

APPROVED MINUTES
VILLAGE OF LAKE ZURICH
Board of Trustees
70 East Main Street
ELECTRONIC ONLINE MEETING



Monday, April 19, 2021 7:00 p.m.

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7.00pm.
2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Mary Beth Euker, Trustee Janice Gannon, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider. Also in attendance: Village Manager Ray Keller, Asst. Village Manager Roy Witherow, Village Atty. Scott Uhler, Finance Dir. Bane Thomey, Dir. of Innovation Michael Duebner, Acting Fire Chief Dave Pilgard, Police Chief Steve Husak, Dir. Of Community Development Sarosh Saher, Public Works Dir. Mike Brown, Park and Rec. Dir. Bonnie Caputo, H.R. Dir. Doug Gibson.
3. **PUBLIC COMMENT**
Public Comment on Agenda Item 7B will be held at that time.
There were none.
4. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
Mayor Poynton stated that he would make his report after Agenda Item #9.
5. **CONSENT AGENDA**
 - A. Approval of Minutes of the Village Board Meeting, April 5, 2021
 - B. Approval of Semi-Monthly Warrant Register Dated April 19, 2021 Totaling \$296,888.81
 - C. Resolution Declaring Certain Property as Surplus Property and Authorizing Its Sale RES. # 2021-04-059
Summary: The Village owns a small 0.185-acre parcel of land at 224 East Illinois Route 22 which was transferred to the Village by the Illinois Department of Transportation in December 2004 during the construction of the Route 22 bypass. The parcel does not facilitate any tangible redevelopment opportunity for the Village and therefore Staff recommends it be sold to the highest bidder for development of a single-family house or office building.
 - D. Agreement with Schroeder Asphalt Services for 2021 Patching Program in the Amount Not-to-Exceed \$100,000
Summary: The 2021 Village budget includes \$100,000 in the Non-Home Rule Sales Tax Fund for the annual pavement patching program. The Village has historically participated in a cooperative bid arrangement with several other municipalities in order to secure a more competitive price. This year's program was administered by the Municipal Partnership Initiative, which opened bids on

April 6, 2021 and resulted in Schroeder Asphalt Services of Huntley, IL being the most competitive bid.

- E. **Ordinance Amending the Village of Lake Zurich Municipal Code to Update the Provisions of Title 3, Chapter 5, Section 10 Imposing a Municipal Cannabis Retailers' Occupation Tax ORD. # 2021-04-408**

Summary: The Village adopted Ordinance #2020-12-393 on December 21, 2020 enacting a 3% local tax on the sale of adult use recreational cannabis, should a dispensary decide to locate in Lake Zurich in the future. The Illinois Department of Revenue is requesting an amended ordinance to revise minor provisions which are not consistent with the Municipal Cannabis Retailers' Occupation Tax.

- F. **Agreement with Insituform Technologies USA for 2021 Sanitary Sewer Lining Project in the Amount Not-to-Exceed \$1,500,000**

Summary: The 2021 Village budget includes \$1.5 million in the Water and Sewer Fund for this infrastructure investment. To minimize the risk of future emergency collapse of sanitary sewer infrastructure, the Village retained American Underground in 2017 to conduct closed-circuit television inspection and evaluation of the municipal sanitary sewer system.

The 2020 sanitary sewer lining program was postponed due to scheduling conflicts and staffing concerns associated with the pandemic. Competitive bids were received on April 2, 2021, which resulted in Insituform Technologies USA, LLC of Chesterfield, Missouri being the most competitive bid at \$1,352,326. The requested not-to-exceed amount of \$1.5 million includes a 7% project contingency as well as engineering and design expenses.

- G. **Special Event Request for Ancient Oaks Mighty Oaks Celebration at Paulus Park on September 19, 2021**

Summary: According to Village Special Event Guidelines, private events requiring park use with attendance over 100 must be approved by the Park and Recreation Advisory Board and the Village Board. Ancient Oaks is requesting use of the Paulus Park Chalet and Shelter A for its Mighty Oaks Celebration event, scheduled for September 19, 2021 from 10:00 am – 6:00 pm.

- H. **Updated Agreement with J & M Displays for July 4, 2021 Fireworks**

Summary: The Village's three-year fireworks contract with J & M Displays was set to expire after the 2020 Independence Day celebration, which was cancelled due to the pandemic. J & M Displays has stored the Village's purchased fireworks products for the anticipated display at Paulus Park on Sunday, July 4, 2021. They have sent the Village an updated agreement and addendum for review and approval.

In the proposed agreement, if the Village were to postpone the fireworks display to 2022, J & M Displays would be entitled to 15% (\$4,500) of the total contract price in addition to the original \$30,000.

If the Village were to postpone the July 4th display and reschedule to an alternative date in 2021, there would be no additional fees assessed.

If the Village were to cancel the fireworks display altogether and not reschedule it, J&M Displays would be entitled to 20% of the total contract price (\$6,000).

At the April 13, 2021 Park and Recreation Advisory Board meeting, members voted in favor of approval of the proposed agreement with the balance of the agreement to be paid at the time of service on July 4, 2021.

I. Agreement with Patriot Pavement Maintenance for 2021 Crack Sealing Program in the Not-to-Exceed Amount of \$50,000

Summary: The 2021 Village budget includes \$50,000 Motor Fuel Tax Fund for preventative street maintenance. A crack sealing program is typically introduced three to five years after a street is resurfaced and can add 10 years to the life of a street. The Village has historically participated in a cooperative bid agreement with other municipalities through the Lake County Municipal League. The original LCML crack sealing program was bid on March 18, 2020, with an option to extend the contract for two additional consecutive years. On January 6, 2021, the LCML approved year one of two (1 year) extensions.

Trustee Spacone ask staff for more information on Agenda Item #5H and Dir. Caputo clarified the fireworks agreement.

Recommended Action: A motion was made by Mayor Poynton, seconded by Trustee Weider, to approve the Consent Agenda as presented.

AYES: 6 Trustees Beaudoin, Euker, Gannon, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

6. OLD BUSINESS

None at this time.

7. NEW BUSINESS

A. Courtesy Review with Journey Cremation for the Establishment of Direct Cremation Services at 708 Telser Road

Summary: Mr. Paul Chapman, associated with Journey Cremation is proposing the establishment of direct cremation services at 708 Telser Road in the Lake Zurich Industrial Park. The Applicant seeks to occupy a 1,653 square-foot tenant space at the subject property. The land use for crematories is not provided for in the *I-Industrial Zoning District* and as such would require a text amendment to the Zoning Code to be allowed.

“Direct Cremation” by definition, takes place when the deceased is taken directly into the care of the crematorium without any visitation or funeral service. Upon completion of the process, the remains are either delivered by the company or returned via USPS mailing protocol back to the source such as the funeral home or directly to the deceased successors.

Dir. Of Community Development Sarosh Saher introduced Mr. Paul Chapman and Mr. Steve Cook from Journey Cremations who then gave their presentation of the proposal. They then answered the Board’s questions. Dir. Saher also answered the Board’s questions on zoning and Special Use Permit.

Recommended Action: This is a non-voting item at this time. The business owner and Village Staff seek to understand the Board’s preferences towards the proposal.

Consensus by the Board was positive on the proposal.

B. Implementation of a Non-Motorized Watercraft Season Pass for Lake Zurich Residents to Access the Lake

Summary: The Village of Lake Zurich has traditionally offered daily non-motorized boat permits for residents only during the boating season, which runs each year from April 1st to October 1st. This allows residents to enjoy the lake by launching watercraft from Paulus Park, including kayaks, canoes, paddle boats, windsurfers, row boats, and long boards. Daily usage permits for non-motorized boat access cost \$5 and are available at the Barn during normal business hours or Paulus Park Beach during hours of operation.

Staff has received several requests over the past few years inquiring about a season pass, in addition to the daily pass. At the February 9, 2021 Park and Recreation Advisory Board meeting, members voted in favor of implementing a non-motorized watercraft season pass for Lake Zurich residents only with a fee of \$25 per watercraft.

Park and Rec. Dir. Bonnie Caputo stated that this proposal was at the request of residents.

PUBLIC COMMENT

Mayor Poynton read an emails from:-

Brian Madsen, Orchards subdivision, addressed his email in support of the proposal.

Lee Plate, Sandy Pointe HOA President, addressed his email on his concerns on non-motorised watercraft and specifically windsurfers.

Alaina Murawski, LPOA member, addressed the Board on her concerns on non-motorised watercraft in the wake zone and enforcing the rules.

Jim Rock, 595 Cortland Dr., addressed the Board on his support of the proposal, congratulated the Recreation staff on the OSLAD grant and the canoe etc. launch.

The Board then commented and discussed the proposed permits and the language of the rules and regulations to be followed. There were suggestions to define wake areas, hours, residents only plus business owners, among other suggestions.

Mayor Poynton then suggested that the item be tabled until the next meeting so that the legal language is clean and ready for the summer season.

Recommended Action: A motion was made by Mayor Poynton, seconded by Trustee Euker, to table the implementation of a non-motorized watercraft seasons pass for Lake Zurich residents accompanied by a \$25 fee per watercraft to the next meeting.

AYES: 6 Trustees Beaudoin, Euker, Gannon, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

8. TRUSTEE REPORTS

There were none.

9. VILLAGE STAFF REPORTS

A. Monthly Data Metric Reports

PRESIDENT'S REPORT

Mayor Poynton read a Certificate of Appreciation for Catherine Williams, an 11 year member of the Police Pension Board, and thanked her for her service to the Community.

Mayor Poynton read a Certificate of Appreciation for Trustee Jim Beaudoin for his 8 years of service on the Board of Trustees, and thanked him for his service to the Village of Lake Zurich.

10. EXECUTIVE SESSION called for the purpose of:

- 5 ILCS 120 / 2 (c) (21) Approval of Executive Session minutes and
- 5 ILCS 120/2 (c) (11) Pending or Imminent Litigation

Motion was made by Trustee Sprawka, seconded by Trustee Beaudoin, to adjourn to Executive Session for the purpose of 5 ILCS 120 / 2 (c) (21) approval of executive session minutes and 5 ILCS 120/2 (c) (11) Pending or Imminent Litigation

AYES: 6 Trustees Beaudoin, Euker, Gannon, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Meeting adjourned at 8.30pm

Meeting reconvened at 9.12pm

Called to order by Mayor Poynton.

ROLL CALL: Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Mary Beth Euker, Trustee Janice Gannon, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider. Also in attendance: Village Manager Ray Keller, Village Atty. Scott Uhler, H.R. Dir. Doug Gibson, Dir. of Innovation Michael Duebner.

11. ADJOURNMENT

Motion to adjourn was made by Trustee Beaudoin, seconded by Trustee Sprawka.

AYES: 6 Trustees Beaudoin, Euker, Gannon, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Meeting adjourned at 9.14pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

5-7-2021
Date.

