

APPROVED MINUTES
VILLAGE OF LAKE ZURICH

Board of Trustees
70 East Main Street



Monday, November 7, 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, Village Atty. Scott Uhler, Finance Dir. Amy Sparkowski, Management Services Dir. Michael Duebner, Fire Chief Dave Pilgard, Police Chief Steve Husak, Dir. Of Community Development Sarosh Saher, Public Works Dir. Mike Brown, H.R. Dir. Doug Gibson.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**
There were none.
5. **TRUTH-IN-TAXATION PUBLIC HEARING FOR 2022 PROPERTY TAX LEVY**

Summary: The total proposed increase to the Village of Lake Zurich property tax levy for 2022 represents a 6.1% increase over the previous year. This levy increase brings the total levy to \$10,193,977. In accordance with State statutes, the Village is holding this Truth-in-Taxation Public Hearing in order for residents to have the opportunity to comment on the proposed levy.

The hearing notice was published on October 28, 2022 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 2022 Property Tax Levy and receive into the record public comment.

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

MOTION CARRIED. VOICE VOTE.

Public Hearing opened at 7.03pm

PUBLIC COMMENT.

There were none.

Recommended Action #2: A motion was made by Trustee Sprawka, seconded by Trustee Euker, to close the Truth-in-Taxation Public Hearing for the 2022 Property Tax Levy.

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

MOTION CARRIED. VOICE VOTE.

Public Hearing closed at 7.04pm

6. CONSENT AGENDA

- A. Approval of Minutes of the Village Board Meeting, October 17, 2022
- B. Approval of Semi-Monthly Warrant Register Dated November 7th, 2022, Totaling \$994,976.38

- C. Ordinance Amending Title 1 of the Lake Zurich Municipal Code regarding Administrative Spending Authority ORD. #2022-11-479

Summary: The proposed Ordinance codifies into Title 1 of the Municipal Code the existing employee spending authorization and purchase limits that are in the Village Purchasing Manual. This Ordinance is not changing current practice or purchasing limits, only formalizing it within the Code.

- D. Agreement with Midwest Salt for Additional Salt Purchase Exceeding the 2022 Budgeted Limit by an Amount Not-to-Exceed \$40,000

Summary: Staff is requesting an updated authorized amount under the Village's existing contract with Midwest Salt that will exceed the 2022 budgeted amount by \$40,000. Due to the upwards inflationary pressure of fuel and other commodities this year, the previous amount of \$106,000 approved by the Village Board on January 3, 2022 for bulk water conditioning salt has been depleted. Projected savings from other commodity accounts will offset this overage, allowing the Water and Sewer Fund to remain within the FY 2022 budget.

- E. Ordinance Granting a Zoning Variation for a Security Fence for ComEd at 845 Oakwood Road ORD. #2022-11-480

Summary: ComEd are the owners of 845 Oakwood Road and seek variations from village code to install a black metal fence that will encroach 5 feet into the required 35-foot front yard setback. They seek a variation of zoning code provisions for front yard setbacks and a variation of the building code provisions for type, design, and height of the fence. The Planning and Zoning Commission held a public hearing on October 19, 2022, recommending approval of the requested variations, subject to the conditions outlined in the proposed Ordinance.

- F. Ordinance Granting a Zoning Variation for a Swimming Pool at 1420 Deerchase Road ORD. #2022-11-481

Summary: The owner of the property at 1420 Deerchase Road seek a variation to install an above-ground pool that will encroach 13 feet into the required rear-lot setback but will not encroach into the interior side yard or street yard setback. The Planning and Zoning Commission held a public hearing on October 19, 2022, recommending approval of the requested variations, subject to the conditions outlined in the proposed Ordinance.

- G. Authorization Waive the Competitive Bid Process and Proceed with Emergency Repairs at the Paulus Park Chalet Approving Agreements with *United Structural Systems of Illinois* and *American Garage Floor Systems* in the Amount Not-to-Exceed \$65,420

Summary: During the recent exterior deck replacement of the Paulus Park Chalet building, crews noticed foundational footing deficiencies previously concealed by the decking. This facility is 29 years old and structural settling over the years has necessitated these unbudgeted repairs to the exterior

foundation, interior floor slab, and surface flooring. Funds from the Capital Improvement Fund will be used to cover this unplanned expense.

Given the current use as a Park and Recreation programing facility, it is recommended to accept the proposal provided by United Structural Systems of Illinois. In addition, Staff recommends to refinish the interior floor with a floor coating similar to the flooring at Village Hall to complete the project. A proposal from American Garage Floor Systems has been provided.

H. Four Year Agreement with Stryker ProCare Services for Maintenance of First Responder Patient Transport Equipment in the Amount Not-to-Exceed \$39,303.13 or \$9,825.78 per Year

Summary: The existing Stryker maintenance agreement expires at the end of 2022. The Fire Department utilizes Stryker transport equipment such as power cots, power load systems, and stair chair to provide patient care on a daily basis.

I. Intergovernmental Agreement with School District 95, Ela Township, and Ela Area Public Library District on Property Tax Appeals

Summary: Village staff propose to enter an intergovernmental agreement with a coalition of four local governments to join together to review, monitor, contest, and defend assessed valuations of real property located within shared jurisdictional boundaries. When such a reduction is sought, each local government subject to this IGA shall convene to review and discuss a coordinated response to the appeal. School District 95 has agreed to be the fiscal agent and designated liaison, as its levy is the largest share of the property tax bill.

J. Agreement with Sewertech LLC for the 2022 Sanitary Sewer Televising Inspection Program in the Amount Not-to-Exceed \$72,986.53

Summary: The FY 2022 budget includes \$100,000 in the Water and Sewer Fund for video inspection services of the Village's sanitary sewer system. This year's inspection is focused on aging pipes in the Old Mill Grove and Cedar Creek subdivisions. This is the third and final year of the Village's existing contract with Sewertech, which was the lowest responsible bid received on April 2, 2020.

K. Annual Village of Lake Zurich Meeting Schedule for 2023

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 Spacone, seconded by to approve the Consent Agenda as presented.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

7. OLD BUSINESS

A. Request to Continue Consideration of OSK Capital Partners Proposed Townhome Development at 670 South Old Rand Road

Summary: OSK Capital Partners has requested approval of a Planned Unit Development, Zoning Map Amendment, and Preliminary Plat of Subdivision to construct a new residential townhome subdivision at 670 South Old Rand Road. During the October 3, 2022 Village Board meeting, Trustees voted to continue consideration of the proposed development to November 7, 2022 to give the applicant the opportunity to address questions and concerns of the Village Board within a revised proposal.

The Applicant has requested additional time to revise the proposed development plans and request further continuance of consideration to the next scheduled Board meeting on December 5th, 2022.

Recommended Action: A motion was made by Trustee Bobrowski, seconded by Trustee Euker, to continue consideration of the proposed residential subdivision by OSK Capital Partners at 670 South Old Rand Road to December 5th, 2022.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

8. NEW BUSINESS

Fire Pension Municipal Compliance Report and Tax Levy Request Summary:

The Illinois Pension Code requires the Village levy a tax each year to meet the actuarial requirements of the Fire Pension Fund. The Lake Zurich Fire Pension Board is requesting a tax levy in the amount of \$2,512,418 for the Village Board to consider. Last year, the Fire Pension Board requested a levy of \$2,774,272 and the actual levy was \$2,485,816. The Fire Pension Fund is now 74.84% funded, an increase of 6.83% on an actuarial value from last year's status of 68.01% funded.

Lt. Spencer Cordell, LZFD, President of the fire pension board addressed the Board meeting and thanked the village for their cooperation.

Recommended Action: No Village Board action requested at this point. This tax levy request is for informational purposes only.

B. 2022 Property Tax Levy Extension Ordinance and Five Abatement Ordinances Regarding Debt Services

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 2022 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 \$10,193,977, which represents an increase of 6.1% over the previous year. The tax levy request for 2022 includes \$1,279,523 for debt service and \$4,655,026 for the Police and Fire Pension Funds.

Five ordinances totaling \$2,563,728 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.

Finance Dir. Amy Sparkowski explained the 6.1% increase and it is due to the cost of goods to the Village's operations.

Recommended Action #1: A motion was made by Trustee Sprawka, seconded by Trustee Weider, to approve Ordinance #2022-11-482 authorizing the 2022 Property Tax Levy Extension in the Amount of \$10,193,977.

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

NAYS:0

ABSENT: 0

MOTION CARRIED/DENIED.

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

- a) Ordinance #2022-11-483 Abating Certain Taxes Levied for \$3,800,000 General Obligation Bonds, Waterworks and Sewerage System Alternate Revenue Sources, Series 2013 A.
- b) Ordinance #2022-11-484 Abating Certain Taxes Levied for \$6,325,000 General Obligation Refunding Bonds, Series 2014 A.
- c) Ordinance #2022-11-485 Abating Certain Taxes Levied for \$11,775,000 General Obligation Refunding Bonds, Series 2015 A.
- d) Ordinance #2022-11-486 Abating Certain Taxes Levied for \$7,100,000 General Obligation Refunding Bonds, Series 2016 A.
- e) Ordinance #2022-11-487 Abating Certain Taxes Levied for \$1,000,000 General Obligation Bonds (Waterworks and Sewerage System Alternate Revenue Source) Series 2016 B.

Village Manager Ray Keller explained why these bonds were being abated.

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

NAYS:0

ABSENT: 0

MOTION CARRIED.

C. Agreement with CDM Smith for the Lake Zurich Water Distribution Supply Study Assessment in the Amount Not-to-Exceed \$129,952

Summary: As the Village of Lake Zurich continues to assess the feasibility of transitioning to Lake Michigan as the community water source, an assessment of the current water distribution system is needed to provide improvement recommendations and costs associated with the connection point to the Central Lake County Joint Action Water Agency (CLCJAWA).

In order to provide efficiencies with design and review between Lake Zurich and CLCJAWA, Village Staff has requested that CDM Smith provide a proposal for a supply study assessment. The purpose of this study is to

determine the additional facilities or improvements needed to provide 100 percent supply from the CLCJAWA connection and minimize impact on system pressure, fire flows, and other established system criteria.

Upon completion of the study, a community workshop would be held with the Village Board in May or June 2023 to review a draft report and its findings. The final report will be presented at a Village Board meeting with a presentation from CDM Smith.

Vice President and Senior Project Manager Atassi with CDM Smith will provide a presentation at the Board meeting this evening to review its proposed scope of services and partnership with the Village.

Public Works Dir. Mike Brown introduced Mr. Amrou Atassi, V.P. CDM Smith, who gave a PowerPoint presentation of the timeline of the study. Staff answered the Board's questions.

Recommended Action: A motion was made by Trustee Spacone, seconded by Trustee Weider, to approve an agreement with CDM Smith for the Lake Zurich Water Distribution Supply Study Assessment in the Amount Not-to-Exceed \$129,952.

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

NAYS:0

ABSENT: 0

MOTION CARRIED.

9. PRESIDENT'S REPORT / COMMUNITY UPDATE

There was none.

10. TRUSTEE REPORTS

Trustee Weider reminded residents of the Miracle on Main Street event on Saturday December 3rd, 3-6.30pm.

Trustee Euker encouraged residents to support over 200+ students who are involved in three plays at Dist. #95 in the coming weeks.

11. VILLAGE STAFF REPORTS

There were none.

12. EXECUTIVE SESSION called for the purpose of:

5 ILCS 120 / 2 (c) (21) approval of executive session minutes; ILCS 120 / 2 (c) (2) collective bargaining and 5 ILCS 120 / 2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employees.

A motion was made by Trustee Spacone, seconded by Trustee Sprawka, to adjourn to Executive Session for the purpose of 5 ILCS 120 / 2 (c) (21) approval of executive session minutes, 5 ILCS 120 / 2 (c) (2) collective bargaining and 5 ILCS 120 / 2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employees; and conduct no further business in Open Session.

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

NAYS:0

ABSENT: 0

MOTION CARRIED.

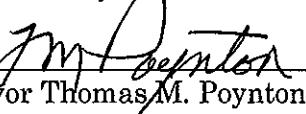
13. **ADJOURNMENT**

Meeting adjourned to Executive Session with no further business in Open Session at 7.44pm

Respectfully submitted:

Kathleen Johnson, Village Clerk.

Approved by:



Mayor Thomas M. Poynton

11-29-2022
Date

