

APPROVED
LAKE ZURICH BOARD OF TRUSTEES
SPECIAL MEETING
70 East Main Street
Monday, July 6, 2009

1. CALL TO ORDER The meeting was called to order at 7:01p.m.

2. ROLL CALL

Present were Village President Branding, Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich. Also present were Village Administrator Vitas, Village Attorney Burkland, Police Chief Finlon, Fire Chief Mastandrea, Finance Director Zochowski, Human Resources Manager Pankiw, Director Perkins, and Building/Zoning Director Peterson.

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT - None

5. PRESIDENT'S REPORT

President Branding thanked Park Director Perkins, his staff, and all the departments involved in the wonderful Fourth of July events. She said the fireworks were fabulous. She changed the order of the agenda and moved Item C first under her report.

A. Certificates of Recognition, Park and Recreation Advisory Board members.

Recording Secretary McKay read the information on the Certificate of Appreciation for community service as a member on the Park and Recreation Advisory Board. President Branding presented the certificates to Maureen Degen, Spring Green, and Mike Hilt. Phil Dlatt was not present to receive his certificate. She thanked them for giving of their time and for their contributions.

B. Appointment of Park and Recreation Advisory Board member.

President Branding announced the appointment of Michael Karija as a member of the Park and Recreation Advisory Board to fill the unexpired term left by Spring Green and listed his qualifications. She commented that Michael would be sworn in before the next Park and Recreation Advisory Board meeting and would be an asset to the Village.

MOTION was made by Trustee Poynton, seconded by Trustee Sustich, to appoint Michael Karija as a member of the Park and Recreation Advisory Board to fill the unexpired term left by Spring Green (term expires April 30, 2010).

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich
NAYS: 0

MOTION CARRIED

C. Proclamation Supporting No Child Left Inside Initiative

Recording Secretary McKay read a proclamation supporting the No Child Left Inside initiative, which is an initiative to encourage residents to enjoy the wonderful benefits that outdoor nature experiences have to offer.

6. CONSIDERATION OF MINUTES

a. Special Village Board meeting June 8, 2009

MOTION was made by Trustee Johnson, seconded by Trustee Sustich, to approve the Special Village Board meeting minutes of June 8, 2009 as presented.

Voice vote, all in favor.

MOTION CARRIED

B. Regular Village Board meeting June 15, 2009

MOTION was made by Trustee Poynton, seconded by Trustee Sustich, to approve the Regular Village Board meeting minutes of June 15, 2009 as presented.

Voice vote, all in favor.

MOTION CARRIED

C. Special Village Board meeting June 29, 2009

MOTION was made by Trustee Sustich, seconded by Trustee Halen, to approve the Special Village Board meeting minutes of June 29, 2009 as presented.

Voice vote, all in favor.

MOTION CARRIED

7. CONSENT AGENDA – No Items

8. OLD BUSINESS

A. Knights of Columbus/Lakeview Community Church, Rezoning, Zoning Code Text Amendments, and Zoning Approvals to Authorize Rental of Meeting Hall and Church Administrative Offices

Trustee Poynton summarized the request from the Lakeview Community Church for approvals to allow them to rent space in the Knights of Columbus building. Building/Zoning Director Peterson said staff has worked with the petitioner and recommended approval to allow this use.

MOTION made by Trustee Poynton, seconded by Trustee Sustich, to approve an Ordinance Amending the Lake Zurich Zoning Map and the Lake Zurich Zoning Code and Granting Special Use Permits Related to 365 Surryse Road. (ORD #2009-07-640)

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

9. NEW BUSINESS

A. & B. Proposed Amendments to Lake Zurich Municipal Code Related to Board Meetings and Procedures and Discussion and Approval of Revised Agenda Format.

President Branding summarized the proposed amendments to bring the Municipal Code up to date to reflect the changes in the meetings and schedule including the new agenda and meeting format. The agenda will now include a summary of each topic and proposed motion which will provide more information to the public. Agenda items will be introduced by the corresponding Board liaison. Additionally, two regular board meetings per month are proposed. Committee of the Whole meetings may be called at any time by the Village President or any three trustees. President Branding recommended deleting Item 1-4-6:9 – Referral to Committee, because it does not pertain to the new meeting structure.

Vincent McCormack, Zoning Board Chair, asked to whom the items would be referred after the Zoning Board reviews them. He was told that the petitions would be referred to the Board of Trustees.

Jim Tarbet, Cedar Creek Drive, said the changes are long over due and most welcome. He said they will provide the public with more information and they will better serve the public.

MOTION made by Trustee Johnson, seconded by Trustee Poynton, to approve the format of the agenda for regular meetings of the Board of Trustees and an ordinance amending Title 1, Chapter 4 of the Lake Zurich Municipal Code related to board meetings and procedures as amended. (ORD #2009-07-641)

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

C. Resolution Appointing SWALCO Delegate

President Branding said the Village is required to designate a delegate to the Solid Waste Agency of Lake County (SWALCO). She is proposing Trustee Sustich be the delegate.

MOTION made by Trustee Johnson, seconded by Trustee Halen, to approve a resolution appointing Trustee Sustich as a SWALCO Delegate.

(RES #2009-07-06A)

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

Public Works Director/Engineer Heyden welcomed Trustee Sustich and asked that they meet soon to discuss the new delegate procedures that SWALCO has adopted that can include members of the community.

D. Sarvady, 865 Broadway Court, Request for Variation for Garage Enlargement

Trustee Poynton summarized the variation request that will allow the Sarvadys to enlarge their existing attached garage to create room for a third car. Building and Zoning Director Peterson said he does not think this proposal will add to the existing drainage problem.

MOTION made by Trustee Poynton seconded by Trustee Rzeznik, to approve an ordinance granting variations for 865 Broadway Court. (ORD #2009-07-642)

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

E. Rylko, 193 Foxfire Drive, Request for Variation for Patio

Trustee Poynton summarized the variation request that will allow the Rylkos to construct a concrete patio at the rear of their home.

MOTION made by Trustee Poynton, seconded by Trustee Sprawka, to approve an ordinance granting a variation for 193 Foxfire Drive. (ORD #2009-07-643)

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

F. Lehtinen, 542 Carolian Drive, Request for Variation for Screened Room

Trustee Poynton summarized the variation request that will allow the Lehtinens to construct a screened room at the rear of their existing house.

MOTION made by Trustee Poynton, seconded by Trustee Johnson, to approve an ordinance granting a variation for 542 Carolian Drive. ((ORD #2009-07-644)

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

G. Courtesy Review of Indoor Miniature Golf

John Sfire, Fidelity Group, presented their proposal for Paul and Sue Hutchings to operate an indoor 18-hole mini-golf arcade occupying 5,000 s.f. on the Rand Road frontage in the Village Square Retail center.

There were no objections to the proposal moving forward in the zoning application review process.

Scott Unger, 568 Cortland, said he likes the new agenda format and supports the mini-golf proposal. He wanted Mr. Sfire to know there was a pothole near Taco Bell that needed attention. Mr. Sfire asked that any issues related to his property be referred to his office.

H. Courtesy Review for Subdivision and Development of Nestlerest Park, 104 Robertson Avenue

Paul Hammer, attorney for Jan Jozwiak, who was also present, presented his proposal to subdivide the property into eight lots that would include six R-4 District single-family lots, one R-6 multiple-family lot, and one storm water detention lot. He is requesting the rezoning of the existing residential structure into the R-6 District for multiple-family development. Mr. Jozwiak has begun the rehabilitation of the existing building and will maintain its vintage qualities. All trees will be preserved.

Building and Zoning Director Peterson provided additional comments. He said it is an interesting proposal with potential but there are some problematic aspects that would need to be addressed.

Trustee Johnson asked Mr. Jozwiak if he had considered converting the existing building into a mansion and had questions for Village Attorney Burkland about the zoning if the project fails. Mr. Jozwiak said the building is designed for multi-family use and would not work as a single-family residence. Attorney Burkland said if the multi-family use failed, it would revert to R-4 zoning.

Jim Tarbett, Cedar Creek Drive, said the existing structure should be grandfathered because the use had not been abandoned. He supports R-4 zoning for the rest of the lot.

There were no objections to the proposal moving forward in the zoning application review process.

I. Approval of a Partnership Commitment with U.S. Census Bureau and Appointment of Complete Count Committee

Building and Zoning Director Peterson reviewed his memorandum dated June 26, 2009, that recommended partnering with the U.S. Census Bureau and forming a 2010 Lake Zurich Complete Count Committee.

MOTION made by Trustee Poynton, seconded by Trustee Johnson, to approve a resolution approving "Commitment to Partner with U.S. Census Bureau" and appointing a Complete Count Committee for the 2010 Census. (RES #2009-07-06B)

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

J. Omni Youth Services Agreement

Trustee Johnson summarized the proposed annual agreement with Omni Youth Services, which renews each May. He expressed his familiarity with the work of Omni, which has been a presence in Lake Zurich for a long time. Police Chief Finlon summarized comments in his memorandum to Village Administrator Vitas dated June 30, 2009. He also listed services that Omni provides to the community. Brian McKenna, Omni Director, distributed an updated summary of services and programs and requested \$41,500 for services provided to the community.

Scott Unger, 568 Cortland Drive, asked if Omni could communicate trends as a way to alert parents and the community.

MOTION made by Trustee Johnson, seconded by Trustee Sustich, to approve an agreement with Omni Youth Services in the amount of \$41,500 for delivery of community oriented programs.

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

K. Approval of Semi-Monthly Warrant Register Dated July 6, 2009, Totaling \$1,072,952.23

Trustee Sprawka reviewed the warrant items over 5% of the total.

Lake Zurich Fire Pension Fund - \$339,018.93 – 31.60%

Charles Schwab/Lake Zurich Police Pension - \$318,839.23 – 29.72%

Layne Christensen Company - \$82,384.55 – 7.68%

MOTION made by Trustee Sprawka, seconded by Trustee Sustich, to approve the semi-monthly warrant register dated July 6, 2009 totaling \$1,072,952.23.

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich
NAYS: 0
MOTION CARRIED

L. Fiber Optic PEG Channel Insertion Project

Trustee Sprawka reviewed the proposal for the Fiber Optic PEG Channel Project, which will allow the Village to procure, install and connect fiber optic cable for live video broadcasting of meetings from the Village Hall. The agreement will allow the Village to operate Channel 4 for broadcasting public meetings and to serve as a hub for live broadcast. Administrator Vitas provided additional information on future plans that will include web streaming and digital archives. He restated the goal to increase transparency and accountability and how these improvements will help to meet them.

MOTION made by Trustee Sprawka, seconded by Trustee Halen, to approve the construction invoice with Comcast in the amount of \$41,329.47 to procure and install the fiber optic PEG Channel Insertion equipment.

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich
NAYS: 0
MOTION CARRIED

M. Purchase of Cold Planer Attachment for Bobcat Skid-Steer

Public Works Director/Engineer Heyden reviewed his memorandum on the recommended purchase of a Bobcat Skid-steer, which will expand the patching capability. The cold planer and attachment will cost \$13,968 with the cost split between General Services, Utilities, and Park and Recreation. The price is set by government pricing.

MOTION made by Trustee Sustich, seconded by Trustee Sprawka, to approve the purchase of the cold planer attachment from Atlas Bobcat, Inc. in the amount of \$13,968.00, with waiver of the formal bidding process.

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich
NAYS: 0
MOTION CARRIED

N. Wickes, Hamilton Partners, Request to Release Letter of Credit

Trustee Sustich summarized the request from the developer of Wickes, Hamilton Partners, to release its maintenance guaranty letter of credit in the amount of \$50,000 since the property had been sold to Inland Realty. He asked the Village Attorney if appropriate mechanism was in place to protect the Village regarding the maintenance of the native vegetation areas since the Village was not involved in the property sale. Village Attorney Burkland said he will review the

specific documents but assumed the general terms would protect the Village. Public Works Director/Engineer Heyden said the covenants were recorded against property and the Village is protected.

MOTION made by Trustee Sustich, seconded by Trustee Johnson, to approve the return/release of Maintenance Guaranty Letter of Credit #SLC302278 in the amount of \$50,000.

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

10. TRUSTEE REPORTS

Trustee Sustich referred to a recent article in the Pioneer Press newspaper regarding the Lake County Triathlon being canceled. He clarified that the special event application had been reviewed by Park and Recreation Department and the Park and Recreation Advisory Board. The Advisory Board classified the sponsoring group as non-resident for-profit and assessed the corresponding fees. He said the applicant and the Lake Property Owners Association were not able to negotiate successfully when attempting to assess participant fees. He wanted it to be clear that the applicant withdrew their application voluntarily.

11. ADMINISTRATOR'S REPORT

Village Administrator Vitas said there was an unannounced safety inspections of municipal buildings conducted in June by Illinois Department of Labor (IDL) with no violations discovered. He referenced a letter from IDL stating no safety violations had been discovered.

12. ATTORNEY'S REPORT – No Report

13. DEPARTMENT HEAD REPORTS

A. Public Works Director Heyden provided an update on the Route 12 IDOT project that would involve road resurfacing beginning to the south of Paulus Park and continuing to Old Rand Road in Wauconda. Unfortunately for motorists, resurfacing will also take place at the same time on Route 22 from Quentin to Rt. 83. Public Works Director/Engineer Heyden listed the seven projects he submitted for State funding. They include water system expansion for either Well 11 ion exchange or for Lake Michigan water if the Village pursues that option; force main replacement at Ela and the viaduct; water main replacement project from Miller Road to South Old Rand Road to upsize to 12" main; road reconstruction proposed to the Council of Mayors for Pheasant Ridge Road from Old Mill Grove to Route 12, Telser and Rose Road, and Miller and Lions Drive.

B. Police Chief Finlon Police Chief Finlon reviewed his memorandum dated June 29, 2009, to Administrator Vitas that provided an update on the red light

camera program and a summary of violations. He said the cameras at Routes 12 and 22 were taken out of operation due to an IDOT inspection and had not been reconnected yet.

- C. The Pro Life Action League will be holding their Face the Truth campaign on July 15, 2009. They will be displaying graphic photographs of aborted fetuses at Routes 12 and 22 from 9-10:30 a.m. As in the past, the Village erected signs notifying motorists in advance of this display so they could avoid the intersection during the display if they chose.
- D. Parks and Recreation Director Perkins presented the Recreation Fall Brochure, listed some of the events that will take place in the 4th of July Family Day, provided a reminder for upcoming events, and said the July Park Advisory Board meeting will consist of a tour of the parks.
- E. Fire Chief Mastandrea introduced the new Community Notification System and explained how it works. It will provide emergency information to the residents immediately via telephone or e-mail notifications. There will be a blood drive sponsored by the Fire Department at the American Legion Hall on July 25, 2009 from 9 a.m. to 2 p.m. but one could donate at any time and ask to credit LZ 32.
- F. Building and Zoning Director Peterson said the Construction/Contractor registration program is going very well. He provided an update on various projects within the Village. The proposed opening dates for projects are as follows: Delicious Reds – end of July; Sonic - mid-August; My Favorite Place (ice cream parlor on Main Street) – July or August. The building permits issued in June exceeded 300 although most were for smaller projects.

14. ADJOURNMENT

MOTION was made by Trustee Poynton, seconded by Trustee Sprawka, to recess into Closed Session to discuss matters related to pending litigation and specific personnel and to adjourn immediately after the Closed Session without conducting further business.

AYES: 6 Trustees Halen, Johnson, Poynton, Rzeznik, Sprawka and Sustich

NAYS: 0

MOTION CARRIED

The meeting adjourned at 9:19 p.m.

Respectfully submitted: Janet McKay, Recording Secretary

Approved by: _____ 7/20/09
President Suzanne K. Branding