOLLOWING ACTION IS REQUESTED:

Please provide a detailed explanation in a separate cover letter, explaining each standard as it relates to the following applications. Attach additional pages as needed.

#### A. VILLAGE BOARD APPLICATION TO ANNEX CERTAIN TERRITORY

All land annexed to the Village is classified automatically after such annexation in the R-1/2 Single Family Residential District. The owner must file an application for a Zoning Map amendment if he or she desires a different zoning classification for the Subject Property.

- ☐ Petition to Annex certain Territory (Please complete attached petition)
- ☐ Application to Annex certain Territory

## B. PLAN COMMISSION APPLICATIONS

☐ Zoning Code **Map** Amendment for \_\_\_\_\_

Zoning Code **Text** Amendment for \_\_\_\_\_

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. In general, The Plan Commission will evaluate the consistency of the proposed amendment with the purposes of the Zoning Code and the community need for the proposed amendment, uses, and development. **If a specific parcel is the subject of this amendment, then provide the additional information listed in Section 18-103C.)**

☐ Special Use Permit/Amendment for \_\_\_\_\_

(See Section 19-103 of the Lake Zurich Zoning Code for specific standards. The Plan Commission also will consider whether the proposed special use is deemed necessary for the public convenience at the particular location and whether alternative locations have been evaluated.)

☐ Site Plan Approval/Major Adjustment/Amendment

(See Section 20-103 of the Lake Zurich Zoning Code for specific standards.)

☒ Exterior Appearance/Amendment

*ORDINANCE NO. 2011-05-775*  
(See Section 21-103 of the Lake Zurich Zoning Code for specific standards.)

☐ Planned Unit Development/Major Adjustment/Amendment

(Planned Unit Developments are a distinct category of special use and are intended to create a more desirable environment than through strict application of the zoning and subdivision regulations. See Section 22-105 of the Lake Zurich Zoning Code for specific standards. Please list all the 'modifications' requested in the cover letter. **Planned Unit Developments also require providing compensating amenities to the Village.**)

☐ Preliminary and Final Plat of Subdivision/Amendment

(See Sections 10-5-2 and 10-5-9 of the Land Development Code for specific standards.)

☐ Modification to the Land Development Code (includes retaining walls more than 2 feet in height)

(See Section 10-6-18 of the Land Development Code for specific standards.)

## C. ZONING BOARD OF APPEALS APPLICATION

☐ Variation for \_\_\_\_\_

(Illinois State Law requires that in order for a Variation to be granted a land-related hardship must be proven by a positive Finding of Fact for certain criteria. See Section 17-104 of the Lake Zurich Zoning Code for specific standards. **Please indicate what your specific hardships are in the cover letter.** Self-inflicted hardships are not eligible for a variance.)

## D. COMPREHENSIVE PLAN APPLICATION

☐ Comprehensive Plan **Map** Amendment for \_\_\_\_\_

☐ Comprehensive Plan **Text** Amendment for \_\_\_\_\_

**Please complete the following for all applications.**

8. All existing uses and improvements on the property are: Outdoor Patio

9. The proposed uses on the property, if this application is approved are: Restaurant

10. Covenants, Conditions, or Restrictions List any covenants, conditions, or restrictions concerning the type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:

NONE

11. Contract or Agreement Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:

NONE

12. Protected Soils: Identify all soils on the Subject Property that are subject to natural resource protection standards. (See Sections 8-302 and 8-303 of the Zoning Code.)

NO

13. List the owners of record of all properties located within 250 feet, excluding all Public Right-of-Ways of the Subject Property. (If property is held in a Trust, give the Trust Number and Bank name and address.)

**These parties should be notified by the Applicant prior to the public hearing.** (Refer to detailed instructions on Page 7.) Staff will provide the required notice to the Applicant. The required sign(s) will be erected by the Village of Lake Zurich.

*\* Please See attached paper \**

Property Identification Number (PIN)	Owner's Name	Mailing Address
	<del>16300 Lake Zurich</del>	<del>16300 Lake Zurich</del>




(if more space is needed, please attach a separate sheet of paper.)

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.

THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

Russell Ackerman  
(Name of applicant)

Russell Ackerman  
(Signature of applicant)

Subscribed and sworn to before me this 12<sup>th</sup> day of November, 2012.

Ewa Mlodzianowski  
(Notary Public)

My Commission Expires 4/9/16



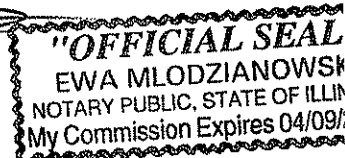
Dan Bee low  
(Name of Owner, if different)

Dan Bee low  
(Signature of Owner, if different)

Subscribed and sworn to before me this 12<sup>th</sup> day of November, 2012.

Ewa Mlodzianowski  
(Notary Public)

My Commission Expires 4/9/16



\*\*\*Official Use Only\*\*\*

Zoning Case Number: \_\_\_\_\_ Date of Public Hearing: \_\_\_\_\_

Application Fees: \_\_\_\_\_ Annexation Fees: \_\_\_\_\_

Escrow Deposit for consultant fees: \_\_\_\_\_

Is a Courtesy Review by the Village Board required? ☐ Yes ☐ No

Traffic study required? ☐ Yes ☐ No

Any impact fees/contributions required? ☐ Yes ☐ No

Compensation amenities required? ☐ Yes ☐ No

Application accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# LEGALLY DESCRIBED AS FOLLOWS:

PARCEL ONE: LOT 3 IN LAKE ZURICH THEATER SUBDIVISION, BEING A RESUBDIVISION OF LOT 1 AND 2 IN RHYAN SUBDIVISION IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, AND PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED JANUARY 2, 2001 AS DOCUMENT NUMBER 4626385, IN LAKE COUNTY, ILLINOIS.

PARCEL TWO: EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL ONE OVER THAT PORTION OF LOT 1 IN LAKE ZURICH THEATER SUBDIVISION, AFORESAID, DESIGNATED ON THE PLAT OF SUBDIVISION AS "INGRESS AND EGRESS EASEMENT FOR THE BENEFIT OF LOTS 1, 2, 3, 4, 5, 6 AND 7"

PARCEL THREE: NON-EXCLUSIVE EASEMENT FOR INGRESS EGRESS AND PARKING FOR THE BENEFIT OF PARCEL ONE OVER THAT PORTION OF LOT 1 IN LAKE ZURICH THEATER SUBDIVISION, AFORESAID, AS LOCATED AND DEPICTED ON THE PLAT OF SUBDIVISION.

PARCEL FOUR: EASEMENT FOR ACCESS AND PARKING FOR THE BENEFIT OF PARCEL ONE OVER LOT 4 IN LAKE ZURICH THEATRE SUBDIVISION, AFORESAID, AS CONTAINED IN INSTRUMENT DATED MARCH 22, 2001 AND RECORDED MARCH 27, 2001 AS DOCUMENT 4664036, IN LAKE COUNTY, ILLINOIS.  
(DOCUMENT NOT PROVIDED)

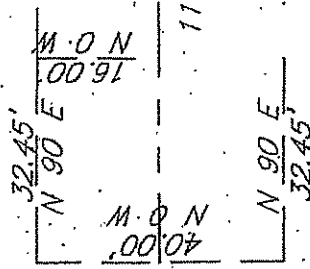
CONTAINING 52,122 SQ. FT. OR 1.1966 ACRES

THE FOREGOING LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS SHOWN IN SCHEDULE A OF TITLE INSURANCE COMMITMENT NUMBER 1409 000755685 NSC BEARING AN EFFECTIVE DATE OF JULY 8, 2010 AS PREPARED BY CHICAGO TITLE INSURANCE COMPANY

THE SUBJECT PROPERTY ADJOINS RAND ROAD (A PUBLIC STREET) ON THE NORTH. AND ADJOINS AN EASEMENT FOR INGRESS AND EGRESS (PARCELS 2 AND 3) ON THE SOUTH AND WEST. DIRECT ACCESS TO RAND ROAD IS PROVIDED VIA THE AFOREMENTIONED EASEMENTS.

## CURVE TABLE

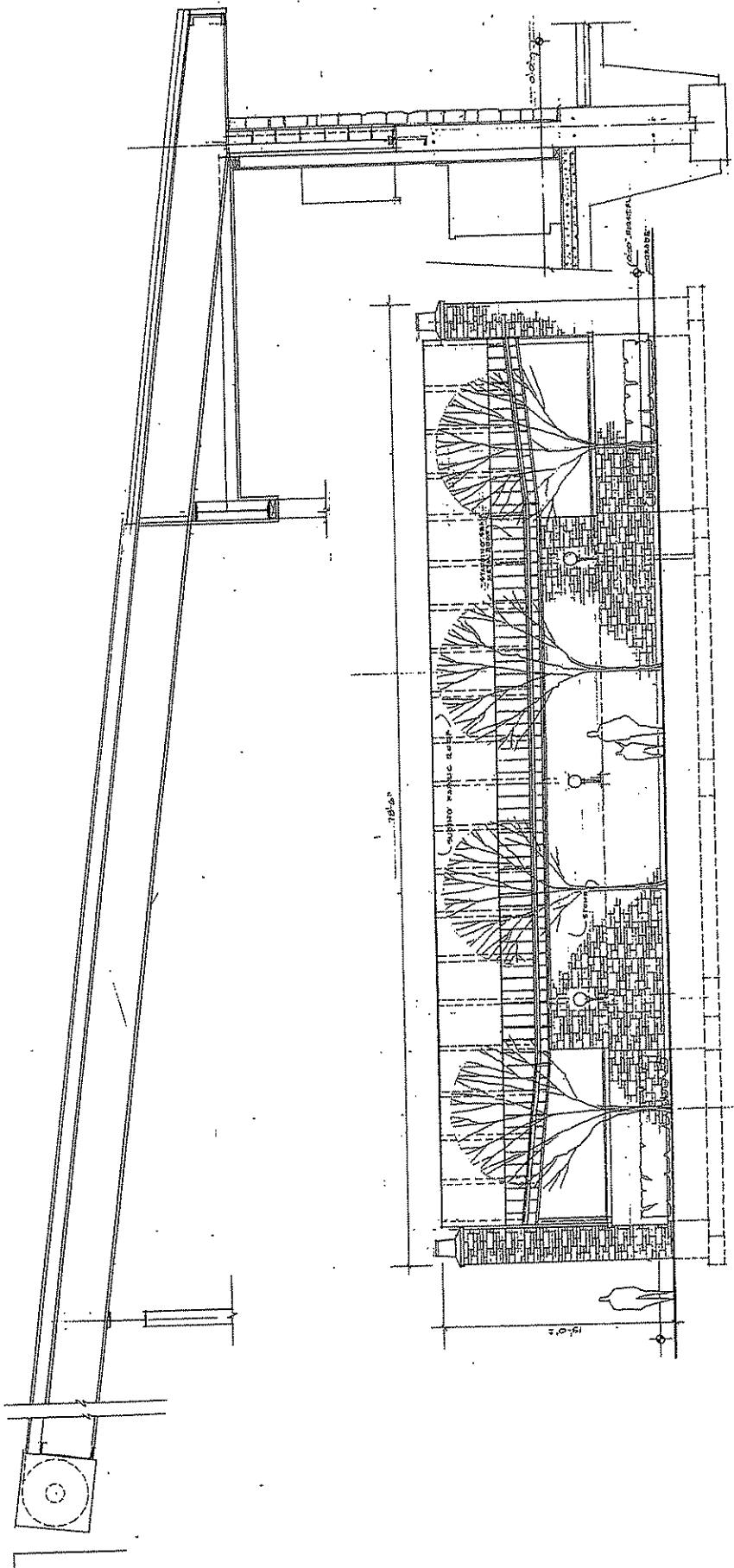
NO.	RADIUS	ARC	CHORD	CHORD BEARING
(1)	61.60'	96.68'	87.05'	N.44°57'47"W.



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REVISIONS	

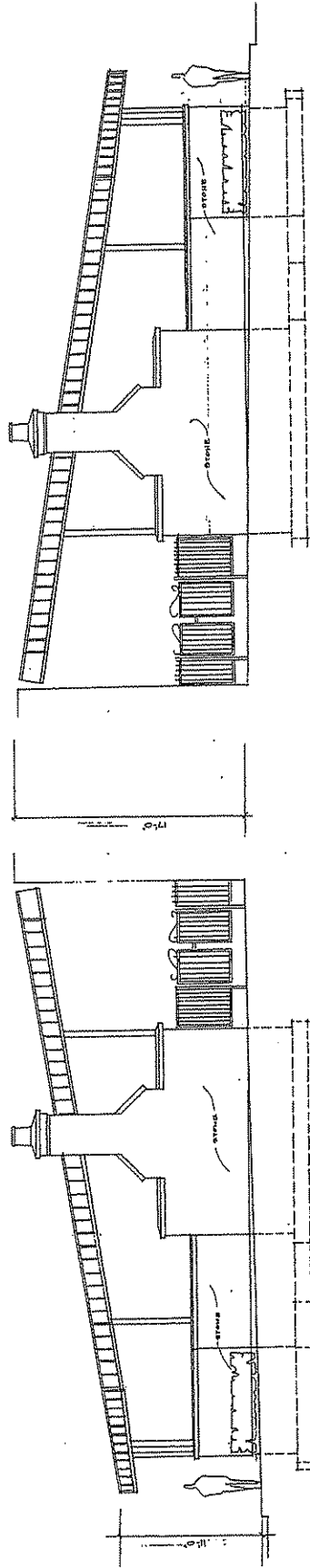
SECTION 3/8" = 1'-0"

NORTH ELEVATION 1/8" = 1'-0"



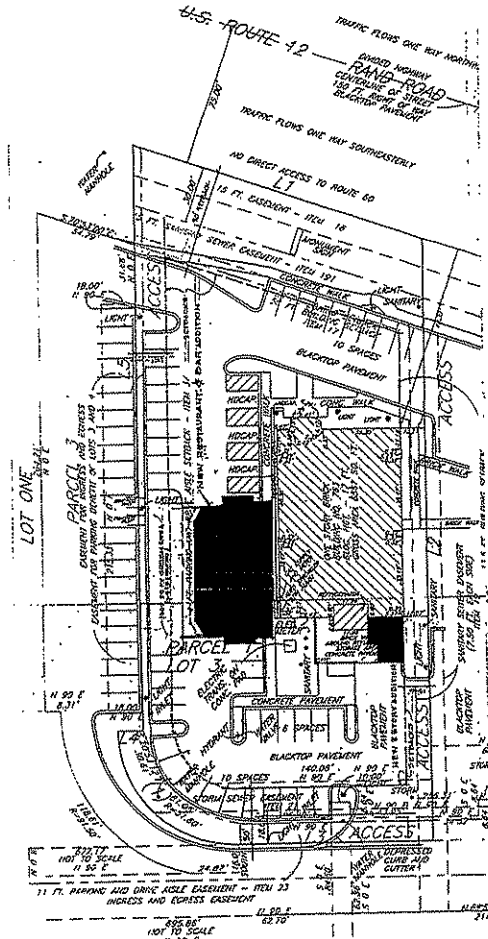
OUTDOOR RESTAURANT AND BAR AND ADDITION FOR  
**BEELOW'S STEAK HOUSE**  
 763 RAND ROAD - LAKE ZURICH, ILLINOIS 60047

**BURCH, BURCH & BURCH A.L.A. LTD.**  
 ARCHITECTS  
 250 N. Wolf Road  
 Wheeling, Illinois  
 60090-2822  
 Phone (847) 537-8800



**WEST ELEVATION**  $1/8" = 1'-0"$

EAST ELEVATION



**SITE PLAN 'E30'**

Line	Bearing	Distance	Measure
L1	S. 70° 53' 00" E.	159.81'	159.88
L2	S. 00° 00' 00" E.	318.93'	318.9
L3	N. 90° 00' 00" W.	102.89'	102.88
L4	N. 90° 00' 00" E.	13.41'	13.4

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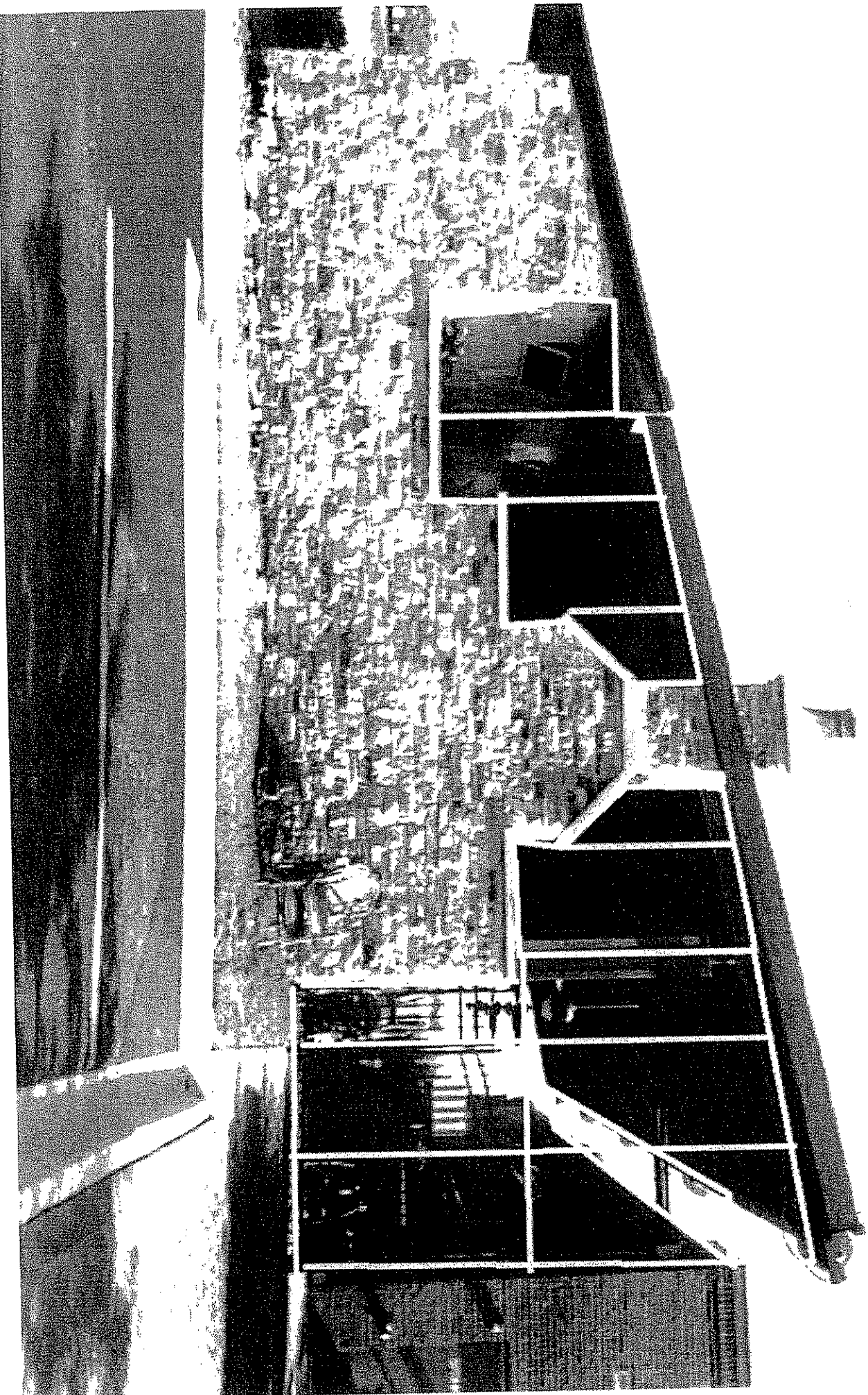
CONTAINING 52,122 SQ. FT. OR 1.1966 ACRES

THE SUBJECT PROPERTY (ADDRESS AND MAP) ON THE MAP, AND ADDRESS AN  
AGREEMENT FOR ADDRESS AND DEEDS (PARCELS 2 AND 3) ON THE SOUTH AND WEST. DIRECT  
ACCESS TO ROAD AND IS PROVIDED VIA THE FOREMENTIONED EASEMENTS.

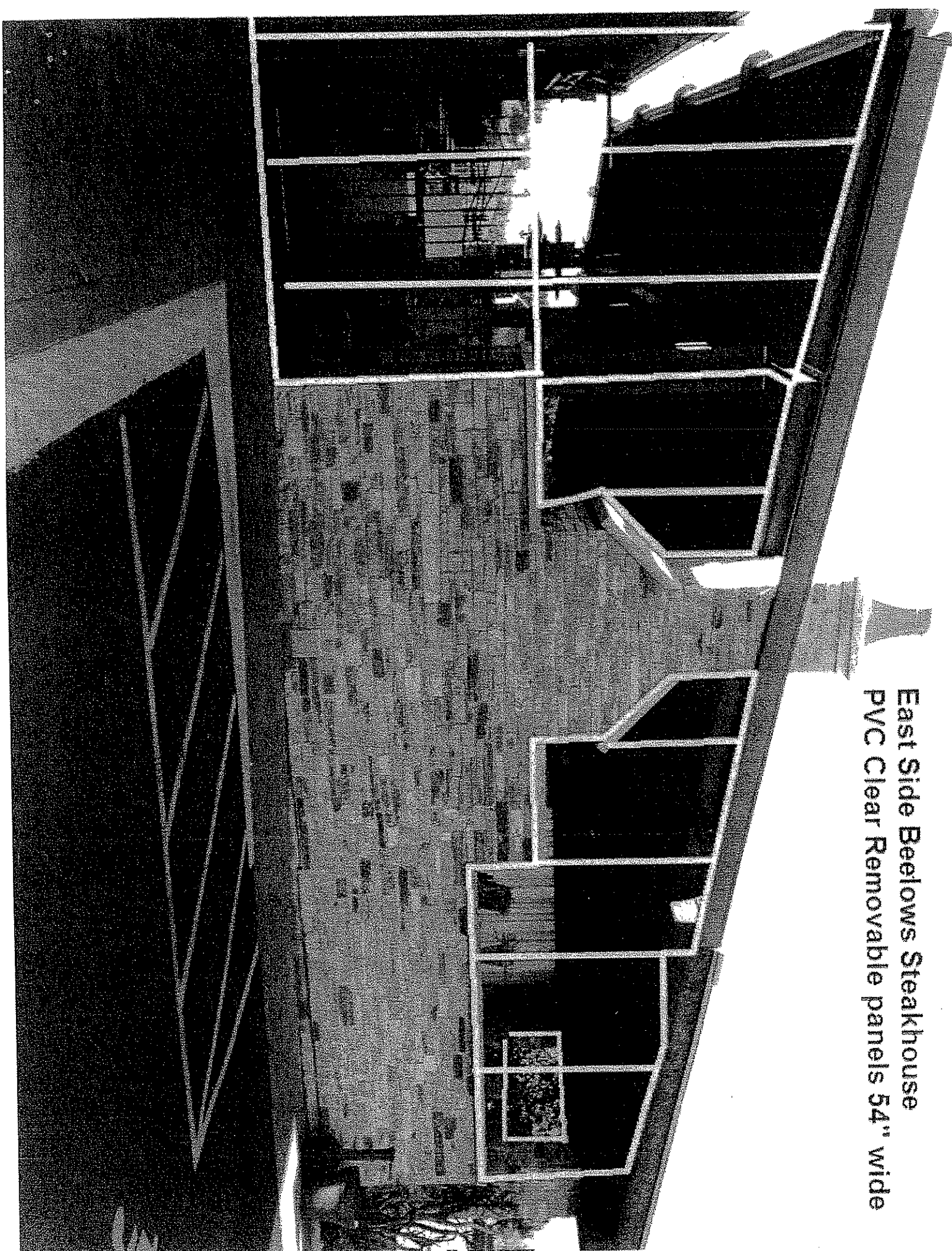
CURVE TABLE

West Side- Beelows Steakhouse

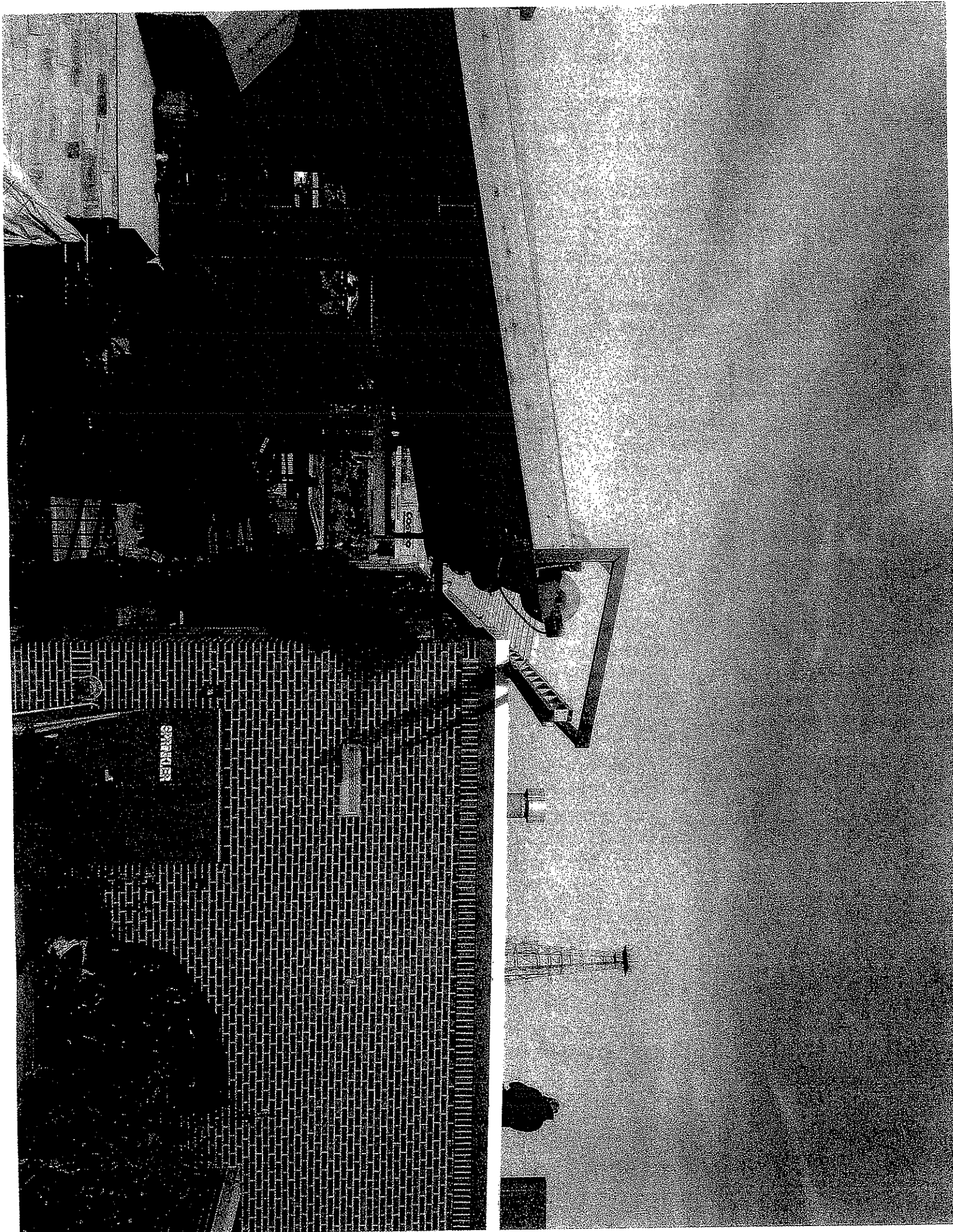
PVC Clear Removable Panels 54" Wide



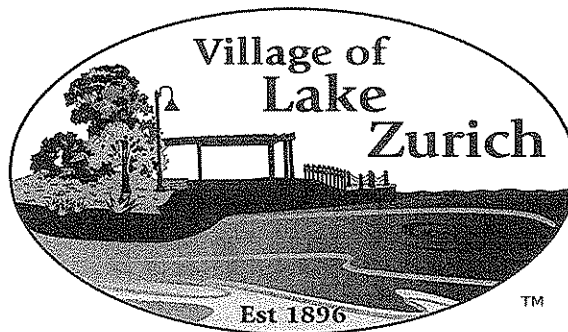
East Side Beelows Steakhouse  
PVC Clear Removable panels 54" wide







70 E. Main Street  
Lake Zurich, IL 60047



AGENDA ITEM

8B

Phone: (847)438-5141  
Fax: (847)540-1768  
Web: [www.volz.org](http://www.volz.org)

## MEMORANDUM

Date: January 2, 2013

To: Jason T. Slowinski, Village Manager *JS*

From: Roy T. Witherow, Assistant Village Manager

Subject: Park and Recreation Advisory Board Recommendation to the Board of Trustees

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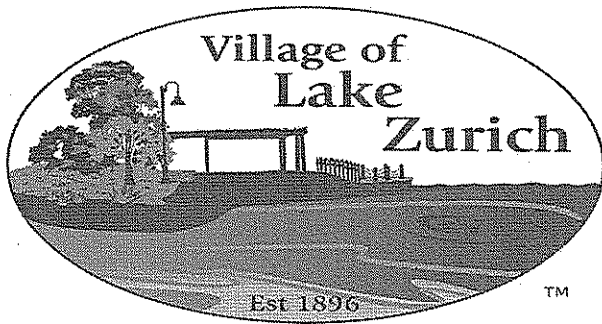
**Issue:** Interim Park and Recreation Director Kathy Katz has informed me that the Park and Recreation Advisory Board (PAB) has held discussions recently regarding expenditures from the Park Improvement Fund (PIF). At its December 11, 2012 meeting, the PAB recommended to the Board of Trustees its definition of appropriate expenditures from this Fund.

**Analysis:** Pursuant to its function as an advisory body, the PAB has indicated, vis-à-vis the attached recommendation, its position on items to be charged to the PIF.

**Recommendation:** It is recommended that the Village Board acknowledge receipt of the attached recommendation in preparation for the FY-2014 Budget deliberations.

Attachments: Park Advisory Board Resolution of December 11, 2012





**PARK AND RECREATION ADVISORY BOARD**

11-Dec-12

**RECOMMENDATION TO THE VILLAGE BOARD**

Use of Park Improvement Funds (PIF)

Please see attached.

  
Kevin Koch, Vice Chair  
Park and Recreation Advisory Board

## LAKE ZURICH PARK AND RECREATION ADVISORY BOARD

**WHEREAS** the Park and Recreation Advisory Board is an advisory body to the Lake Zurich Board of Trustees and to the Village Manager and staff of the village's Park and Recreation Department on all matters related to the development and operation of recreation programs, playgrounds, facilities and parks, and to make such recommendations with regard to such matters as the board determines are necessary and desirable; and

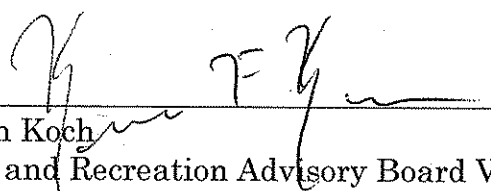
**WHEREAS** the Park and Recreation Advisory Board is to make recommendations on specific matters for the park and recreation budget;

**WHEREAS** the Park and Recreation Advisory Board recognizes that the sole source of funds for the Park Improvement Fund (PIF) is derived from developer contributions; and,

**WHEREAS** the Park and Recreation Advisory Board advises the Lake Zurich Village Board of Trustees to expend funds from the Park Improvement Fund (PIF) in a manner limited to the following express purposes beginning in the 2013-2014 budget year:

- 1) New improvements to existing park equipment
- 2) Purchase of park land
- 3) Purchase of new or replacement park equipment, i.e. picnic tables, playgrounds and other park amenities.

**NOW, THEREFORE, BE IT RESOLVED**, by the Vice-Chairperson and Park and Recreation Advisory Board of the Village of Lake Zurich that it recommends the above noted parameters for which to expend Park Improvement Fund (PIF) monies.

  
\_\_\_\_\_  
Kevin Koch  
Park and Recreation Advisory Board Vice-Chair

VILLAGE OF LAKE ZURICH  
RESOLUTION NO. 2013-01-07

WHEREAS, the

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Lake Zurich that

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2013.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2013.

BY:

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

70 E. Main Street  
Lake Zurich, IL 60047



AGENDA ITEM 10A

Phone: (847)438-5141  
Fax: (847) 540-1768  
Web: [www.volz.org](http://www.volz.org)

## MEMORANDUM

Date: January 3, 2013  
To: Mayor and Board Members  
From: Jason T. Slowinski, Village Manager  
Subject: Bi-Weekly Reports from Operating Departments

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Attached are bi-weekly Status and Information Reports from the Village's main operating departments: Fire, Finance, and Building & Zoning.

If you have any questions regarding the items mentioned in the attached reports, please feel free to contact my office.

w/ Attachments: Department Bi-Weekly Reports

VILLAGE OF LAKE ZURICH

BUILDING & ZONING DEPARTMENT

BI-WEEKLY STATUS AND INFORMATION REPORT

January 2, 2013

I. Program/Project Management

A. Major Programs/Projects Started

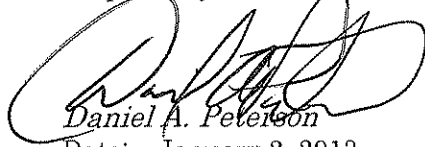
- On December 13<sup>th</sup> met representatives from the Holiday Inn Express to discuss marketing, Lake County Convention and Visitors Bureau and other ideas for economic development to enhance stays at the Holiday Inn.
- Staff met with representatives from Somerset Townhomes to discuss building on the existing pad site, Building #4. The owner is looking to possibly begin construction in the spring on the remaining building.
- Staff met with Ms. Pedersen, 700 Telser, regarding her violations and inability to comply with the requirements of her Temporary Occupancy permit. A final compromise was agreed to and she must comply or her case will be referred for further action. This case has involved a significant amount of staff time and resources to resolve.
- Staff has been meeting with a couple of businesses within the Industrial Park regard their interests in expanding and constructing new buildings. The discussions involved the zoning entitlement process.

II. Other Noteworthy Matters

A. Major Departmental Accomplishments/Activities

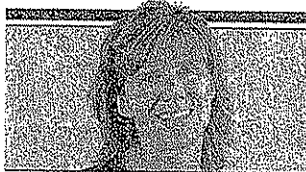
- On December 12, 2012 Director Peterson was a guest speaker for Mr. Keyzer's architecture/drafting class at Lake Zurich High School. The students were receptive and interested how building codes are connected with building design and function.
- Beginning in January 2013 the new Illinois Energy Conservation Code standards go into effect. Building & Zoning Department has been actively informing contractors and homeowners of the effects of the new standards which are mandated by the State of Illinois. See attached article from the December 23, 2012 Chicago Tribune.

Respectfully Submitted,



Daniel A. Peterson  
Date: January 2, 2013

# Stricter energy code heats up debate on cost to consumers



**MARY ELLEN  
PODMOLIK**  
*The Home Front*

Energy-efficient homebuilding is about to take a big step forward in Illinois, but consumers will pay now to save on future utility bills.

A new statewide building energy code that takes effect Jan. 1 strives to make homes more comfortable and residential energy bills less costly by making the building's "envelope" tighter. The adoption of a substantial amount of the International Energy Conservation Code for homes puts Illinois at the forefront of such efforts among states.

But the updates to the building energy code, required by state law every three years, have not been without controversy. While proponents say the changes will increase the cost of a new home from \$958 to \$1,775 in Illinois, or about \$1,500 in the Chicago area, detractors of the new rules peg that Chicago-area cost increase at \$4,600, a sum they say will price some first-time buyers out of the market.

Either way, it is a cost that will be borne by consumers over the life of their mortgages.

The new code will apply to all newly built single-family homes, including two-, three- and four-flat buildings that are no taller than three stories. It also will apply to major room renovations and structural

changes to existing homes. In other words, if a homeowner redoes a kitchen by changing the countertops and cabinets, the code requirements won't apply. If a homeowner replaces a window or takes a room down to the studs before remodeling it, the builder will have to follow the new rules.

The changes won't be obvious, and even the code's proponents agree the upgrades in energy efficiency won't be as easy to market to consumers as, say, granite countertops and crown molding.

They include upgraded insulation in attics and basements, more energy-efficient windows, upgraded bathroom vent fans, the use of some high-efficiency lights, insulated hot-water lines to kitchens and air sealing around furnaces.

New homes also will have to undergo a blower door test, a procedure in which a powerful fan is attached to an exterior door. As the fan pulls air out of the home, a tester can see how much outside air is leaking into the home.

"There are just dozens of little things that get better, and the homeowner winds up better off," said William Fay, executive director of the Energy Efficient Codes Coalition in Washington. "It's very significant for an Illinois homebuyer. Codes are very technical, they're very boring. But homes and commercial buildings use up 70 percent of electricity. They're the leading consumer of energy. That's why this is important."

Supporters of the



Proponents of the new code say insulation and window upgrades are a tougher sell than high-quality fixtures.

changes say consumers living in a Chicago-area home of 2,400 square feet with a basement should save an estimated \$350 a year on their energy costs, compared with the current building regulations.

"This is the minimum," noted Isaac Elneceve, a senior policy manager at the Midwest Energy Efficiency Alliance. "If a builder really wants to go above this, they can. The leaders in Illinois (already) are building better than this."

The National Association of Home Builders argued that the changes were costly and did not provide significant energy cost savings to homeowners.

It also disagrees with proponents that the more stringent codes will lead to innovation and competition among product manufacturers that will eventually lower prices. Instead, it sees the new code as too product-specific, in effect taking away build-

ers' choices in how they work toward a certain degree of energy efficiency.

"It's a two-edged sword," said Don Surrena, energy efficiency program manager at the builders' association. "It has a positive impact for certain buyers and a negative impact for certain buyers. The positive impact is it does drive up the requirement for energy efficiency, but at what price did we get this energy efficiency?"

Already, the state and others have begun training municipal inspectors and industry professionals on the new rules.

With the yearslong slump in home construction, builders that are coming out of hibernation are finding they have to follow a much different set of rules. The last change to the energy conservation code was in 2009.

mepodmolik@tribune.com  
Twitter @mepodmolik

VILLAGE OF LAKE ZURICH

FINANCE DEPARTMENT

BI-WEEKLY STATUS AND INFORMATION REPORT

As of December 28, 2012

I. Major Program/Project Management

a. 2013/14 BUDGET

1. *Training*: Complete
  2. *Preparation*: Departments have begun entry for the first draft of their department budgets which will be due to Administration by the end of business on January 4<sup>th</sup>.
  3. *Calendar*: A proposed budget calendar has been distributed to the board for feedback on timing and the process. It was structured similar to past years and is open for comments and changes by the board. Feedback was received from two trustees to date.
- b. END OF CALENDAR YEAR: Staff is working to process any end of calendar year transactions relating to both payroll (W-2 forms) and accounts payable (1099-Misc). Both the federal and state government require calendar year reporting in both areas, regardless of our fiscal year.
- c. CREDIT CARD ACCEPTANCE: Due to staffing changes in the Illinois State Treasurer's Office, our implementation has been delayed slightly. They have placed a rush on getting our merchant identification numbers so that we can complete the implementation and begin offering the service to our customers. The most recent date of go-live from the State is January 14<sup>th</sup>.

II. Financial Management

- A. MONTHLY FINANCIAL REPORT: November's financial report will be presented at the January 21<sup>st</sup> board meeting.
- B. MID-YEAR FINANCIAL REVIEW: The board was provided the mid-year financial review document, analyzing the first six months of activity in the fiscal year. Trends for both major revenues and expenditures by department were detailed. Some preliminary forecasting was provided for the General Fund, which is trending to have a slightly smaller deficit than originally expected if revenue trends and spending habits stay fairly consistent.

Respectfully Submitted,

Jodie K. Andrew

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Director of Finance

Date: 1/2/13

VILLAGE OF LAKE ZURICH

FIRE / RESCUE AND EMERGENCY MANAGEMENT

BI-WEEKLY STATUS AND INFORMATION REPORT

January 2, 2013

12/09– 12/29

I. Program/Project Management

A. Major Programs/Projects Started

- Budget entry has been completed and several internal reviews have already taken place. Awaiting the start of Departmental reviews.
- FY 14 personnel budget memo submitted to the Manager and Finance for review.
- Chief and D/C met with Supervisor Paulus at PW to prioritize some body work issues facing several department vehicles. In addition, the overall review of our replacement program was also reviewed in context of evaluating purchase cost vs repair/maintenance costs. This method allows for an analysis of total vehicle costs and seeks to project optimal replacement timeframes.
- Chief Wheelock met with the Des Plaines Fire Chief to review the final details of the sale of the aerial truck. The expected sale price is \$400,000 pending final approval of all agreements by both sides.

II. Financial Management

III. Personnel Management

A. Recruitments, Terminations, Layoffs, Retirements, Disciplinary Actions

- The Hire List is finalized and 1 person is being sent to start the background investigation as the Department is now short 1 FF/PM position. Awaiting organizational review to determine course of action.
- As was reported under a separate email, Lt Johnson who at one time submitted his retirement notice has decided to stay with us.

B. Major Absences (e.g. workers compensation, medical leaves, disability leaves, FLSA, or FMLA leave) and Light Duty Assignments

- **Status unchanged:** The department now has two employees out on workers compensation time. Neither of the them are on light duty at this time. A third person is still out, but for now has been switched to an off-duty injury status for a new injury.

IV. Other Noteworthy Matters



- The monthly Fire District Board was held on 12/10. The District is looking to schedule the annual meeting between Presidents in early January.
- Assistant Fire Marshal Trayling attended a Deer Park Building and Plan review committee meeting. A change to a restaurants seating plan was on the docket.
- The Department took delivery of the Fire Engine ordered from Pierce Manufacturing through the Fire District. Fleet Division will be working to get the unit in service.
- The Department also took delivery of the Ambulance ordered in late FY 12. Fleet Maintenance will be working to get that unit ready for service. Once ready, we will be sending an ambulance for some body work.
- Department crews took part in the employee lunch at Village Hall.
- Chief Wheelock met with Long Grove Fire Department representatives to review operational issues and dispatch operations.
- Captain Kelly met again with a representative that is helping us design and spec out a remodel of station 3's kitchen. This is a Fire District project.

Respectfully Submitted,

*David P Wheelock*

Fire Chief / Emergency Management Director

Date: January 2, 2013

# January 2013

## VILLAGE OF LAKE ZURICH MEETINGS

### Village Hall Board Room, 70 E. Main Street

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6	7	8	9	10	11	12
7:00 PM Board Meeting	8:00 AM Police Pens. 200 Mohawk Trl. 6:30 PM Park & Rec. mtg. 6:30 PM Tree Comm, 505 Telsler Rd.					
13	14	15	16	17	18	19
	5:00 PM Fire & Police Comm, 200 Mohawk Trl.	8:00 AM Fire Pension, Station 2 7:00 PM Plan Comm. mtg.	7:30 PM Zoning Board of Appeals			
20	21	22	23	24	25	26
7:00 PM Board Meeting Martin Luther King, Jr.		8:00 AM Foreign Fire, Main Fire Station				
27	28	29	30	31	<div> <div>S</div> <div>M</div> <div>T</div> <div>W</div> <div>T</div> <div>F</div> <div>S</div> </div> <div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> </div> <div> <div>Feb 2013</div> </div>	

Unapproved  
Village of Lake Zurich  
Committee of the Whole Special Meeting  
Wednesday, December 5, 2012  
Police Facility, 200 Mohawk Trail

1. Call to Order: The meeting was called to order at 7:00 p.m. by President Suzanne Branding.

Roll Call: Present: President Branding, Trustee Jeff Halen, Trustee Terry Mastandrea, Trustee Tom Poynton, Trustee Dana Rzeznik, Trustee Jonathan Sprawka, and Trustee Rich Sustich. Staff members present: Village Manager Jason Slowinski, Asst. Village Manager Roy Witherow, Finance Director Jodi Andrews, Police Chief Patrick Finlon, and Director of IT Michael Duebner. Fire Department Staff: Chief Dave Wheelock, Dept. Chief Golubski, Asst. Fire Marshall Trailing, Training Officer Wenzel, and Commander Kelly.

2. Approval of minutes, October 23, 2012

The minutes of the October 23, 2012 Committee of the Whole meeting were presented for approval as written and accepted upon unanimous voice vote.

3. Discussion on Consolidation of Fire Stations

Village Administrator Slowinski opened the discussion on the fire station consolidation and the concept of incorporating the village hall offices into an overall consolidation plan as had been detailed in his memorandum to the Board of Trustees dated November 30, 2012.

Fire Chief Wheelock gave a presentation and narrated a power point presentation detailing current fire station locations and coverage and proposed consolidation and coverage. The consolidation proposed closing and consolidating the Village of Lake Zurich Fire Station #1 and Lake Zurich Rural Fire Protection District Fire Station #4 into one large centralized station at a location near the intersection of Route 12 between Cuba and South Old Rand Roads. Fire Chief Wheelock believes this proposal would increase efficiency, productivity, and provide for long-term operational and financial sustainability. He has presented this concept to the Rural Fire District Board, and they are willing to discuss the concept further.

The presentation covered the following topics:

- Lake Zurich Fire Rescue Department Current 4 Station response Model Map
- Conceptual Points
- Background – Timeline
- Other Factors
- Capital Cost Considerations
- Facility Concepts
- Cost Savings
- Staffing
- Response Issues

Village Administrator Slowinski reviewed his memorandum and elaborated on the following concepts:

- Enhance the operational functionality for both fire department operations and Village Hall operations.
- Reduce existing and long-term maintenance expenses on aging facilities.
- Generate new revenues for the Village in both the TIF Fund and General Fund by adding more taxable property to the tax rolls.
- Create a desirable parcel for new development in the downtown TIF District without the need to acquire additional parcels.
- Create a more safe, healthy, and positive experience for Village employees, residents, and guests that use and visit Village Hall.
- Creatively finance our capital improvement needs without adding an additional debt burden to the Village or depleting our reserves.
- Demonstrate our commitment to utilizing intergovernmental agreements to plan for critical existing and future capital operational, and staffing needs.

Fire Chief Wheelock said in summary that the new station could provide an attractive gateway from the south into the Village, provide an overall improvement of the response profile, improve operational efficiency, enhance cooperation between two governmental agencies and provide advantages for both. If the Board of Trustees agreed, one of the next steps would be to begin site selection and relocate Fire Station #1 and to consider the Village Hall consolidation. The proposal could proceed as fire station consolidation alone or with the addition of the Village Hall.

A question and answer period followed. The Board stressed the need to achieve cost savings and maintain public safety or the proposal would not be acceptable. President Branding polled the Board and all but Trustee Sprawka agreed that Chief Wheelock could continue discussions and research on the proposal. Trustee Sprawka did not support the consolidation because he was not convinced there would be any savings realized by the Village and thought it would end up costing the Village more money in the end.

4. Adjournment

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

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Meeting adjourned at 8:50 p.m.

Respectfully submitted: Janet McKay, Recording Secretary

Approved: \_\_\_\_\_  
Suzanne K. Branding, Village President

Date: \_\_\_\_\_

UNAPPROVED  
**VILLAGE OF LAKE ZURICH  
PARK AND RECREATION  
ADVISORY BOARD MEETING  
DECEMBER 11, 2012**

**1. Call to Order**

The meeting was called to order at 6:31 p.m. by Vice-Chair Koch.

Motion was made by Mary Mihelic, seconded by Tim Andrews, to appoint Kevin Koch chair pro tem for this meeting due to Chair Brazier's absence. Upon roll call vote, Tim Andrews, Allen Borg, Jeff Carey, Kevin Koch, and Mary Mihelic voted aye.

**2. Roll Call:** *Present* – Chair pro tem Kevin Koch, Board Members Tim Andrews, Allen Borg, Jeff Carey, and Mary Mihelic. *Excused:* Dawn Braizer. *Staff present* - Interim Park and Recreation Director Kathy Katz. *Also present* – Trustee Poynton.

**3. Approval of Minutes – October 9 and November 13, 2012:**

MOTION made by Allen Borg, seconded by Jeff Carey, to approve the minutes of the October 9 and November 13, 2012 Park Advisory Board meetings as submitted.

Voice vote, AYES have it. MOTION CARRIED.

**4. Public Comments:** None

**5. New Business:**

Mary Mihelic recapped the discussion at the December 3, 2012 Board of Trustees meeting regarding the proposed use of \$24,000 from the Park Improvement Funds to cover or one-third of the 351 Lions Drive facility roof. She suggested Park Advisory Board members attend the December 17 Board meeting since this item had been tabled until then. She questioned if the park department actually shared in one-third of the use and should have one-third of the responsibility to replace the roof and if this was an appropriate use of the Park Improvement Funds since it did not directly benefit the public. Additionally, Ms. Mihelic said the police and public works portion was coming out of the general fund. Tim Andrews asked to tour the facility to see what was stored in the building. Interim Park and Recreation Director Kathy Katz will arrange a tour.

**OSLAD Grant / Pursue Other Grants**

Jeff Carey asked for an update on the discussion that had taken place last month on whether to pursue other grants and or to again apply for the OSLAD grant. Director Katz and Tim Andrews recapped the discussions. Director Katz said many of the items in the OSLAD grant were put onto the new Capital Improvement Plan (CIP) which she would send to the Park Advisory Board members.

Trustee Poynton reviewed the items on the letter sent by Norris Design that addressed the scores Lake Zurich received on their unsuccessful OSLAD grant application. He suggested using Park Improvement Funds to rehab or replace Kid's Kingdom playground and applying for a new grant which includes the amphitheater proposal since it scored well. Discussion followed on Kid's

Kingdom and park equipment that needs to be repaired and how it should be funded. Large items to be budgeted for in the upcoming year and setting of goals will be discussed at the January meeting. Jeff Carey asked that each member share 3-5 goals for the upcoming year.

**6. Old Business**

**A. Independence Day Sponsorship Program – Kathy Katz**

Director Katz presented the updated proposed letter for Fourth of July sponsorships and noted changes recommended by the Park Advisory Board. She suggested the letter be mailed to all business license holder and the board concurred.

**B. Storage Pods at Park Sites – Kathy Katz**

The pods have been removed from the park. Director Katz emailed the Football sports organization to work out a code conforming resolution before next practice season.

**C. Uncovered Sandboxes at Public Parks**

Board asked that question be posed in the Newsletter about use of the sandboxes.

**D. PAB Resolution to Village Board of Trustees**

Director Katz presented a draft resolution for Dawn Brazier's signature outlining parameters to expend Park Improvement Funds. The proposed resolution was discussed at length and changes were made. Director Katz noted the recommended revisions.

**7. Advisory Board Member Reports**

**A. Special Event Initiatives– Dawn Brazier – No Report**

**B. Permit Dogs at Certain Parks – Mary Mihelic)**

Mary Mihelic said the Village Code prohibits dog in the park and would need to be changed if dogs were to be permitted in any parks. Allowing dogs in "through" parks, or parks you could walk through, could be considered especially since people already walk their dogs through the parks. A dog park was discussed but is not a high priority partially due to the high cost and because there is a nearby dog park outside the Village.

**C. Farmers Market – Kevin Koch**

Kevin Koch has made several contacts and is still gathering more information. He hopes to have a Farmer's Market in time for the season this year.

**D. Golf Outing – Jeff Carey**

Jeff Carey has met with Village President Branding and discussed the proposed golf outing at the Lake Zurich Golf Course. He confirmed that the Park Advisory Board intended to put any funds raised from the golf outing into the Park Improvement Fund and said he will continue his research.

**H. Holiday Tree Lighting – Tim Andrews**

Tim Andrews reported on the recent tree lighting and offered suggestions on ways to improve the event and to involve the community. He suggested live trees in Paulus Park be lit and the public be invited for a walk in the park with different activities and exhibits to be staged. Live Christmas tree sales could be considered.

**F. Battle of the Bands – Jeff Carey**

Jeff Carey suggested a Battle of the Bands be held during the day on the Fourth of July as a way to involve more teens in the festivities. He will continue his research.

**8. Director's Report**

**A. Update on Programs/Special Events**

- i. Evening with Santa: - Great event well attended
- ii. 2012 OSLAD Grant Recipients – Not Yet Awarded; 2011 recipient list was distributed.
- iii. Concessionaire Request for Proposals (RFP) – Being prepared for upcoming season.

**9. Items attached (Questions/Discussion):**

**Park Improvement Fund (PIF) Status Sheet** (as of 11/12) – Reviewed.

**10. Adjournment**

MOTION made by Mary Mihelic, seconded by Allen Borg, to adjourn the meeting.  
Voice vote, all in favor. MOTION CARRIED.

The meeting was adjourned at 8:33 p.m.

Submitted by: *Janet McKay, Recording Secretary*

Approved by: \_\_\_\_\_

Dawn Brazier, Park and Recreation Advisory Board Chair

Unapproved  
**VILLAGE OF LAKE ZURICH  
PLAN COMMISSION MINUTES  
DECEMBER 19, 2012**

The meeting was called to order by Vice Chairman Stratman at 7:00 p.m.

**ROLL CALL:** *Present* – Vice Chairman Stratman, Commissioners Baumann, Martin, Schultz, and Stefaniu. *Excused:* Commissioners Jackson, Luby, and Tassi.

*Also present:* Building and Zoning Director Peterson and Economic Development Asst. Slattery.

Vice Chairman Stratman noted a quorum was present.

**APPROVAL OF MINUTES:**

**APPROVAL OF THE NOVEMBER 21, 2012 MEETING MINUTES OF THE PLAN COMMISSION:**

MOTION was made by Commissioner Baumann, seconded by Commissioner Martin, to approve the November 21, 2012 minutes of the Plan Commission as submitted. Upon voice vote, all in favor.

**PUBLIC MEETING:**

**Beelow's Steakhouse: To consider an amendment to the exterior appearance for 763 South Rand Road, zoned in the Village's B-3 Regional Shopping District. Applicant Dan Beelow, Business Owner**

Building and Zoning Director Peterson provided an overview of the petitioner's request for exterior appearance approval to allow PVP vinyl-clad seasonal panels that are removable and temporary to enclose the patio seating area. The intent of the panels is to block the wind, protect from elements, and to retain the heat provided by radiant panels in the floor. Beelow's was granted temporary approval to use the panels subject to final approval from the Board of Trustees.

Dan Beelow and Russell Ackerman arrived at 7:05 p.m. and answered questions posed by the Plan Commission. They showed photographs of the installed panels that are rated for 130 MPH winds. Pending approval, Mr. Beelow intends to use the patio as long as the panels keep out the elements and an appropriate temperature is maintained. He will remove them when the weather is warmer but would consider using a few panels if severe weather strikes.

MOTION was made by Commissioner Martin, seconded by Commissioner Stefaniu, to recommend the Board of Trustees approve an amendment to the exterior appearance for 763 South Rand Road, granted via Ordinance 2011-05-775.

The motion was withdrawn to allow for an amended motion made by Commissioner Baumann, seconded by Commissioner Schultz, to recommend the Board of Trustees approve an amendment to the exterior appearance for 763 South Rand Road, granted via Ordinance 2011-05-775 and to accept the standards included in Section 21-103 subject to terms, conditions, and findings contained in the Staff Report dated December 10, 2012 .



Upon roll call vote:

AYES: 5 Commissioners Stratman, Baumann, Martin, Schultz, and Stefaniu.

NAYS: 0

ABSENT: Commissioners Jackson, Luby, and Tassi.

MOTION CARRIED

**PUBLIC HEARING:**

**Restoration Fitness, LLC: To consider a special use permit, for physical fitness (SIC 7991) at the Subject Property, 1142 Rose Road, zoned in the Village's I-1 Limited Industrial District.**

**Applicant Sean Lee, Business Owner**

Building and Zoning Director Peterson said per the applicant this petition would be withdrawn until further notice.

**STAFF REPORT**

A. Update on upcoming projects – The next Plan Commission meeting will be held on January 16, 2013. The PUD for Bradford Exchange and the McDonald's was approved by the Board of Trustees on December 17, 2012 with an expected opening in 2014.

B. Industrial Standards Review and Overhaul – Update provided by Building and Zoning Director Peterson. They will begin focus groups in the first quarter of 2013. The Plan Commission will hold a public hearing after the Board holds a courtesy review and prior to Board formal review when the recommendations are completed.

C. Open Meeting Act Training – Online training must be completed by all Plan Commission members by the end of the year.

**ADJOURNMENT:**

MOTION was made by Commissioner Baumann, seconded by Commissioner Stefaniu, to adjourn the meeting. Voice Vote, all in favor. MOTION CARRIED

The meeting was adjourned at 7:20 p.m.

*Submitted by: Janet McKay, Recording Secretary*

Approved by: \_\_\_\_\_  
Tim Jackson, Chairman

\_\_\_\_\_  
Date



## **Lake Zurich Police Pension Board**

**200 Mohawk Trail, Lake Zurich IL 60047  
(847) 719-1690 Ext. 366**

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### **PUBLIC NOTICE BOARD OF TRUSTEES OF THE LAKE ZURICH POLICE PENSION BOARD**

Notice is hereby given of the regular meeting of the Board of Trustees of the Lake Zurich Police Pension Board on January 8, 2013 at 8:00 a.m. This meeting will be held at the Lake Zurich Police Facility Conference Room, 200 Mohawk Trail, Lake Zurich, Illinois, in accordance with the Illinois Compiled State Statutes.

#### **Agenda:**

- I Call to Order**
- II Public Comment**
- III Approval of Minutes**  
October 9, 2012
- IV Financial/Investment Reports**
  - A. Payment of Bills
  - B. Lauterbach & Amen: Financial Report
  - C. Sawyer Falduto Investment Managers Quarterly Performance Report/Investment Policy Review and Possible Amendment
- V Unfinished Business**
  - A. Approval of annual pension increases for 2013
  - B. Approval of Herb Gehrke Surviving Spouse application
  - C. Approval of Fiduciary Liability Insurance
  - D. 2013 Auditor Contract – Sikich
  - E. Spring Elections Status
- VI New Business**
  - A. Six-month review of closed meeting minutes
  - B. Review of Village's tax levy ordinance and contribution for 2013
  - C. Review of timeline and required filings -- 2012 and 2013
  - D. Training
  - E. Annual Servicer Certification for Illinois Finance Entities
  - F. Statements of Economic Interest - list of required filers to county
  - G. Zak Benefits
- VII Adjournment**

The Village of Lake Zurich is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions, regarding the accessibility of the meeting or the Village's facilities, should contact the Villages ADA Coordinator at (847) 438-5141 (TTD (847) 438-2349) promptly to allow the Village to make reasonable accommodations for those persons.

**PUBLIC NOTICE**  
**TREE COMMISSION MEETING**  
**Public Works Facility**  
**505 Telser Road. 2<sup>nd</sup> floor Conference Room**

**January 8, 2013, 6:30P.M.**

**AGENDA**

- A. Call to Order - Scott Garrison, Chairperson
- B. Roll Call - Members Judi Thode, Mary Kozub, Jim Mihelic and Toni Rey
- C. Public Comment
- D. Approval of minutes, December 4, 2012
- E. Old Business
- F. Forestry Budget
- G. Arbor Day
- H. New Business
- I. Adjournment

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UNAPPROVED  
VILLAGE OF LAKE ZURICH  
TREE COMMISSION  
505 Telser Road, Lake Zurich  
December 4, 2012 6:30 PM

- A. CALL TO ORDER  
The meeting was called to order by Chairman Garrison at 6:30 PM
- B. ROLL CALL-Present were Judi Thode, Toni Rey, Scott Garrison, Jim Mihelic and Village Liaison Shawn Walkington. Absent Mary Kozub
- C. PUBLIC COMMENT- None
- D. APPROVAL OF MINUTES – Commissioner Rey motioned to approve minutes of November 6, 2012. Commissioner Mihelic seconded. Voice vote, AYES have it. MOTION CARRIED.
- E. OLD BUSINESS- Chairman Garrison asked Liaison Walkington if he found a Land Development agreement for The Oaks Subdivision. Liaison Walkington talked to Vijay Gadde and he did not know of any agreement. Chairman Garrison will call Vijay to discuss development and Commissioner Thode will inspect condition of Oak trees.  
Commissioner Rey called Arbor Day foundation to find out costs for seedlings. Commission discussed cost for seedlings and other Arbor Day activities. Commission agreed to scale back Arbor Day to planting a tree at Paulus Park.
- F. FORESTRY BUDGET- Liaison Walkington said at the November 19 board meeting to the board decided to send back budget because some items were not included in budget. No more information for future budget was available.
- G. NEW BUSINESS- Commissioner Mihelic asked about landscaping around business areas. Who replaces trees that die is it village or the business owners. Liaison Walkington stated the business owners must maintain the landscaping.
- H. ADJOURNMENT – MOTION was made by Commissioner Thode, seconded by Commissioner Rey to adjourn the meeting. Voice votes, AYES have it. MOTION CARRIED  
Meeting adjourned at 8:40 PM.

Respectfully submitted: Shawn Walkington

Approved by: \_\_\_\_\_  
Scott Garrison, Chairperson

Date: \_\_\_\_\_

**LAKE ZURICH ZONING BOARD OF APPEALS  
REGULAR MEETING  
70 East Main Street**

**Thursday, January 17, 2013, 7:30 p.m.**

**AGENDA**

- 1. CALL TO ORDER**
- 2. ROLL CALL:** Chairperson Vincent McCormack, Brian Burch, John Hagan, Gerald Kmiecik, Henry Paulus, David Rubin, John Shaw
- 3. CONSIDERATION OF MINUTES**
  - A. Special Meeting: July 26, 2012
- 4. PUBLIC HEARING**
  - A. Linden Subdivision – Schroeder Property
    1. Variation from Zoning Code Subparagraph 3-111C1(b) to reduce the required front yard from 30 feet to 20 feet on Lot 4.
    2. Variation from Section 8-302 to allow driveway encroachments across conservancy soils on Lots 5 and 6.
- 5. NEW BUSINESS/ANNOUNCEMENTS**
  - A. Next Meeting of the Zoning Board of Appeals: February 21, 2013
- 6. ADJOURNMENT**

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