

APPROVED MINUTES
VILLAGE OF LAKE ZURICH

Board of Trustees
70 East Main Street



Monday, October 16, 2023 7:00 p.m.

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7:00 pm.
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 is absent tonight due to a work conflict.
Also in attendance: Village Manager Ray Keller, Village Atty. Scott Uhler, Finance Dir. Amy Sparkowski, Assistant Manager 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, and Parks Director Bonnie Caputo.

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENT**

- Bob Gruber spoke in favor of the noise ordinance on the agenda tonight to help against an ongoing issue in his neighborhood with ATVs and off-road vehicular noise.
- Larry Schaadel, spoke in opposition to the proposed Midlothian Manor redevelopment proposal that is on the agenda tonight for a continuance until January 2024.
- Mary Kozob, informed the community of the Ancient Oaks Foundation's new Buckthorn Bounty Program, which provides \$150 to households to remove buckthorn from their properties.
- Mike Hilt, an employee of Tuf-Tite at 1200 Flex Court, spoke in opposition of Agenda Item 6G, requesting the Board to delay action on this item.
- Ted Meyers, owner of Tuf-Tite, spoke about his companies' history in Lake Zurich and his search for other possible locations in other states that he may wish to relocate to.

5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**

A. **Mayoral Proclamations**

- Declaring October 23-31, 2023 as Red Ribbon Week
- Honoring Lake Zurich Resident Doug Bartels

Mayor Poynton presented proclamations from the Village marking Red Ribbon Week and honoring resident Doug Bartels on life accomplishments.

B. **Oath of Office**

- Firefighter-Paramedic Connor DeBoer
- Chief Pilgard presented Mr. DeBoer to the community and Police/Fire Commissioner Mike Hilt administered the Oath of Office.

C. **Community Introduction**

- Deputy Fire Marshall John Wiecek

Chief Pilgard presented Mr. Wiecek to the community and highlighted his career experience that he brings to Lake Zurich.

6. CONSENT AGENDA

- A. Approval of Minutes from the Village Board Meeting of September 18, 2023
- B. Ratification of Semi-Monthly Warrant Register Dated October 2, 2023 Totaling \$1,598,805.75
- C. Approval of Semi-Monthly Warrant Register Dated October 16, 2023 Totaling \$491,119.76
- D. Agreement with Pipe View America for 2023 Sanitary and Storm Sewer Inspection Program in the Amount Not-to-Exceed \$100,000

Summary: The FY 2023 budget has \$100,000 in the Water and Sewer Fund for this expense. Since 2017, the Village has been inspecting critical sanitary and storm sewer infrastructure with closed-circuit television and subsequently completing repairs. A bid opening on September 20, 2023 resulted in five bids received, with Pipe View America of Schaumburg offering the most competitive submission.

- E. Reduction in Letter of Credit to \$88,533.50 for LZ Development Group, LLC for the Sanctuary of Lake Zurich Development

Summary: LZ Development Group LLC is requesting a reduction in its letter of credit for the Sanctuary of Lake Zurich at the southeast corner of Rand Road and Old Rand Road. A guarantee of site work in the amount of \$872,005.20 was provided as a performance security for site improvements at the development. The majority of this work has been completed and the proposed reduction is based on substantial completion of the items in the Engineer's Opinion of Probable Cost submitted in 2021 at the time of approval of the development.

- F. Ordinance Amending Chapter 2 of Title 4 of the Lake Zurich Municipal Code regarding All-Terrain Vehicle and Off-Road Motorcycle Noise (Assign Ord. #2023-10-528)

Summary: The proposed Ordinance adds a section to Title 4, Chapter 2 of the Village Code that identifies noise from off-road motor vehicles as a public nuisance. This will apply to all-terrain vehicles, dirt bikes, mini-bikes, and other off-road vehicles. The Ordinance provides a clearly understood and clearly enforceable rule that off-road motor vehicle noise heard from more than 100 feet away from a property line constitutes a local noise nuisance and is subject to fines.

- G. Ordinance Amending Various Chapters Title 9, 10, and 4 of the Lake Zurich Municipal Code with Miscellaneous Code Amendments (Assign Ord. #2023-10-529)

Summary: The Village of Lake Zurich is seeking amendments to the Municipal Code in order to clarify specific definitions and the requirements for refuse storage, remove antiquated language for hearing notices and references to the former Zoning Board of Appeals, and provide for a measurement to exterior lighting standards. The Planning and Zoning Commission held a public hearing on September 20, 2023 and voted 4-0 in favor of recommending approval of the proposed Zoning Code amendments.

- H. Resolution of the Village of Lake Zurich, Lake County, Illinois, to Induce the Development of Certain Property within the Industrial Park Tax Increment Financing Redevelopment Project Area (Assign Reso. #2023-10-079)

Summary: The proposed development inducement Resolution allows Smalley Steel Ring, a well-established Lake Zurich manufacturing company, to be eligible for future TIF reimbursements related to the future development of vacant industrial acreage in Lake Zurich. Such development would increase the assessed value of the entire TIF, thus generating future TIF increment. Smalley is considering a significant multi-million dollar investment into an expanded global headquarters facility on Oakwood Road. A detailed redevelopment agreement with Smalley is being prepared and will be presented at a future Village Board meeting.

I. Request by Housing Opportunity Development Corporation to Continue Consideration of the Annexation, Zoning, and Development Concept Plan at 22843 Lakewood Lane to the January 15, 2024 Village Board Meeting

Summary: The Housing Opportunity Development Corporation submitted petitions to annex the former Midlothian Manor property at 22843 Lakewood Lane to the Village of Lake Zurich and to rezone and approve a planned unit development concept plan to construct 24 rental residential apartments on the subject property. The Planning and Zoning Commission held public hearings on the petitions between June 21 and August 16, 2023. The PZC concluded its process with a 3-2 recommendation for approval of the petitions, subject to conditions. The findings and recommendation of the PZC are attached.

The petitioner requests the Village Board's consideration of the petitions be continued to a future Village Board meeting, as their Executive Director recovers from an illness. Staff recommend continuing consideration of the petitions to the Village Board meeting on January 15, 2024.

Actions: A motion made by Trustee Spacone to approve the Consent Agenda as presented except Item 6G, seconded by Trustee Riley.

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

NAYS: 0

ABSENT: 1

MOTION CARRIED.

A motion made by Trustee Spacone to enter into Executive Session for the purpose of *5 ILCS 120/2 (c)(11) pending or imminent litigation*, seconded by Trustee Euker.

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

NAYS: 0

ABSENT: 1

MOTION CARRIED.

The Board adjourned into Executive Session at 7:40 pm.

*****Executive Session #1*****

Actions: A motion was made by Mayor Poynton to reconvene into Open Session, seconded by Trustee Spacone.

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

The Board reconvened into Open Session at 8:03 pm.

Village Attorney Scott Uhler explained how the Village Code was amended two years ago and that Item 6G on the agenda tonight is intended to clarify those existing regulations and provide more accurate definitions to specific words and terms. Mayor Poynton read the written summary of the item.

Actions: A motion was made by Mayor Poynton, seconded by Trustee Weider, to approve item 6G, an Ordinance Amending Various Chapters Title 9, 10, and 4 of the Lake Zurich Municipal Code with Miscellaneous Code Amendments.

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

7. NEW BUSINESS

- A. **Police Pension Municipal Compliance Report and Tax Levy Request**
Summary: The Illinois Pension Code requires the Village to levy a tax each year to meet the actuarial requirements of the Police Pension Fund. The Lake Zurich Police Pension Board is requesting a tax levy in the amount of \$2,305,938 for the Village Board to consider.

Last year, the Police Pension Board requested a levy of \$2,142,608 and the actual levy was the same amount. The Police Pension Fund is now 58.3% funded, an increase of 0.6% on an actuarial value from last year's status of 57.7% funded.

Sergeant and Police Pension Board Secretary Andy Sieber spoke to the Village Board about the importance of consistent pension funding and the good partnership the Village has with the Police Pension Board.

Actions: No Village Board action requested at this point. This tax levy request is for discussion purposes only.

- B. **Ordinance authorizing the issuance of \$1,299,000 Taxable General Obligation Refunding Bonds (Limited Tax), Series 2024, of the Village of Lake Zurich, Lake County, Illinois, for the purpose of refunding certain outstanding general obligation alternate bonds of said Village and paying the expenses incident thereto, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, and authorizing the sale of said bonds to the purchaser thereof (Assign Ord. #2023-10-530)**
Summary: From 2009 – 2016, the Village issued various General Obligation TIF Bonds, of which payment of these bonds is from various revenue sources as well as annual issuance of taxable general obligation bonds.

The proposed ordinance for Series 2024 general obligation bonds is the Village's 14th year of this procedure. The Series 2024 Bonds will pay interest and principal due during Fiscal Year 2024.

The total size of the proposed bond issuance is \$1,299,000, which includes fees of approximately \$13,000. As in the past, Cornerstone Bank has agreed to purchase the bonds. The bonds are to be approved in 2023 and be included in the 2023 property tax levy.

Actions: A motion was made by Trustee Euker, seconded by Trustee Sugrue, to approve Ordinance #2023-10-530 authorizing the issuance of \$1,299,000 Taxable General Obligation Refunding Bonds (Limited Tax), Series 2024, of the Village of Lake Zurich, Lake County, Illinois, for the purpose of refunding certain outstanding general obligation alternate bonds of said Village and paying the expenses incident thereto, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, and authorizing the sale of said bonds to the purchaser thereof.

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

NAYS: 0

ABSENT: 1

MOTION CARRIED.

C. Discussion on Special Recreation Association Property Tax Levy

Summary: The Village currently levies a 2% SRA property tax for the purpose of providing programs and facilities for people with disabilities or special needs. The current levy is insufficient to create new opportunities for people with special needs. In fact, Lake Zurich's SRA Fund is expected to close the 2023 budget year with a \$75,000 deficit.

During a recent Village Board meeting, Trustees advocated for facilities that go beyond making ADA-required accommodations in our parks. For example, staff has already received valuable information on next steps for creating sensory opportunities for people with autism. Additional funding is needed to activate new opportunities.

An SRA levy of up to 4% is permitted by law. This levy is outside of the Illinois Property Tax Extension Law Limit to prevent providing services for people with disabilities from competing with core municipal services. If the Village were to increase this property tax levy to 4%, the typical Lake Zurich property owner would see an increase of approximately \$27 annually.

After the annual membership to the Special Recreation Association of Central Lake County is paid, this higher levy would result in approximately \$220,000 available for local SRA investment, versus the \$60,000 available now each year.

Parks Director Bonnie Caputo explained the relationship Lake Zurich has with the SRACLC in providing services and possible future projects that are already in the planning stages. Director Caputo said a survey is in the works to gather more feedback from the Lake Zurich public on future SRA improvements.

The Board generally gave their support for the 4% SRA property tax levy, to be voted on with the general property tax levy ordinance later this year.

Actions: No Village Board action requested at this point. This agenda item is for discussion purposes only.

8. TRUSTEE REPORTS

*There were none.

9. VILLAGE STAFF REPORTS

A. Monthly Data Metric Reports

Director Sarosh Saher informed the Village of the upcoming Community Workshop on October 25, 2023 to gather feedback for the Comprehensive Plan update.

10. ADJOURNMENT

A motion was made by Trustee Euker, seconded by Trustee Riley to adjourn the regular meeting into Executive Session for the purpose of *5 ILCS 120/2 (c)(2) collective bargaining*.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED.

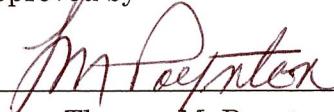
The meeting adjourned into Executive Session with no further business in Open Session 8:28 pm.

Executive Session #2

Respectfully submitted:

Kyle Kordell, Deputy Village Clerk

Approved by:



Mayor Thomas M. Poynton