

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



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Monday, December 4, 2023 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 William Riley, Trustee Marc Spacone, Trustee Greg Weider. Trustee Roger Sugrue was absent and excused. Also in attendance: Village Manager Ray Keller, Asst. Village Manager Michael Duebner, Village Atty. Mallory Milluzi, Finance Dir. Amy Sparkowski, Fire Chief Dave Pilgard, Police Chief Steve Husak, Dir. Of Community Development Sarosh Saher, Public Works Dir. Mike Brown, H.R. Dir. Doug Gibson, Management Services Dir. Kyle Kordell.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**
Jeff Wood, addressed the Board on his support of the proposed Midlothian Manor which will come before the Board in a future meeting.
Paul Virgilio, Echo Lake, addressed the Board in support of the Midlothian Manor 's low income housing proposed project. Mr. Virgilio shared a handout for the Board
5. **PUBLIC HEARING ON CONSIDERATION OF PROPOSED VILLAGE OF LAKE ZURICH ANNUAL BUDGET FOR FISCAL YEAR 2024**

Summary: This is a public hearing for the proposed annual budget for the Village of Lake Zurich's 2024 fiscal year, which will run January 1 through December 31, 2024. This public hearing was noticed in the *Daily Herald* on November 24, 2023, on the front of the Village website, and in *Benchmarks* and *Facebook*. The proposed 2024 budget totals \$78 million to fund a full-service municipality with 164 full-time employees at Police and Fire, Public Works, Community Development, Parks and Recreation, Finance, and Administration.

The Village enjoys a stable financial position and as such, this budget is presented as a balanced operational plan for the next year with a projected operating surplus of \$5,000 for the General Fund. The 2024 budget includes over \$21 million in local infrastructure improvements and more than \$1.2 million in municipal fleet and equipment upgrades for public safety and public works.

Total revenues and other financing sources for 2024 are budgeted to be at \$65.7 million, an increase of 10% over the 2023 budget. A copy of the proposed budget has been available for public review at Village Hall, Ela Area Public Library, and on the

Village website since November 17, 2023. All interested persons are invited to attend this public hearing and provide feedback to the Village Board on the proposed budget.

Recommended Action #1: A motion was made by Trustee Weider, seconded by Trustee Euker, to open the Public Hearing on the Fiscal Year 2023 Village Budget and receive into the record public comments.

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

NAYS: 0

ABSENT: 1 Trustee Sugrue

MOTION CARRIED.

VOICE VOTE.

Meeting opened at 7.13pm

PUBLIC COMMENT

There were none.

Recommended Action #2: A motion was made by Trustee Weider, seconded by Trustee Riley, to close the Public Hearing on the Fiscal Year 2023 Village Budget.

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

NAYS: 0

ABSENT: 1 Trustee Sugrue

MOTION CARRIED.

VOICE VOTE.

Public Hearing closed at 7.14pm

6. **CONSENT AGENDA**

A. Approval of Minutes from the Village Board Meeting of November 20, 2023

B. Approval of Semi-Monthly Warrant Register Dated December 4, 2023 Totaling \$1,917,242.79

C. Annual Village of Lake Zurich Meeting Schedule for 2024

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.

D. Agreement with Axon Enterprises for Body Worn and Squad Car Videos, Electronic Weapon Systems, and Digital Evidence Storage in the Amount Not-to-Exceed \$636,000

Summary: The State of Illinois mandates the use of body-worn cameras by Illinois police departments stateside starting January 1, 2025 for municipalities with populations under 50,000. While this is a new mandate for body-worn cameras, in-car cameras and audio recording devices have been used since 2016 but are due for an upgrade. The Police Departments taser electrical weapons systems are also beyond the end of their useful life. Staff recommends replacing the in-car video, conducted electrical weapon systems and integrating body-worn cameras through a single vendor, Axon Enterprise. Axon is the sole distributor and retailer of all Taser-branded products and bundling all three hardware components into a single, integrated solution is only available through Axon.

E. Ordinance Amending Title 13 "Comprehensive Fee Schedule" of the Village Code to Amend Fines and Fees related to the Costs of Municipal Services
ORD #2023-12-536

Summary: In 2018, Title 13 was added to the Lake Zurich Village Code as a Comprehensive Fee Schedule to provide a single convenient location for a list of all fees and fines that have been codified into the Village Code over several decades. The proposed Ordinance amends various fees and fines that have not been adjusted in several years in order to offset increases to the Village's costs of administering and enforcing local laws for zoning violations, land development violations, and fees relation to building permits, business regulations, the traffic code, public health and safety, and animal violations.

F. Ordinance Amending Title 3 of Chapter 3 of the Village Code to Increase Authorized Class A-1 Liquor Licenses for Lago Lake Zurich Partners, LLC at 350 North Old Rand Road ORD #2023-12-537

Summary: Lago Lake Zurich Partners, doing-business-as Lago by Fabio Viviani at 350 North Old Rand Road have applied for a full-service restaurant Class-A1 Liquor License for on-site premise consumption including its outdoor seating area. Application, supporting documents, and background checks have passed for a Class-A1 Liquor License.

G. Agreement with Layne Christensen Company for Well #12 Maintenance in the Amount Not-to-Exceed \$131,481

Summary: In October 2023 during normal operation, Well 12 experienced an electrical fault, resulting in the well being out of service. On September 6, 2022, the Village Board approved a five-year professional services agreement with Layne Christensen Company, a sole-source provider of Byron Jackson parts and service in Illinois. All five Village wells utilize Byron Jackson pumping equipment.

H. Ordinance Authorizing Disposal of Surplus Property Owned by the Village of Lake Zurich ORD. #2023-12-538

Summary: Staff has identified pieces of equipment that are not in working order, would requires repairs in excess of present market value, or are obsolete.

I. Letter of Credit Reduction to \$64,997 for Alpha Tekniko at 1400 Rose Road

Summary: Alpha Tekniko provided a guarantee of site improvements in the amounts of \$769,917 for site work at its new development in the industrial park on Rose Road. The amount the Village will maintain is required to guarantee the improvements against faulty workmanship for two years. Village Staff have inspected the property and concur with the reduction to \$64,997.

J. Agreement with Flock Safety for Automatic License Plate Reader System in the Amount Not-to-Exceed \$100,500

Summary: The proposed Flock Safety automatic license plate reader system will provide the Lake Zurich Police Department with additional investigate resources. The Flock Safety system is currently in use in over 150 agencies in Illinois and all data is deleted from the system after 30 days. No information obtained through this system is sold to anybody or used to issue any type of traffic citations, it is strictly an investigate tool for law enforcement to solve crimes.

K. Ordinance Amending Chapter 6 of Title 1 of the Village of Lake Zurich Municipal Code Adopting a Paid Leave Section for Employees of the Village of Lake Zurich ORD. #2023-12-539

Summary: The Paid Leave for All Workers Act goes into effect on January 1, 2024 and requires all employers in Illinois to provide one hour of paid time off for every 40 hours worked up to a maximum of 40 hours of paid time off in total. The Village finds the law places an obligation on the Village as an employer given the current rights employees already have available under collective bargaining agreements and the Village of Lake Zurich Personnel Manual. The Village finds it in the public interest to clearly define the minimum requirements regarding paid time off that apply to the Village and its employees with the proposed Ordinance.

L. Agreement with Stryker for Patient Transport and Treatment Equipment in the Amount Not-to-Exceed \$198,528.17

Summary: The Fire Department utilizes Stryker transport and patient care equipment to provided EMS services on a daily basis. Stryker is a vendor that supplies patient power cots, LifePak devices, and Lucas CPR devices. While Stryker is not the sole source provided for patient transport and treatment equipment, the Department transitioned to Stryker products in the 1990's to benefit from equipment standardization among all four stations. A ten-year lease agreement with Stryker is proposed for the ongoing maintenance needs of patient care equipment.

Trustee Bobrowski requested a clarification on Agenda Item 6E fees and Police Chief Husak explained the changes. Trustee Spacone would like a category for motorized scooters, skateboards etc. to be included in a future fee schedule.

Recommended Action: A motion was made by Mayor Poynton, seconded by Trustee Spacone, to approve the Consent Agenda as presented.

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

NAYS: 0

ABSENT: 1 Trustee Sugrue

MOTION CARRIED.

7. OLD BUSINESS

A. Ordinance Granting a Planned Unit Development for Chipotle Mexican Grill at 442 South Rand Road Ord. #2023-11-536

Summary: Terraco Incorporated requests approval to construct a new quick service Chipotle restaurant with a drive-through pick-up lane and outdoor patio at 442 South Rand Road, located at the southeast corner of Rand Road and Route 22. This request was discussed at the November 20, 2023 Village Board meeting but was tabled to allow the developer to address issues raised by the Village Board regarding the sidewalk along Rand Road and the location of the trash enclosure.

The Applicant has submitted a revised site plan indicating a new sidewalk along the Rand Road frontage of the property. The new sidewalk will require the removal of three existing parkway trees. However, their removal is offset by the new trees, shrubs, grasses and other plant material proposed as part of the overall landscape plan for the project. The sidewalk condition therefore remains in place from the previously provided recommendation.

The Applicant has provided an exhibit showing two options for the location of the trash enclosure: Chipotle's previously proposed and preferred location along Rand Road (Option 1), and a location interior to the site, southeast of their building (Option 2). Option 2 will be close to a Village water line and may require Chipotle to use smaller corrals and have more frequent garbage pickups, but Staff regard Option 2 as being closer to the Village Board's stated expectations for the site.

At its June 21, 2023 meeting, the Planning and Zoning Commission provided unanimous recommendation for approval to the Village Board. Village Staff also recommends approval of the Planned Unit Development with the conditions for approval incorporated into the attached Ordinance.

Community Development Dir. Saher addressed the Board on the conditions and introduced Joe Goodman of Terraco Inc., and his team.

Mr. Goodman gave a brief PowerPoint presentation focusing on the sidewalk and the Garbage enclosure. He requested that the Lake Zurich permit be issued while the permit from IDOT goes through their process.

Recommended Action: A motion was made by Trustee Bobrowski, seconded by Trustee Riley, to approve Ord. #2023-11-536 Granting a Planned Unit Development for Chipotle Mexican Grill at 442 South Rand Road, with the inclusion of garbage enclosure Option 2.

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

NAYS: 0

ABSENT: 1 Trustee Sugrue

MOTION CARRIED.

8. NEW BUSINESS

A. Ordinance Amending Title 13 Entitled "Comprehensive Fee Schedule" of the Village of Lake Zurich Municipal Code to Increase Water and Sewer Rates ORD. #2023-12-540

Summary: The Water and Sewer Fund is an enterprise fund and accounts for all revenues and expenditures related to the production, distribution and collection of the Village's public water supply and sanitary sewer system. Increasing cost of operations, maintenance and capital investment in the system necessitate an increase in the user charge for this service.

The 2024 Budget includes \$3.68 million in capital investments comprised of the continuation of water main replacement and engineering for sanitary sewer lining. The budget also allocates \$5 million to begin design engineering for bringing Lake Michigan water to Lake Zurich.

Staff is recommending a two-year water and sewer rate schedule with new rates going into effect on January 1, 2024 and January 1, 2025.

In 2024, the proposed rates will increase 3% for operations, maintenance and infrastructure improvements for the Water and Sewer Fund, plus a \$3 per 1,000-gallon charge that will start to generate a revenue source for the pending Lake Michigan Water project.

In 2025, the proposed rates will increase another 3% for operations, maintenance and infrastructure improvements for the Water and

Sewer Fund, plus another \$3 per 1,000-gallon charge for the Lake Michigan water rate.

The Lake Michigan Water rate is scheduled to increase annually by \$3 per 1,000-gallons up to \$15 in 2028.

The Lake Michigan water rate schedule establishes the dedicated funding source needed to support the debt payments anticipated to start in 2028. This other revenues that may be applied to the project, as well as any cost savings realized during project implementation.

Village Manager Keller explained the dedicated funding source.

Recommended Action: A motion was made by Trustee Spacone, seconded by Trustee Weider, to approve Ordinance #2023-12-540 Amending Title 13 Entitled "Comprehensive Fee Schedule" of the Village of Lake Zurich Municipal Code to Increase Water and Sewer Rates.

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

NAYS: 0

ABSENT: 1 Trustee Sugrue

MOTION CARRIED.

B. Ordinance Adopting the Annual Budget of the Village of Lake Zurich for All Corporate Purposes for the Fiscal Year Commencing January 1, 2024 and Ending December 31, 2024 ORD. #2023-12-541

Summary: At the November 18, 2023 Committee of the Whole budget workshop meeting, Mayor Poynton and Trustees reviewed with Village Staff the proposed budget for Fiscal Year 2024, which begins January 1.

The Fiscal Year 2024 budget is presented as a balanced operational plan for the next year with a projected operating surplus of \$5,000 for the General Fund. Expenditures in the General Fund next year are expected to total \$35.6 million, ending 2024 with a 37% fund balance.

The 2024 budget includes a reduction of the Village's bond debt by \$3.3 million. Ten years ago this bonded debt level was at \$34 million. At the end of next year, this total debt is projected to be \$18.7 million. This is an impressive reduction of 45% of overall Village debt over the past decade, a significant accomplishment that allows for AAA bond ratings and lower interest rates for tax payers.

Among all Village Funds, the 2024 budget totals \$78 million to fund a full-service municipality with 164 full-time employees. This budget blueprint was created with an eye on sustaining multi-year progress towards strategic goals and includes over \$21 million in local infrastructure improvements and more than \$1.2 million in municipal fleet and equipment upgrades for public safety and public works. There were no questions/comments from the Board.

Recommended Action: A motion was made by Trustee Riley, seconded by Trustee Weider, to approve Ordinance 2023-12-541 Adopting the Annual Budget of the Village of Lake Zurich for All Corporate Purposes for the Fiscal Year Commencing January 1, 2024 and Ending December 31, 2024.

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

NAYS: 0

ABSENT: 1 Trustee Sugrue

MOTION CARRIED.

9. PRESIDENT'S REPORT / COMMUNITY UPDATE

Mayor Poynton thanked the many people involved in the recent "Miracle on Main Street" event including the many sponsors, the Lake Zurich family who donated the tree, residents of Kincaid and Oak streets, and the many volunteers. He thanked the Park and Rec staff and the Public Works staff and reminded residents that the decorations in Breezewald Park would be there through the holidays.

10. TRUSTEE REPORTS

Trustee Riley thanked the Finance Director, staff and department Directors on the Budget and its process.

11. VILLAGE STAFF REPORTS

Police Chief Steve Husak reported that the onsite accreditation visit is ongoing as part of the CALEA accreditation. Chief Husak stated that the public can participate in the process online at the portal on the Village's website.

V.M. Keller stated that the December Planning and Zoning Commission will meet on the 2nd Wednesday of the month in December.

12. EXECUTIVE SESSION called for the purpose of:

5 ILCS 120 / 2 (c) (21) approval of executive session minutes and 5 ILCS 120 / 2 (c) (5) purchase or lease of real estate

Motion was made by Trustee Bobrowski, seconded by Trustee Riley, to adjourn to Executive Session for the purpose of 5 ILCS 120 / 2 (c) (21) approval of executive session minutes and 5 ILCS 120 / 2 (c) (5) purchase or lease of real estate; and to close Open Session with no further business to be conducted.

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

NAYS: 0

ABSENT: 1 Trustee Sugrue

MOTION CARRIED.

13. ADJOURNMENT

The meeting adjourned to Executive Session at 7.57pm

Respectfully submitted:

Kathleen Johnson, Village Clerk.

Approved by:



Mayor Thomas M. Poynton

1-8-2024
Date

