

## VILLAGE OF LAKE ZURICH

Board of Trustees  
70 East Main Street



Monday, September 20, 2021 7:00 p.m.

### AGENDA

#### 1. CALL TO ORDER

2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Dan Bobrowski, Trustee Mary Beth Euker, Trustee Janice Gannon, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider.

#### 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. Public Comment is limited to 30 minutes total and 5 minutes per speaker.

#### 5. PRESIDENT'S REPORT / COMMUNITY UPDATE

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

#### 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. Approval of Minutes of the Village Board Meeting, September 7, 2021

B. Approval of Semi-Monthly Warrant Register Dated September 20, 2021 Totaling \$666,102.60

C. Contract between the Village of Lake Zurich and Alpine Automotive for Towing Services

**Summary:** A request for qualifications for police towing services was conducted in February 2021, which resulted in responses from A-Express Towing & Recovery in Palatine and Alpine Automotive in Lake Zurich. Alpine Automotive is located on Ensell Road in the Lake Zurich industrial park. Alpine is the

Village's current police tow contractor and has provided excellent service for many years

The Village is recommending a renewed agreement with Alpine Automotive based on many years of satisfaction with its current level of service, along with lower proposed fees in most categories.

**D. Ordinance Approving Lease by the Village of Lake Zurich for My Flavor It! Place at 10 East Main Street (Assign Ord. #2021-09-432)**

**Summary:** The lease between the Village of Lake Zurich and My Flavor It! Place expired at the end of 2019, when the annual incremental adjustments to rent also stopped. The Village chose to freeze the rent at that point as a way to help support small businesses along Main Street during the difficult pandemic environment. The long-term tenant My Flavor It! Place has agreed to the revised three-year lease with incremental adjustments to rent year each January 1<sup>st</sup>.

**E. Ordinance Approving Lease by the Village of Lake Zurich for Johnny's Shoe Repair at 8 North Old Rand Road (Assign Ord. #2021-09-433)**

**Summary:** The lease between the Village of Lake Zurich and Johnny's Shoe Repair expired at the end of 2019, when the annual incremental adjustments to rent also stopped. The Village chose to freeze the rent at that point as a way to help support small businesses along Main Street during the difficult pandemic environment. The long-term tenant Johnny's Shoe Repair has agreed to the revised three-year lease with incremental adjustments to rent year each January 1<sup>st</sup>.

**F. Ordinance Amending Chapter 4 Entitled "Vehicle Operation" of Title 6 Entitled "Traffic Code" of the Lake Zurich Municipal Code to Include Failure to Wear a Seat Belt and Amending Title 13 Entitled "Comprehensive Fee Schedule" (Assign Ord. #2021-09-434)**

**Summary:** The proposed Ordinance adds violations of seat belt laws to the Village Code, authorizing Lake Zurich police officers to issue local ordinance tickets for observed seat belt violations. Based on 2019 Illinois statute fines, Staff recommends a \$50 fine for local seat belt violations.

**Recommended Action:** A motion to approve the Consent Agenda as presented.

**7. OLD BUSINESS**

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

**None at this time.**

## 8. NEW BUSINESS

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

### A. Courtesy Review with Justice Cannabis Company for Proposed Bloc Recreational Cannabis Dispensary at 676 South Rand Road (Trustee Bobrowski)

**Summary:** Justice Cannabis Company is proposing to open a Lake Zurich adult-use recreational dispensary at the former TGI Friday's restaurant at 676 South Rand Road, pending Special Use Permit authorization from the Village Board. Botavi Wellness, LLC, doing business as Justice Cannabis Company with the store brand Bloc Dispensary, received four State licenses during the lotteries that were conducted during summer 2021.

In December 2020, the Village Board approved zoning regulations to allow cannabis dispensaries via a Special Use Permit in non-residential zoning districts and to formalize restrictions on the location, design and operations of such businesses. A Special Use Permit can only be issued via Ordinance by the Village Board after a Public Hearing process at the Planning and Zoning Commission.

The cannabis zoning regulations approved by the Board in December 2020 require cannabis dispensaries to be a minimum of 500 feet from a school, library, day care or group home; 250 feet from a park, and 1,500 feet away from another dispensary. The subject property at 676 South Rand Road meets all of these zoning criteria.

The zoning regulations include references to the applicable State statutes that apply to this highly-regulated industry, such as security, storage and transportation requirements. The ordinance also references the State statute for hours of operation, which are currently set at 6:00 AM to 10:00 PM.

Lake Zurich's 3% local sales tax on the gross receipts generated from this recreational dispensary is expected to generate \$200,000 - \$360,000 in new tax revenue, which is roughly equal to the \$350,000 in annual sales tax lost by the Peapod closure in Quarter 1 of 2020.

Justice Cannabis Company intends to appear before the Planning and Zoning Commission at a Public Hearing in October or November 2021.

**Recommended Action:** This is a non-voting item at this time. The developer and Village Staff seek to understand the Board's preferences towards the proposed use at this site.

## 9. TRUSTEE REPORTS

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

## 10. VILLAGE STAFF REPORTS

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

**A. Monthly Data Metric Reports****11. ADJOURNMENT**

(Next regularly scheduled Village Board meeting on Monday, October 4, 2021)

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.