

APPROVED MINUTES
VILLAGE OF LAKE ZURICH

Board of Trustees
70 East Main Street



Monday, November 15, 2021 7:00 p.m.

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7:00pm.
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. Also in attendance: Village Manager Ray Keller, Village Atty. Scott Uhler, Management Services Dir. Michael Duebner, Finance Dir. Amy Sparkowski, Police Chief Steve Husak, Dir. Of Community Development Sarosh Saher, Public Works Dir. Mike Brown, Asst. to the Village Manager Kyle Kordell, Management Intern Sam Reiss.

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENT**

Cathy Malloy, 289 Lions Ct., addressed the Board on the proposed Marijuana dispensary and advised the Board to wait on the decision of a second dispensary.

Kim Roach, 33 Old Lake Rd., addressed the Board on the proposed Marijuana dispensary saying that there are traffic issues, safety and supported waiting to make a decision.

Nickolay Bogdanov, 688 Sheridan Ct., addressed the Board on the proposed dispensary.

Eric Dubiel, 125 N. Pleasant Rd., addressed the Board about the recent Budget Workshop and the lack of video streaming of the workshop.

Mary Keller, 149 Lion Ct., addressed the Board on the proposed dispensary citing four concerns of hours of operation, traffic, suggested codes and number permits.

Justine Repliage, 5 Ferndale Ct., addressed the Board on her opposition to the proposed dispensary.

5. **TRUTH-IN-TAXATION PUBLIC HEARING FOR 2021 PROPERTY TAX LEVY**

Summary: The total proposed increase to the Village of Lake Zurich property tax levy for 2021 represents a 2.55% increase over the previous year. This levy increase brings the total levy to \$9,671,391. As the proposed property tax levy for 2021 will not exceed 105% of the actual 2020 property tax extension, the Village is not required to hold this Truth-in-Taxation Public Hearing.

However, to promote the transparency of local government operations and finances, the Village has scheduled this Truth-in-Taxation hearing in order for residents to have the opportunity to comment on the proposed levy. The hearing notice was

published on November 5, 2021 in the Daily Herald, as well as posted on the Village website and in the official Village newsletter Benchmarks.

Recommended Action #1: A motion was made by Trustee Sprawka, seconded by Trustee Euker, to open the Truth-in-Taxation Public Hearing for the 2021 Property Tax Levy.

AYES: 6; NAYS: 0; ABSENT: 0.

VOICE VOTE.

MOTION CARRIED.

Hearing opened at 7:21pm

PUBLIC COMMENT

Eric Dubiel, 125 N. Pleasant Rd., addressed the hearing in his opposition to the proposed levy.

Nikolay Bogdanov, 688 Sheridan Ct., addressed the hearing in his opposition to the proposed levy

Recommended Action #2: A motion was made by Trustee Sprawka, seconded by Trustee Weider, to close the Truth-in-Taxation Public Hearing for the 2021 Property Tax Levy.

AYES: 6; NAYS: 0; ABSENT: 0.

VOICE VOTE.

MOTION CARRIED.

The hearing closed at 7:26pm

6. CONSENT AGENDA

- *A. Approval of Amended Minutes of the Village Board Meeting, November 1, 2021**
- B. Approval of Semi-Monthly Warrant Register Dated November 15, 2021**
Totaling \$1,161,595.72
- C. Annual Village of Lake Zurich Meeting Schedule for 2022**

Summary: Each year the Village Board approves the annual schedule of meetings for the following calendar year. Upon approval, the schedule for Lake Zurich public bodies and advisory commissions will be published accordingly to fulfil the State of Illinois Open Meetings Act requirements.

Recommended Action: A motion was made by Trustee Sprawka, seconded by Trustee Euker, to approve the Consent Agenda as amended.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

7. OLD BUSINESS

None at this time.

8. NEW BUSINESS

- A. Collective Bargaining Agreement between the Village of Lake Zurich and Telecommunicators Affiliated with the Illinois Fraternal Order of Police**

Summary: The current collective bargaining agreement with Lake Zurich telecommunicators expires on December 31, 2021. The Village of Lake Zurich has been in negotiations with the Illinois Fraternal Order of Police regarding a successor contract. In the first week of November 2021, members of the telecommunicators FOP Local 190-2 union accepted a new three-year contract. The proposed contract includes annual cost of living salary adjustments of 2.5%

for each year during the three-year contract, among other contract revisions outlined in the staff memo.

Recommended Action: A motion was made by Trustee Weider, seconded by Trustee Sprawka, to approve the Collective Bargaining Agreement dated January 1, 2022 between the Village of Lake Zurich and Lake Zurich Telecommunicators Affiliated with the Illinois Fraternal Order of Police Local 190-2.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

B. 2021 Property Tax Levy Extension Ordinance and Five Abatement Ordinances Regarding Debt Service

Summary: Each year, the Village Board approves a tax levy ordinance to certify with the Lake County Clerk's Office in order to extend property taxes on real estate parcels within Lake Zurich corporate boundaries. The 2021 levy request is based upon the estimated equalized assessed value (EAV) of those properties, as determined by the Ela Township Assessor's Office and the Chief County Assessor's Office.

Applying the rates authorized by the Property Tax Extension Limitation Law (PTELL), the Village is requesting a total levy of \$9,671,391 which represents an increase of 2.55% over the previous year. The tax levy request for 2021 includes \$1,218,878 for debt service and \$4,553,511 for the Police and Fire Pension Funds.

Five ordinances totaling \$2,594,578 regarding debt service abatements are also presented for Village Board action. As sufficient funds are available from other revenue sources to pay scheduled debt service payments as they become due, the need to extend a property tax levy on these issues is not warranted. Therefore, the Village will notify the County Clerk to not extend property taxes on these abatement ordinances.

Recommended Action #1: A motion was made by Trustee Sprawka, seconded by Trustee Weider, to approve Ordinance #2021-11-441 authorizing the 2021 Property Tax Levy Extension in the Amount of \$9,671,391.

AYES: 5 Trustees Bobrowski, Euker, Spacone, Sprawka, Weider.

NAYS: 1 Trustee Gannon

ABSENT: 0

MOTION CARRIED.

Recommended Action #2: A motion was made by Trustee Sprawka, seconded by Trustee Spacone, to approve the following five abatement ordinances regarding debt service via a single roll-call vote:

a) Ordinance #2021-11-442 Abating Certain Taxes Levied for \$3,800,000 General Obligation Bonds, Waterworks and Sewerage System Alternate Revenue Sources, Series 2013 A.

b) Ordinance #2021-11-443 Abating Certain Taxes Levied for \$6,325,000 General Obligation Refunding Bonds, Series 2014 A.

- c) Ordinance #2021-11-444 Abating Certain Taxes Levied for \$11,775,000 General Obligation Refunding Bonds, Series 2015 A.
- d) Ordinance #2021-11-445 Abating Certain Taxes Levied for \$7,100,000 General Obligation Refunding Bonds, Series 2016 A.
- e) Ordinance #2021-11-446 Abating Certain Taxes Levied for \$1,000,000 General Obligation Bonds (Waterworks and Sewerage System Alternate Revenue Source) Series 2016 B.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

C. Courtesy Review with Two Pointo LLC for a Proposed Recreational Cannabis Dispensary at 927 South Rand Road

Summary: Two Pointo LLC proposes to open a Lake Zurich adult-use recreational and medical dispensary at 927 South Rand Road (*formerly La Mula Mexican Grill restaurant*) pending approval of a Special Use Permit from the Village Board.

Two Pointo LLC secured a State cannabis dispensary license for the Chicago-metro area in the August 19, 2021 lottery that was held for top-scoring applicants with 100% scores. Any future retail operation operated by Two Pointo in Lake Zurich would use a different brand name for the store, pending marketing efforts that are currently underway.

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 927 South Rand Road meets the adopted zoning criteria for a cannabis dispensary.

The current cannabis zoning regulations adopted by the Village include references to 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.

If the concept for a second cannabis dispensary at 927 South Rand Road is acceptable to the Village Board, Two Pointo LLC intends to request consideration of a Special Use Permit by the PZC at an upcoming scheduled meeting.

Asst. to the Village Manager Kyle Kordell introduced the team representing Two Pointo LLC. They included David Berger, Owner; Andrew Scott, Zoning Atty.; Ed Farrell, Dir. of Security and Adam Saffro, Dir. of Real Estate Business Dept.

Andrew Scott gave a PowerPoint presentation of the proposed dispensary at 927 S. Rand Rd., addressing the site, traffic flow, parking, hours of operation. Owner David Berger followed with his background information in the dispensary business. Next Ed Farrell, Security, shared their many layers of security, personnel training and delivery of product. Property owner, Jason Sfire of Fidelity Group, addressed the Board on the comments by residents and shared that Fidelity have been in talks with IDOT about installation of traffic lights on Rt 12, at their expense, to enter the Deerpath Commons property. He also addressed the parking lot spaces available to the dispensary. Mr. Sfire stated that they have been approached by other owners of dispensary licenses about coming to Lake Zurich.

Mayor Poynton asked the Trustees for their feedback. Trustee Gannon stated that she was in favour of the proposal. Trustee Weider asked about the appeal of Lake Zurich and David Berger responded that the village is open to dispensaries and the location and explained the differences between them and BLOC. Trustee Spacone stated that he was a negative vote to any dispensary. Trustee Bobrowski that he was not really in support of the proposal. Two Pointo staff answered Trustee Euker's questions on licenses held in and out of state, branding, how product is displayed, amount of tax, loitering, security breaches, contact with neighbouring businesses. Jason Sfire of Fidelity Group answered the latter question, having contacted all the businesses. John Sfire, Fidelity Group, addressed the meeting on his history of development with the Village. Trustee Sprawka asked Jason Sfire about envisioning the business in the future.

Mayor Poynton thanked Two Pointo for the presentation and they had received feedback from the Board.

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. VILLAGE STAFF REPORTS

- A. Alternative Water Source Study Presentation – PW Director Mike Brown introduced EEI staff Stephen Dennison and Jeff Freeman as well as Bill Soucie, Executive Director of CLCJAWA who addressed the Board first. Then Mr. Dennison gave a PowerPoint presentation starting with a review and then moving on to the comparisons between CLCJAWA, NWC, NSNJAWA and staying with radium treatment inhouse, including services and costs. Questions were answered as the presentation progressed. There will be a workshop on a Saturday in January 2022.
- B. 2021 National Community Survey Results – Management Intern Sam Reiss gave a PowerPoint presentation of the highlights of the results.
- C. Monthly Data Metric Reports

10. TRUSTEE REPORTS

Trustee Euker shared information on upcoming performances at Middle School South and Lake Zurich High School.

Trustee Gannon thanked Dir. Brown and Public Works staff on the illuminations in downtown.

11. PRESIDENT'S REPORT / COMMUNITY UPDATE

Mayor Poynton reminded residents about Miracle on Main Street on Saturday, December 4th.

12. ADJOURNMENT

Motion was made by Trustee Euker, seconded by Trustee Weider, to adjourn the meeting.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

The meeting adjourned at 10.06pm

Respectfully Submitted by:-

Kathleen Johnson, Village Clerk

Approved by:



Thomas M. Poynton, Village Mayor



Date.