

APPROVED
LAKE ZURICH BOARD OF TRUSTEES
REGULAR MEETING
70 East Main Street

Monday, September 17, 2007, 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

Meeting was called to order at 7:31 PM.

Present were Village President Tolomei, Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor. Also present were Village Administrator Dixon, Village Attorney Burkland, Public Works Director/Village Engineer Heyden, Fire Chief Mastandrea, and Building/Zoning Director Peterson.

2. PLEDGE OF ALLEGIANCE

3. PRESIDENT'S REPORT

A. Appointments to Community and Police Advisory Committee and Zoning Board of Appeals

MOTION was made by Trustee Taylor, seconded by Trustee Callahan, to approve the appointments as read by Village President Tolomei.

Voice vote, all in favor.

MOTION CARRIED

Mr. Stratman was present at the meeting and was sworn in by Village Clerk Palmlad.

B. Proclamation, Fire Prevention Week, October 7-13, 2007

A proclamation recognizing Fire Prevention Week was read by Village Clerk Palmlad.

An Open House at the main fire station on Buesching Road is planned for Sunday, October 7th, from 11 am to 2 pm.

4. PUBLIC COMMENT

No comments.

5. APPROVAL OF MINUTES

A. Regular Village Board meeting September 4, 2007
B. Special Village Board meeting September 4, 2007

MOTION was made by Trustee McAvoy, seconded by Trustee Callahan, to approve both the Regular and Special Village Board meeting minutes of September 4, 2007.

Voice vote, all in favor.

MOTION CARRIED

6. CONSENT AGENDA

Trustee Johnson requested item F be removed for further discussion.

Trustee Poynton requested item E be removed for further discussion.

A. Warrant dated September 17, 2007. The Finance Committee recommends approval and the Board of Trustees approves the Warrant dated September 17, 2007 in the amount of \$561,737.21 which includes the following items over 5% of the total:

1. Arrow Road Construction	\$213,993.40	38.09%
2. Schaeffges Brothers, Inc.	\$155,935.80	27.76%
3. Constellation New Energy	\$37,412.18	6.66%

B. Resolution designating Board representative on SWALCO. The Public Works Committee recommends approval and the Board of Trustees approves A Resolution Appointing Trustee Branding as an additional alternate delegate to SWALCO. (Assign RES. #2007-09-17A)

C. Newsline, October edition. The Committee of the Whole recommends approval and the Board of Trustees approves this edition of the *Newsline* as presented.

D. Ordinance declaring items as surplus property. The Committee of the Whole recommends approval and the Board of Trustees approves AN ORDINANCE AUTHORIZING DISPOSAL OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF LAKE ZURICH. (Assign ORD. #2007-09-524)

G. Bid award tree trimming contract. The Public Works Committee recommends approval and the Board of Trustees approves a three-year contract to Hendrickson Tree, Inc for tree trimming services.

H. Ordinance for construction of utility facilities in public rights of way. The Public Works Committee recommends approval and the Board of Trustees approves AN ORDINANCE AMENDING THE LAKE ZURICH MUNICIPAL CODE TITLE 7, CHAPTER 7, PUBLIC WAYS AND PROPERTY. (Assign ORD. #2007-09-526)

MOTION was made by Trustee Johnson, seconded by Trustee Poynton, to approve the Consent Agenda as read.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

7. ADMINISTRATOR'S REPORT

No report.

8. ATTORNEY'S REPORT

No report.

9. COMMITTEE AND TRUSTEE REPORTS

No report.

10. OTHER BUSINESS

A. Lake Zurich Auto Care, 225 Oakwood Road. The Planning and Development Committee recommends approval and the Board of Trustees approves AN ORDINANCE APPROVING SPECIAL USE PERMITS FOR LAKE ZURICH AUTO CARE AT 225 OAKWOOD ROAD. (Assign ORD. #2007-09-520)

President Tolomei asked for an update from staff. Village Administrator Dixon advised the Board the petitioner did attend a meeting and is aware of the parameters of the agreement as it pertains to the landscaping, fencing, and special use restrictions.

MOTION was made by Trustee Callahan, seconded by Trustee Branding, to approve an ordinance approving Special Use Permits for Lake Zurich Auto Care at 225 Oakwood Road.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

B. **Consent Agenda Item E.**

Amendment to Municipal Code to allow delivery license and creation of a new classification for tastings. The Committee of the Whole recommends approval and the Board of Trustees approves AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE LAKE ZURICH MUNICIPAL CODE RELATED TO LIQUOR LICENSING STANDARDS. (Assign ORD. #2007-09-525)

Trustee Poynton suggested Jewel and Dominicks be advised of this new Liquor code classification. Staff has contacted these stores about this recent change and have chosen to decline, but may reconsider next year.

Trustee McAvoy also questioned how the Village compared to other cities on the fees charged for these tastings. Administrator Dixon advised a survey was completed and showed the Village was higher in some areas, but lower in others. He also stated these fees can be reviewed and changed at a future date, if so desired.

MOTION was made by Trustee Callahan, seconded by Trustee Poyton, to approve an Ordinance amending various sections of the Lake Zurich Code related to Liquor Licensing Standards.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

C. **Consent Agenda Item F.**

Amendment to Downtown TIF Plan. The Committee of the Whole recommends approval and the Board of Trustees approves a contract with S.B. Friedman & Co. to commence the work to amend the Lake Zurich Downtown TIF Plan.

Trustee Johnson requested further review of the plan and TIF with the Board before spending significant funds on a contract with Friedman & Associates. Trustee Branding concurred.

President Tolomei agreed the plans would be studied concurrently with the budget review process, but not a whole reevaluation of direction for downtown. If a more comprehensive study is being requested, with major changes to the plan, it would require a delay in the review of the TIF budget.

Trustee Callahan stated starting from scratch would be detrimental to the TIF and is hopeful the current downtown plans only need minor adjustments. Public hearings will be required and will allow for the resident's input. Trustee Taylor feels starting over would be counterproductive and cost prohibited to the TIF. Both President Tolomei and Trustee McAvoy agreed with these comments.

MOTION was made by Trustee Callahan, seconded by Trustee Johnson, to approve a contract with S. B. Friedman and Company to commence the work to amend the Lake Zurich Downtown TIF Plan.

AYES: 5 Trustees Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 1 Trustee Branding

ABSENT: 0

MOTION CARRIED

Other Business:

President Tolomei suggested anyone interested in attending on his behalf, the Northwest Municipal Conference being held on Wednesday, September 26th at 7 pm, to let him know.

11. ADJOURNMENT

President Tolomei decided to expand the Executive Session called for this evening to include the discussion of potential litigation matters.

MOTION was made by Trustee McAvoy, seconded by Trustee Taylor, to adjourn to Executive Session for the purpose of discussing potential litigation after adjournment for discussion of personnel issues, without reconvening to open session.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

Meeting adjourned at 8:05 pm.

Respectfully submitted: *Gloria M. Palmlad, Village Clerk*

Approved by:

President John G. Tolomei