

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



Board of Trustees
70 East Main Street

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

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7.00pm.
2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Mary Beth Euker, Trustee William Riley, Trustee Marc Spacone, Trustee Roger Sugrue, Trustee Greg Weider. Trustee Dan Bobrowski was absent and excused. Also in attendance: Village Manager Ray Keller, Village Atty. Scott Uhler, Management Services Dir. Michael Duebner, Police Chief Steve Husak, Dir. Of Community Development Sarosh Saher, Public Works Dir. Mike Brown, H.R. Dir. Doug Gibson, Asst. to the Village Manager Kyle Kordell, Utilities Super. Steve Schmitt.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Aleks Rechanik, 1216 Thorndale Ln., addressed the Board on his opposition to the Village of Lake Zurich seeking Lake Michigan water and he listed many reasons why. Mr. Rechanik shared a handout with the Village Clerk.

Eric Dubiel, 25 N. Pleasant Rd., addressed the Village Board on his concerns with the recent election, Lake Michigan water, green buffer between two properties on N. Rand Rd., and sidewalks not being connected.
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**
 - 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 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 RES. #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 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 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.

Trustee Spacone requested a clarification of the bid process for 6G and Dir. Brown gave background information on the process.

Recommended Action: A motion was made by Trustee Spacone, seconded by Trustee Euker, to approve the Consent Agenda as presented.
AYES: 5 Trustees Euker, Riley, Spacone, Sugrue, Weider.
NAYS: 0
ABSENT: 1 Trustee Bobrowski.
MOTION CARRIED.

7. **NEW BUSINESS**

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 RES. #2023-05-076**

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.

Asst. to the Village Manager Kyle Kordell shared the background information and introduced the owner of NorthStar Pickle Company

Recommended Action: A motion was made by Trustee Riley, seconded by Trustee Weider, to approve Resolution #2023-05-076 to Induce the Redevelopment of Certain Property within the Industrial Park Tax Increment Financing Redevelopment Project Area.

AYES: 5 Trustees Euker, Riley, Spacone, Sugrue, Weider.
NAYS: 0
ABSENT: 1 Trustee Bobrowski.
MOTION CARRIED.

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 RES. #2023-05-077**

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.

Public Works Dir. Mike Brown stated that this was the next step in the decision to getting Lake Michigan water. Mr. Brown said that Mr. Soucie from CLCJAWA was available for any questions. There were no questions.

Recommended Action: A motion was made by Trustee Spacone, seconded by Trustee Eider, 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.

AYES: 5 Trustees Euker, Riley, Spacone, Sugrue, Weider.

NAYS: 0

ABSENT: 1 Trustee Bobrowski.

MOTION CARRIED.

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

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.

Public Works Dir. Brown explained this step in the process

Recommended Action: A motion was made by Trustee Spacone, seconded by Trustee Riley, 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.

AYES: 5 Trustees Euker, Riley, Spacone, Sugrue, Weider.

NAYS: 0

ABSENT: 1 Trustee Bobrowski.

MOTION CARRIED.

D. Courtesy Review for Proposed Chipotle Mexican Grill restaurant at 442 South Rand Road

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.

Mr. Joe Goodman, representing Terraco Inc., gave a PowerPoint presentation of the proposed Chipotle restaurant and answered the Board's questions. Community Services Dir. Sarosh Saher stated that Terraco will be submitting their proposal to the June PZC meeting. Questions included the pickup lane being close to a sidewalk, dumpster location, nearest location of another Chipotle, access for food delivery and access for fire trucks, being near a busy intersection, unremarkable design and another Mexican themed restaurant. Mr. Goodman and Mr. Burns, representing Chipotle, answered the questions.

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**

There were none.

9. **VILLAGE STAFF REPORTS**

Monthly Data Metric Reports

Asst. to the Village Manager Kyle Kordell announced that the Styrofoam recycling schedule will be adding a drop off on the 3rd Saturday from 10-12am.

Mr. Kordell stated that there will be a new electrical aggregation, green energy going into effect and residents will be receiving a letter with details.

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

A motion was made by Trustee Weider, seconded by Trustee Spacone, to move to Executive Session 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 and 5 ILCS 120 / 2 (c) (11) appointment, employment, compensation, discipline, performance or dismissal of specific employees. There was no further business in Open Session and closed at 8.00pm.

AYES: 5 Trustees Euker, Riley, Spacone, Sugrue, Weider.

NAYS: 0

ABSENT: 1 Trustee Bobrowski.

MOTION CARRIED.

11. **ADJOURNMENT**

The Executive Session and Open Session meeting adjourned at 8.25pm.

Respectfully submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



Mayor Thomas M. Poynton.

6-13-2023
Date.