

APPROVED
LAKE ZURICH BOARD OF TRUSTEES
REGULAR MEETING
70 East Main Street

Monday, December 15, 2008

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:33 pm.

Present were Village President Tolomei, Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor. Also present were Village Administrator Vitas, Village Attorney Burkland, Police Chief Finlon, Public Works Director/Engineer Heyden, Fire Chief Mastandrea, Park Director Perkins, Building/Zoning Director Peterson, and Finance Director Zochowski.

2. PLEDGE OF ALLEGIANCE

Weeblos Pack 237, Den #8, led the meeting in the Pledge of Allegiance to earn their citizenship badge.

3. PRESIDENT'S REPORT

A. Presentation of International Association of Chiefs of Police Traffic Safety National Law Enforcement Challenge Award to Police Department

Chief Finlon described the National Law Enforcement Challenge and the enormous work behind the receipt of this 3rd place award. The program concentrates on three major traffic safety priorities: public education by occupant restraint, impaired driving, and speeding.

B. A Proclamation honoring *Police Officer Robert Brasky* upon his retirement

The proclamation honoring Police Officer Brasky was read by Clerk Palmlad. Chief Finlon elaborated on his career highlights and wished him well.

C. Appointment of Village representative to TIF Joint Review Board

Due to work conflicts, the previously mentioned Village representative will not be able to serve on the Board. President Tolomei recommended Scott DeGraeve serve as the Village representative. Mr. DeGraeve agreed and the Village Board concurred.

4. PUBLIC COMMENT

No comments.

5. PUBLIC HEARING concerning the intent of the President and Board of Trustees of the Village of Lake Zurich, Lake County, Illinois to sell one or more series of general obligation bonds (alternate revenue source).

Finance Director Zochowski described the process of issuing bonds.

The public hearing opened at 7:52 pm.

Jim Tarbett, 1195 Cedar Creek Drive, acknowledged the efforts of staff that addressed his questions. Mr. Tarbett read a prepared statement on the history of the Village's prior TIF bonds and use of the funds. Mr. Tarbett requested assurances the new bonds would only be spent as documented in the ordinance.

Steve Lasko, Oak Street, questioned what the additional cost to the Village will be by spreading payments over a longer period of time and whether there was any payoff penalty.

John Repsholdt, Financial Consultant from Ehlers & Associates, responded to the questions raised by Mr. Lasko and the Board.

The public hearing closed at 8:16 pm.

6. APPROVAL OF MINUTES

A. Regular Village Board meeting December 1, 2008

MOTION was made by Trustee Callahan, seconded by Trustee Johnson, to approve the Regular Village Board meeting minutes of December 1, 2008 as presented.

Voice vote, all in favor.

MOTION CARRIED

B. Special Village Board meeting December 1, 2008

MOTION was made by Trustee McAvoy, seconded by Trustee Callahan, to approve the Special Village Board meeting minutes of December 1, 2008 as presented.

Voice vote, all in favor.

MOTION CARRIED

C. Joint Meeting of the Board of Trustees and Tree Commission, December 1, 2008

MOTION was made by Trustee Johnson, seconded by Trustee Poynton, to approve the Joint Meeting of the Board of Trustees and Tree Commission meeting minutes of December 1, 2008 as presented.

Voice vote, all in favor.

MOTION CARRIED

7. CONSENT AGENDA

Trustee Branding requested item A be removed for further discussion under Other Business.

B. Monkey Joe's, 748 S. Rand Road. The Planning and Development Committee recommends approval and the Board of Trustees approves AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE LAKE ZURICH ZONING CODE AND A SPECIAL USE PERMIT FOR A CHILDREN'S INDOOR RECREATIONAL FACILITY AT 748 SOUTH RAND ROAD (MONKEY JOE'S). (ASSIGN ORD. #2008-12- 602)

MOTION was made by Trustee McAvoy, seconded by Trustee Callahan, to approve an ordinance approving a text amendment to the Lake Zurich Zoning Code and a special use permit for a children's indoor recreational facility at 748 South Rand Road.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

8. ADMINISTRATOR'S REPORT

No report.

9. ATTORNEY'S REPORT

No report.

10. COMMITTEE AND TRUSTEE REPORTS

Trustee Branding received a calendar from Molly and Bob Warren and was asked to present the calendar to the front office at Village Hall. Park Director Perkins reminded everyone that Molly and Bob are recognized every year with a Certificate of Appreciation at a Park Advisory Board meeting.

11. OTHER BUSINESS

Consent Agenda Items:

A. Warrant dated December 15, 2008. The Finance Committee recommends approval and the Board of Trustees approves the Warrant dated December 15, 2008 in the amount \$370,890.70 which includes the following items over 5% of the total:

1. Holland & Knight	\$42,716.48	11.52%
2. LZ Fire Pension	\$34,350.05	9.26%
3. Exelon Energy, Inc.	\$31,183.23	8.41%
4. Envirotech Central	\$28,392.47	7.65%
5. Auto Truck Group	\$25,355.00	6.84%
6. Currie Motors	\$22,584.00	6.09%
7. ComEd	\$18,978.17	5.12%

MOTION was made by Trustee McAvoy, seconded by Trustee Taylor, to approve the warrant dated December 15, 2008, in the amount of \$370,890.70.

AYES: 5 Trustees Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

ABSTAIN: 1 Trustee Branding

MOTION CARRIED

Other Business:

A. Comcast Franchise Agreement. The Committee of the Whole recommends approval and the Board of Trustees approves the Cable Television Franchise Agreement By and Between Comcast of Illinois/West Virginia, LLC and the Village of Lake Zurich, Illinois with modifications as suggested by staff and attorney.

Village Administrator Vitas reminded the Board this agreement had been before the Board several months ago but was changed to represent the best interests of both the Village and Comcast. A nominal charge will be on future bills and put in escrow to upgrade equipment in the future.

Frank Deuel, Comcast, thanked the Village for allowing Comcast to serve the residents.

MOTION was made by Trustee Callahan, seconded by Trustee Taylor, to approve the Cable Television Franchise Agreement By and Between Comcast of Illinois/West Virginia, LLC and the Village of Lake Zurich, Illinois with modifications as suggested by staff and attorney.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

B. Downtown Form-Based Zoning Regulations. The Committee of the Whole recommends approval and the Board of Trustees approves AN ORDINANCE AMENDING THE LAKE ZURICH ZONING CODE TO ESTABLISH THE DOWNTOWN FBR OVERLAY DISTRICT. (Assign ORD. #2008-12-603)

Building/Zoning Director Peterson advised the Board small corrections have been made but the most recent version is now posted on the website. Village Attorney Burkland stated minor language changes also need to be incorporated into the form based regulation booklet and those changes were reviewed by Director Peterson. Director Peterson stated they were awaiting Village Board approval on the changes before spending additional money on reprinting.

MOTION was made by Trustee Taylor, seconded by Trustee McAvoy, to approve the ordinance amending the Lake Zurich Zoning Code to establish the Downtown FBR Overlay District, ordinance #2008-12-603, as such code booklet and Charette booklet published as of December 15, 2008.

AYES: 5 Trustees Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

ABSTAIN: 1 Trustee Branding

MOTION CARRIED

12. EXECUTIVE SESSION called to discuss pending, probable, or imminent litigation and personnel matters.

MOTION was made by Trustee Johnson, seconded by Trustee Taylor, to adjourn to Executive Session for the purpose of discussing pending, probable, or imminent litigation and personnel matters without reconvening to open session.

AYES: 6 Trustees Branding, Callahan, Johnson, McAvoy, Poynton, and Taylor

NAYES: 0

ABSENT: 0

MOTION CARRIED

13. ADJOURNMENT

Meeting adjourned at 8:45 pm.

Respectfully submitted: *Gloria M. Palmlad, Village Clerk*

Approved by: _____
President John G. Tolomei