

APPROVED MINUTES

VILLAGE OF LAKE ZURICH

Board of Trustees 70 East Main Street



Monday, March 21, 2022 7:00 p.m.

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7 pm.
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: Parks Director Caputo, Community Development Director Saher, Public Works Director Brown, Chief Husak, Director Gibson, Director Duebner, Village Manager Ray Keller, Village Attorney Scott Uhler.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Eric Dubiel, 25 North Pleasant Road, made false accusations towards the Village that the previous Board meeting on March 7, 2022 was in violation of the Open Meetings Act, claiming the agenda was not properly posted. Staff explained to Mr. Dubiel that the agenda for this meeting was actually posted properly in accordance with all Open Meetings Act requirements on March 1, 2022, a full six days before the meeting actually occurred.

Shortly after he was finished speaking, Mr. Dubiel returned to the podium for additional public comment, at which point Mayor Poynton informed him his public comment period has ended. Mr. Dubiel became belligerent and aggressive, at which point Mayor Poynton requested Police Chief Husak to escort Mr. Dubiel back to his seat.

5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
 - A. **Advice and Consent of Trustees to Appoint Brian McGill to the Fire Pension Board for a Three-Year Term to End April 30, 2025**

Mayor Poynton formally recommended Mr. McGill to a seat on the Fire Pension Board and reviewed his skills and qualifications to the Trustees and community. Mr. McGill is a 15 year resident of Lake Zurich and lives in the Braemar subdivision.

A motion was made by Trustee Sprawka, seconded by Trustee Euker, to appoint Brian McGill to a Three-Year Term on the Fire Pension Board.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED

B. Proclamation Recognizing Arbor Day in Lake Zurich on April 29, 2022

6. CONSENT AGENDA

- A. Approval of Minutes of the Village Board Meeting, February 22, 2022
- B. Approval of Minutes of the Special Village Board Meeting, March 7, 2022
- C. Ratification of Semi-Monthly Warrant Register Dated March 7, 2022 Totaling \$699,528.96
- D. Approval of Semi-Monthly Warrant Register Dated March 21, 2022 Totaling \$358,920.54
- E. Ordinance Authorizing Disposal of Surplus Property Owned by the Village of Lake Zurich Ord. #2022-03-458

Summary: Staff has determined the items listed in this proposed Ordinance are no longer necessary, useful, or in the best interests of the Village to retain ownership. The Ordinance declares the property as surplus and authorizes the sale or disposal of the items.

- F. Agreement with Peter Baker & Son Company for 2022 Asphalt Materials in the Amount Not-to-Exceed \$27,000

Summary: The Village's 2022 budget includes \$27,000 in the Non-Home Rule Sales Tax Fund to purchase asphalt materials for internal repairs on infrastructure projects and local streets. A competitive bid opening on February 24, 2022 resulted in four bids received, with the lowest responsible bid from Peter Baker & Son of Lake Bluff.

- G. Agreement with Patriot Pavement Maintenance for 2022 Crack Sealing Program in the Amount Not-to-Exceed \$50,000

Summary: The Village's 2022 budget includes \$50,000 in the Motor Fuel Tax Fund for preventative street maintenance to address surface cracks and extend the life of asphalt streets. The Village has historically participated in a cooperative bid arrangement through the Municipal Partnering Initiative (MPI). The original MPI bid was on March 12, 2019 for a three-year contract with an option to extend the contract for two additional years. In January 2022, Patriot Pavement Maintenance proposed a ten-cents per pound increase for 2022 as a result of an increase in material costs. The MPI found the 8.26% increase from the original 2019 bid submittal to be fair and within the terms of the original contract.

- H. Agreement with Schroeder Asphalt Services for 2022 Patching Program in the Amount Not-to-Exceed \$100,000

Summary: The Village's 2022 budget includes \$100,000 in the Non-Home Rule Sales Tax Fund for a street patching maintenance program. The Village has historically participated in a cooperative bid arrangement through the Municipal Partnering Initiative (MPI).

The original MPI bid on March 24, 2021 was a three-year contract with an option to extend the contract for two additional years. The lowest responsible bid submitted was from Schroeder Asphalt Services of Huntley. This 2022 patching program is year two of this multi-year contract.

- I. Agreement with Patriot Pavement Maintenance for 2022 Seal Coating and Striping Program in the Amount Not-to-Exceed \$35,000

Summary: The Village's 2022 budget includes \$35,000 in the Capital Projects Fund for a pavement maintenance program consisting of patching, seal coating, and crack filling. This year's program includes 13 locations consisting of

municipal parking facilities and walking paths throughout Lake Zurich. A competitive bid opening was held on February 25, 2022 with the lowest competitive bid received from Patriot Pavement Maintenance of Des Plaines.

J. Agreement for Three-Year Microsoft Enterprise Agreement in the Amount Not-to-Exceed \$111,000 per Year and Waiver of Competitive Bid Process

Summary: The Village uses Microsoft desktop, server, and office automation applications such as Word, Excel, PowerPoint, and Teams extensively throughout the organization, in conjunction with Microsoft's cloud-hosted email environment, Office 365. This Microsoft Enterprise agreement was previously approved in March 2013, 2016, 2019, and now is again subject to renewal for March 2022.

Staff is also requesting a waiver of the customary bid process since Dell Computers holds the Illinois State Master Contract as the Microsoft large-account reseller and thereby offers the lowest cost for Microsoft products.

K. Ordinance Approving the Alpha Tekniko Plat of Consolidation for 1400 Rose Road Ord. #2022-03-459

Summary: An application has been filed with the Village to consolidate two partially vacant lots within the Lake Zurich Industrial Park. Alpha Tekniko is currently located at 1290 Ensell Road and manufacturers medical mattresses, cushions and pads for the medical industry. The company is looking to consolidate its operations and need more space to grow.

Alpha Tekniko proposes to construct a 78,400 square-foot manufacturing facility on the 5.58-acre vacant property at 1400 Rose Road. This vacant parcel was previously part of the former Peapod property and is now available for development. The proposed development is a permitted use within the *I - Industrial District*, does not require any zoning relief or modifications to the Code and can be approved administratively through the building permit and occupancy process.

L. Resolution Approving Stephen Siller Tunnel to Towers 5k Route on Sunday, June 12, 2022 Reso. #2022-03-063

Summary: The Stephen Siller Tunnel to Towers 5k event has already been approved by the Village Board. The proposed Resolution authorizes a request to the Illinois Department of Transportation to close a portion of Route 22 and Route 12 from the hours of 8 am – 10 am on June 12, 2022.

M. Resolution Approving Lake Zurich Triathlon Route on Sunday, July 10, 2022 Assign Reso. #2022-03-064

Summary: The Lake Zurich Triathlon event has already been approved by the Village Board. The proposed Resolution authorizes a request to the Illinois Department of Transportation to close a portion of Route 22 and Route 12 from the hours of 7 am – noon on July 10, 2022.

N. Resolution Approving Alpine Races Route on Sunday, August 21, 2022 Assign Reso. #2022-03-065

Summary: The Alpine Races event has already been approved by the Village Board. The proposed resolution authorizes a request to the Lake County Division of Transportation to close a portion of Old McHenry Road from the hours of 7 am – noon on August 21, 2022.

O. Three-Year Agreement with Stryker for Service of LifePak and LUCAS Emergency Medical Services Equipment in the Amount Not-to-Exceed \$13,382.40 per Year and Waiver of Competitive Bid Process

Summary: The Village's 2022 budget includes \$15,485 in the General Fund for a medical equipment maintenance agreement. Lake Zurich firefighter-paramedics use Lifepak and LUCAS equipment on a daily basis for patient care. Stryker is a sole-source vendor for the Physio-Control Lifepak equipment and LUCAS chest compression system. The proposed agreement with Stryker costs \$40,147.20 paid out over three annual installments.

P. Agreement with Metropolitan Pump Company for a Replacement Sanitary Lift Station Control Panel in the Amount Not-to-Exceed \$62,880.30 and Waiver of Competitive Bid Process

Summary: In September 2019, the Village Board approved an annexation and development agreement with Prestige Development LLC for the development of 12 duplex lots containing 24 duplex residences along the south side of Honey Lake Road to be known as *The Wildwood Estates* of Lake Zurich. The development agreement included funding from the developer to the Village for an upgrade to an aged lift station that would support the added sanitary flow produced from the future duplexes.

The Village's 2022 budget does not include dedicated funds for this infrastructure investment project, although the Village has received the contribution of \$85,000 from Prestige Development to proceed with the lift station upgrades. This lift station is on Honey Lake Road and was installed in 1999. The station cabinet has deteriorated and the control components are obsolete, which reduces operational reliability.

Metropolitan Pump Company is the Village's designated lift station manufacturer at 12 of the 14 lift stations in Lake Zurich and also the sole source vendor for the specific controls the Village has been utilizing in recent lift station upgrades that facilities equipment standardization.

Q. Ordinance Amending Title 3 of Chapter 3 of the Village of Lake Zurich Municipal Code to Increase Authorized Spa / Salon Liquor Licenses for Tranquil Trends by Avalon, Inc. Doing Business as Avalon Salon Spa at 1201 South Rand Road Ord. #2022-03-450

Summary: Avalon Salon Spa at 1201 South Rand Road has requested a Class S liquor license to authorize the on-premises sale and service of beer, wine, and alcoholic beverages. The company has successfully completed the required background checks for a Village liquor license.

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

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

NAYS: 0

ABSENT: 0

MOTION CARRIED

7. NEW BUSINESS

A. Agreement with Peter Baker and Son Company for 2022 Road Program in the Amount Not-to-Exceed \$1,900,000

Summary: The Village's 2022 budget includes \$1.9 million in the Non-Home Rule Sales Tax Fund for the annual road resurfacing program. This year's program includes all the streets in Braemar subdivision as well as June

Terrace and Rosehall Drive within Concord Village. The scope of work includes pavement resurfacing, concrete repairs, and utility infrastructure repairs.

A competitive bid opening on February 17, 2022 resulted in five bids received, with the lowest responsible bid from Peter Baker and Son Company of Lake Bluff. The requested not-to-exceed amount of \$1.9 million includes the base bid amount of \$1,765,557 from Peter Baker plus \$134,443 in project contingency and materials testing.

Director Brown reviewed the 2022 road program, explaining that construction should begin by late April and should be complete by late August. He explained that the Braemar subdivision is also slated for parkway tree plantings later this year in autumn.

Trustee Bobrowski asked about the possibility of residents getting involved in contracted driveway resurfacing with Peter Baker and Son Company if they live on a street that is scheduled for resurfacing this year. Director Brown explained the Village does not get involved in coordinating price reductions for homeowners interested in using the same company for driveway work.

Trustee Spacone asked about June Terrace, with the heavy traffic volume, will Peter Baker and Son Company use different materials to handle the traffic volume? Director Brown answered the materials will be normal and the June Terrace resurfacing will be conducted like a normal residential street.

Recommended Action: A motion was made by Trustee Spacone and seconded by Trustee Sprawka to approve an agreement with Peter Baker and Son Company for the 2022 road program in the amount not-to-exceed \$1,900,000.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED

8. TRUSTEE REPORTS

There was none.

9. VILLAGE STAFF REPORTS

A. Monthly Data Metric Reports

There was nothing further.

10. EXECUTIVE SESSION called for the purpose of:

Motion was made by Trustee Weider seconded by Trustee Sprawka, to move to Executive Session for the purpose of 5 ILCS 120 / 2 (c) (21) approval of executive session minutes from February 22, 2022 and 5 ILCS 120 / 2 (c) (11) pending or imminent litigation and 5 ILCS 120 / 2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employees.

AYES: Trustee Euker, Trustee Bobrowski, Trustee Weider, Trustee Sprawka, Trustee Spacone, Trustee Gannon,

NAYS: 0

ABSENT: 0

MOTION CARRIED

Meeting adjourned into Executive Session at 7:22 pm, with no further business being addressed in Open Session.

11. **ADJOURNMENT** was made at the close of the Executive Session.

Motion to adjourn from Executive Session and Open Session was made by Trustee Sprawka seconded by Trustee Weider.

AYES: Trustee Euker, Trustee Bobrowski, Trustee Weider, Trustee Sprawka.
Trustee Spacone, Trustee Gannon,

NAYS: 0

ABSENT: 0

MOTION CARRIED

Meeting Adjourned at 7:34 pm.

Respectfully submitted:

Kyle Kordell, Deputy Village Clerk

Approved by:

TM Poynton

Thomas M. Poynton, Mayor

4-6-2022

Date