

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



Tuesday, September 6, 2022 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, Asst. Village Manager Roy Witherow, Village Atty. Carmen Forte Jr., Management Services Dir. Michael Duebner, 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. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**
Chris Michalek, 28 Mionske Dr., addressed the Board on his opposition to Agenda Item 7A near a residential area.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
Proclamation Declaring September 2022 as Suicide Prevention Awareness Month
Rock The Block is Saturday Sept. 10th on Main Street.
Unplugged fest is Sunday Sept. 11th at Paulus Park
Mary Kozub's letter, reported that Kuechman Kove was vandalized on Saturday night causing over \$500 in damages. Mayor Poynton invited Ms. Kozub to address the meeting, and she added details including where to donate to replace the damaged items at the Ancient Oaks Facebook page. It was suggested by Trustee Spacone that cameras be installed for security.
6. **CONSENT AGENDA**
 - A. Approval of Minutes of the Village Board Meeting, August 15, 2022
 - B. Approval of Semi-Monthly Warrant Register Dated September 6, 2022 Totaling \$1,059,667.93
 - C. Special Event Approval for Phase Three Brewing Company Bushel of Apples Fall Fest at Paulus Park on September 30 and October 1, 2022
Summary: Phase Three Brewing Company proposes its Bushel of Apples Fall Fest in Paulus Park on Friday, September 30 from 3-9 pm and Saturday, October 1 from noon – 9 pm. Phase Three Brewing is aware of the other Village-approved event, Jack O' Lantern World, using the park grounds for the entire month of October by All Community Events, another local Lake Zurich

business. Both businesses have agreed to work together for the first weekend in October potentially sharing food trucks and utilizing Phase Three brews to streamline operations.

D. Five-Year Professional Services Agreement with Layne Christensen Company for Ongoing Maintenance of Deep Aquifer Wells and Pumps and a Motion to Waive the Competitive Bidding Process for a Sole-Source Vendor

Summary: Layne Christensen Company has performed annual maintenance and repairs on the Village's deep wells and pumping equipment as the designated deep well contractor for over five years. They are also the sole source representative in the State of Illinois for deep well pumping equipment manufactured by Flowserve Corporation, the manufacturer of the Byron-Jackson brand of submersible well pump motors which the Village utilizes.

***E. Ordinance Granting Variation from Lake Protection District Standards for the This Agenda item was pulled for a separate vote at the request of Trustee Gannon.**

F. Ordinance Granting a Planned Unit Development for Geremarie Corporation at 1275 Ensell Road ORD. #2022-09-474

Summary: Geremarie Corporation and Flex Construction requests approval of a Planned Unit Development, Site Plan, and Exterior Appearance to construct a new 40,000 square foot addition to the existing building at 1275 Ensell Road. The Planning and Zoning Commission held a public hearing on August 17, 2022 and voted unanimously to recommend approval of this project with the conditions outlined in the proposed ordinance.

Trustee Spacone asked Public Works Dir. Brown for an explanation of Agenda item 6C and the waving of the competitive bidding process. Dir. Brown explained the circumstances that this company is the sole source company.

Recommended Action: A motion was made by Mayor Poynton, seconded by Trustee Sprawka, to approve the Consent Agenda as presented with the exclusion of 6E.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

***E. Ordinance Granting Variation from Lake Protection District Standards for the Installation of a Pier at 440 North Old Rand Road ORD. #2022-09-473**

Summary: The property owners of 440 North Old Rand Road are requesting a variation from the Lake Protection District zoning standards that provide regulations for the construction of piers. The property owners are seeking to install a second pier and associated dock that will exceed the lake frontage requirements for allowable number of piers and required pier width.

The Planning and Zoning Commission held a Public Hearing on June 15, 2022 that was continued to its August 17, 2022 meeting. At its August meeting, the Commission recommended approval of the requested variation subject to the conditions outlined in the proposed Ordinance.

Trustee Gannon stated that she disagreed with the requested variance as there would be two piers in the 75 feet area. She was concerned about setting

precedence with this variance. Community Development Dir. Sarosh Saher explained the process with the PZC hearing, nearby residents are not opposed to the request and he answered the Board's questions. Mr. Roger Comins, resident of the property, addressed the Board on his reasoning behind the request.

A motion was made by Trustee Poynton, seconded by Trustee Sprawka, to approve the Consent Agenda item 6E.

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

NAYS: 1 Trustee Gannon.

ABSENT: 0

MOTION CARRIED.

7. NEW BUSINESS

A. Courtesy Review for Proposed Miniature Golf Course at 61 West Main Street / Block B

Summary: Mr. Kyle Essary proposes the development of the 1.63-acre property at the site of the former Lake Zurich police station and dispatch center, commonly referred to as Block B at 61 West Main Street. This property has remained vacant since the demolition of the former police station.

The developer is proposing the construction of a new 18-hole miniature golf course in addition to a 40-foot by 20-foot building for customer check-in, golf club and ball rentals, packaged food and non-alcoholic beverages, and parking lot for approximately 39 vehicles.

This village-owned property is zoned within the B-2 Central Business District, which does not provide for mini-golf as an approved land use. Thus, if the Village Board approves of such a concept on Main Street, it would need to approve a Special Use amendment after a future public hearing.

Asst. Village Manager Roy Witherow introduced Mr. Kyle Essary who then gave his presentation to the Board. The proposed miniature golf would operate from Memorial Day to late October. The Board members comments included: exiting onto Mionske Dr., hours of operation, lighting, landscaping, sustainability and parking. There was a suggestion from the Board to explore an ice skating rink for wintertime.

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.

Feedback was given by the Board.

B. Intergovernmental Agreement with the Central Lake County Joint Action Water Agency for the Sharing of Engineering Study Costs in the Amount Not-to-Exceed \$86,859.20

Summary: The decision to transition to Lake Michigan water versus staying with the current deep-well system is extremely complex. The Village of Lake Zurich recognizes that there are substantial costs in the millions of dollars associated with providing a long-term and safe water supply.

On January 22, 2022, the Village Board held a community workshop meeting to analyze the data that had been collected from the recent Engineering Enterprises study and provide direction to Staff moving forward. This

community workshop meeting was held in-person at Village Hall and also live-streamed on Facebook Live and the Village website. The direction from the Village Board at that time was unanimous: to explore in greater detail the feasibility of providing Lake Michigan water as the primary water source for the community.

The Village has been presented with an intergovernmental agreement from the Central Lake County Joint Action Water Agency for the sharing of future engineering costs to provide Lake Michigan water to Lake Zurich. This agreement details a contract with Construction Engineering Company (CDM Smith) for a total cost not-to-exceed \$108,574.

The cost of the engineering shall be paid at an obligation of 20% by the CLC Joint Action Water Agency at \$21,714.80 and 80% by the Village at \$86,859.20. The Village's current 2022 budget has funds in the Water and Sewer Fund for this expense.

The Board had no comments for this agenda item.

Recommended Action: A motion was made by Trustee Spacone, seconded by Trustee Weider, to approve an Intergovernmental Agreement with the Central Lake County Joint Action Water Agency for the Sharing of Engineering Study Costs in the Amount Not-to-Exceed \$86,859.20.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

8. TRUSTEE REPORTS

Trustee Sprawka requested an annual review of the Village owned properties and the TIF debts.

Trustee Bobrowski stated that the Village's website has information on the Lake Michigan water process.

9. VILLAGE STAFF REPORTS

Park and Rec. Dir. Bonnie Caputo thanked all the sponsors of the many events and camps this summer as well as the many volunteers at events. Village Manager Ray Keller thanked the Park and Rec staff including Bonnie Caputo, Jenna Stanonik and Elke Kadzielawski for a great summer programme. He also thanked the Fire Dept., and Police Dept., for their assistance as well as Public Work staff.

10. EXECUTIVE SESSION called for the purpose of:

5 ILCS 120 / 2 (c) (21) review of executive session minutes and

5 ILCS 120 / 2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employees.

Motion was made by Trustee Sprawka, seconded by Trustee Euker, to adjourn to Executive Session for the purpose of 5 ILCS 120 / 2 (c) (21) review of executive session minutes and 5 ILCS 120 / 2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employees. There will be no further business in Open Session.

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

NAYS: 0

ABSENT: 0.

MOTION CARRIED.

11. **ADJOURNMENT**

The meeting adjourned to Executive Session at 8.25pm.

The executive meeting adjourned at 9.21pm

Respectfully submitted by:-

Kathleen Johnson, Village Clerk.

Approved by:-



Mayor Thomas M. Poynton.

10-18-2022
Date.

