

## VILLAGE OF LAKE ZURICH

Board of Trustees  
70 East Main Street



Monday, May 15, 2023 7:00 p.m.

### AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Dan Bobrowski, Trustee Mary Beth Euker, Trustee William Riley, Trustee Marc Spacone, Trustee Roger Sugrue, Trustee Greg Weider.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**  
This is an opportunity for residents to comment briefly on matters included on the agenda and otherwise of interest to the Board of Trustees. Public Comment is limited to 30 minutes total and up to 5 minutes per speaker.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
  - A. **Mayoral Proclamations**
    - Observing May 29, 2023 as Memorial Day
    - Recognizing May 14 – 20, 2023 as Police Week
    - Recognizing May 21 – 27, 2023 as Emergency Medical Services Week
    - Recognizing May 21 – 27, 2023 as National Public Works Week
6. **CONSENT AGENDA**  
These titles will be read by the Village Clerk and approved by a single Roll Call Vote. Any item may be pulled from the Consent Agenda for discussion by any Village Trustee.
  - A. **Approval of Minutes from Village Board Meeting of May 1, 2023**
  - B. **Approval of Semi-Monthly Warrant Register Dated May 15, 2023 Totaling \$1,294,545.06**

**C. Ordinance Approving a Special Use Permit for BBQ'd Productions Bar and Grill at 405 North Rand Road (Assign Ord. #2023-05-513)**

**Summary:** HWS Productions LLC has filed a zoning application for the property at 405 North Rand Road seeking a Special Use Permit for the approval of live entertainment and exterior design lighting. The Planning and Zoning Commission opened a public hearing on this request on January 18, 2023 and on April 19, 2023, voting 5-0 in favor of recommending approval.

**D. Resolution Adopting the 2022 Lake County All-Natural Hazards Mitigation Plan (Assign Reso. #2023-05-075)**

**Summary:** The Lake County Hazard Mitigation Planning Committee has prepared a 2022 update of the Lake County All-Natural Hazards Mitigation Plan that reviews the County's option to protect people and reduce property damage. The Plan has been conditionally approved by the Illinois Emergency Management Agency and the Federal Emergency Management Agency. For the Village of Lake Zurich to qualify for flood buyouts and other mitigation projects, it must adopt this plan.

**E. Ordinance Amending Title 3 of Chapter 3 of the Village of Lake Zurich Municipal Code to Increase Authorized *Class A-Restaurant Full Service* and *Class V-Video Gaming* Liquor Licenses to Sergio's Restaurants, Inc. doing business as Sergio's Fresh Mexican Grill at 660 East Route 22 (Assign Ord. #2023-05-514)**

**Summary:** Sergio's is requesting a full-service restaurant Class-A Liquor License for the dispensing of alcoholic beverages and Class-V Video Gaming License. As alcoholic beverage service and video gaming is available at other Lake Zurich restaurants, Sergio's desires to enhance their dining experience in similar fashion. The owner has completed all required documents and passed all background checks related to liquor license issuance.

**F. Ordinance Approving an Adjustment to the Final Plan through Amendment of Ordinance #2020-09-384 for Rear Yard Setback Encroachment at Wildwood Estates of Lake Zurich on Honey Lake Road (Assign Ord. #2023-04-510)**

**Summary:** Wildwood of Lake Zurich, LLC has filed an Adjustment to the Final Plan for the Wildwood Estates development to allow certain structures to encroach into the rear-yard setback of all lots within the Subdivision. This Planned Unit Development was approved for the construction of 24 duplex homes on 12 lots in September 2020. The developer is requesting allowance for decks and other structures to encroach no more than 10 feet into the required rear-yard setbacks that are adjacent to the 28 acres of open space and wetlands to the south.

**G. Agreement with Metropolitan Pump Company for a Replacement Wicklow Sanitary Lift Station Control Panel in the Amount Not-to-Exceed \$89,891 and Waiver of Competitive Bid Process**

**Summary:** The FY 2023 budget includes \$91,000 in the Water and Sewer Fund for this planned improvement to the Wicklow lift station, which was installed in 1996. Metropolitan Pump Company is the Village's designated lift station manufacturer at 13 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.

**Recommended Action:** A motion to approve the Consent Agenda as presented.

## 7. NEW BUSINESS

This agenda item includes matters coming to the Board of Trustees for discussion and possible action.

A. **Resolution of the Village of Lake Zurich, Lake County, Illinois, to Induce the Redevelopment of Certain Property within the Industrial Park Tax Increment Financing Redevelopment Project Area** (Assign Reso. #2023-05-076) (Trustee Riley)

**Summary:** The proposed development inducement resolution allows NorthStar Pickle Company at 968 Donata Court to be eligible for certain future TIF reimbursements related to the acquisition and development of vacant industrial acreage. NorthStar Pickle has been operating on Donata Court since 2014 and is considering the construction of a new approximately 80,000 +/- square foot facility on Rose Road. This resolution does not authorize a specific incentive, which will be addressed by a subsequent agreement at a future Village Board meeting.

**Recommended Action:** A motion to approve Resolution #2023-05-076 to Induce the Redevelopment of Certain Property within the Industrial Park Tax Increment Financing Redevelopment Project Area.

B. **Resolution Expressing the Intent of the Adopting Entities to Work Towards a Membership Expansion of the Central Lake County Joint Action Water Agency with the Village of Lake Zurich** (Assign Reso. #2023-05-077) (Trustee Spaccone)

**Summary:** Last month in April 2023, the Village Board received a presentation from CDM Smith on proposed project phasing, infrastructure improvements, and costs associated with providing Lake Michigan water to Lake Zurich and potential funding options. The Executive Director of CLCJAWA provided a summary of the capital buy-in fee that is required to join the water agency and gave an overview of how the agency operates. After that presentation, the Village Board gave unanimous direction to Village staff to prepare a formal agreement to join the water agency and proceed with next steps.

The adoption of the proposed Resolution provides an exclusive engagement for the Village to move forward with the intention of becoming a full member of CLCJAWA. Looking ahead, preliminary design efforts are expected to

commence in 2023 and continue into 2025, with competitive bidding on specific public works projects starting in 2025 and construction commencing in 2026.

**Recommended Action:** A motion to approve Resolution #2023-05-077 Expressing the Intent of the Adopting Entities to Work Towards a Membership Expansion of the Central Lake County Joint Action Water Agency with the Village of Lake Zurich.

**C. Agreement with CDM Smith for a Financial Water Rate Analysis, Operational Audit, and Illinois EPA State Revolving Loan Fund Project Plans related to the Central Lake County Joint Action Water Agency Lake Michigan Water Supply Transition in the Amount Not-to-Exceed \$128,600 (Trustee Spacone)**

**Summary:** As the Village continues to assess the feasibility of transitioning to Lake Michigan Water as the municipal water source, a financial water rate and operational audit is required in order to submit a project plan to the Illinois Environmental Protection Agency (IEPA) State Revolving Fund (SRF). As part of the qualification process with the IEPA SRF fund, CDM Smith will develop a Project Plan for the Village of Lake Zurich to submit as the loan applicant for Village infrastructure improvements related to the transition to Lake Michigan water.

In addition to the project plan submittal, CDM Smith will develop a projection model that estimates total costs and revenue requirements for the Village's water system over a ten-year period. The model will be structured to facilitate changes in economic and financial assumptions as well as shifts in capital funding sources and the timing of different project phases.

Upon completion of the analysis, the results would be presented to the Village Board at a future public meeting with a submittal to the IEPA SRF anticipated to be before September 1, 2023.

**Recommended Action:** A motion to approve an agreement with CDM Smith for the financial water rate analysis, operational audit, and submittal of the Illinois EPA State Revolving Fund Project Plan in the Amount Not-to-Exceed \$128,600.

**D. Courtesy Review for Proposed Chipotle Mexican Grill restaurant at 442 South Rand Road (Trustee Bobrowski)**

**Summary:** Terraco Inc. are the owners of the vacant outlot at 442 South Rand Road at the southeast corner of Route 22 and Rand Road and propose to construct a new quick serve restaurant with drive-through pick-up lane to be operated by Chipotle Mexican Grill. This outlot was created in April 2022 and is currently improved with one of the three parking lots that serve the assemblage of lots at this corner.

The current proposal consists of a new 2,370 square-foot freestanding restaurant with pick-up lane and patio with outdoor seating. This property

comprises an irregularly shaped parcel with a total land area of one acre, is zoned within the *B-3 Regional Shopping Business District*, and has vehicular access from both Rand Road and Route 22. The existing access points to the property are proposed to be maintained in their current configuration thereby removing the need for access permits from IDOT.

**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.

**8. TRUSTEE REPORTS**

This is an opportunity for Trustees to report on matters of interest to the Board of Trustees.

**9. VILLAGE STAFF REPORTS**

This is an opportunity for Village Staff to report on matters of interest to the Board of Trustees.

**A. Monthly Data Metric Reports**

**10. EXECUTIVE SESSION called for the purpose of:**

- 5 ILCS 120 / 2 (c) (21) approval of executive session minutes
- 5 ILCS 120 / 2 (c) (11) pending, probable, or imminent litigation
- 5 ILCS 120 / 2 (c) (11) appointment, employment, compensation, discipline, performance or dismissal of specific employees

**11. ADJOURNMENT**

Next regularly scheduled Village Board meeting is on Monday, June 5, 2023.

The Village of Lake Zurich is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at 847.438.5141 (TDD 847.438.2349) promptly to allow the Village to make reasonable accommodations for those individuals.