

APPROVED
LAKE ZURICH BOARD OF TRUSTEES
REGULAR MEETING
70 East Main Street
Monday, August 17, 2009

1. CALL TO ORDER

The meeting was called to order at 7:01 pm

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

President Branding announced that items 9B and 9D were going to be removed from this agenda and discussed at other meetings.

4. PUBLIC COMMENT

No comments from the public.

5. PRESIDENT'S REPORT

A. Appreciation and remembrance of Fire & Police Explorer Brad Remus.

President Branding read the following announcement then asked the meeting attendees to stand and observe a moment of silence with her.

"On August 4, 2009, the Lake Zurich Fire and Police communities suffered a great loss. It was one of their own, Brad Remus, who had lost his battle with cancer. He was 19 years old. Brad became an Explorer with Lake Zurich when he was 14. And even at this early age Brad wished to serve his community. Brad earned the rank of Lieutenant in Fire Explorer Post 343. In this position he was responsible for teaching and training new Explorers. Brad modeled exemplary behavior by being a professional and enthusiastic Post member. With an engaging smile and a wonderful attitude Brad was eager to help the Post and its members whenever needed. His passion for life and the Post were contagious. Many members were positively influenced by Brad's optimism and perseverance. His leadership and dedication will be deeply missed. He is survived by his parents Rosemarie and Dave and two sisters Mallory and Marissa. We all extend our deepest sympathy to you."

B. Appreciation for Rescue Team efforts at Alpine Fest.

Chief Mastandrea summarized his August 11, 2009 memo to the board recognizing the efforts of a team of Firefighters, Fire and Police Explorers, and CERT members who came to the aid of an unconscious, non-breathing adult male in a life-threatening cardiac rhythm during Alpine Fest on Thursday July 25, 2009. The combined rescuers Fire Explorers Dave Fancher and Soichiro Harunaga, Paramedics Tom Peterson, Pat Rainey and Matt Kempf, and CERT members Julie Grover, Brian Burch, Sharon Bullion and Todd Norris worked together to provide advanced life-support treatment to the patient. Due to their efforts the patient was converted back to a viable cardiac rhythm, regained consciousness and was talking to the crew prior to being transported to the hospital.
President Branding presented each of the rescue team member's with a Certificate of Appreciation.

C. Lions Club recognition and "thank you" for Alpine Fest and Parade.

President Branding thanked the Lions Club of Lake Zurich for 68 years of bringing the village Alpine Fest. She thanked Lions Club members Footloose Frank, Dee Frank, Ryan Mook, Pete Pthalmy, President Scott Hicks, and Scott Kuba and asked them to step forward to be thanked.

D. Recognition as Neighborhood Scout's Top 100 Safest Cities in the U.S.

*Chief Finlon summarized his August 9, 2009 memo to Administrator Vitas announcing that a radio broadcast on US 99 – 99.5 FM reported that Lake Zurich was one of the **Top 100 Safest Cities in the United States**. Research in the internet proved that this report was prepared by NeighborhoodScout, a company that specializes in relocation software, retail site selections and real-estate investment advising. Further information can be found at www.neighborhoodscout.com/il/lake-zurich/crime.*

E. Appointments to various boards and commissions.

President Branding announced the reappointment of Chief Mastandrea on August 3, 2009 for a three-year term to the Firefighters Pension Board.

President Branding brought forward Kathy Kozlowski for the position of Deputy Chairperson on the Park and Recreation Advisory Board.

MOTION was made by Trustee Johnson, seconded by Trustee Poynton to appoint Kathy Kozlowski as deputy chairperson of the Park and Recreation Advisory Board
Voice vote, all in favor.

MOTION CARRIED

6. CONSIDERATION OF MINUTES

A. Minutes of the Committee of the Whole meeting June 1, 2009

President Branding clarified that these minutes which had been brought forward during the last Board meeting had not been approved and needed to be.

MOTION was made by Trustee Poynton, seconded by Trustee Halen, to approve the Committee of the Whole meeting minutes of June 1, 2009.

Voice vote, all in favor.

MOTION CARRIED

B. Minutes of the Board of Trustees meeting August 3, 2009

Per Trustee Rzeznik's email request from August 16, 2009 the following corrections will be made to the minutes: add Trustee Rzeznik's name to the recorded votes for agenda items 4, 8A, 8B, 8C (recorded as the first 8D), 8D, and 8E, and change the sentence that reads "Trustee Rzeznik asked how the Village could get qualified applicants since the application was quite simple" to say "Trustee Rzeznik asked how the County could get qualified applicants since the application was quite simple."

MOTION was made by Trustee Johnson, seconded by Trustee Poynton, to approve the Board of Trustees meeting minutes of August 3, 2009 as corrected.

Voice vote, all in favor.

MOTION CARRIED

7. CONSENT AGENDA

(No items at this time)

8. OLD BUSINESS

(No items at this time)

9. NEW BUSINESS

A. Semi-Monthly Warrant Register Dated August 17, 2009, Totaling \$686,553.26

Trustee Sprawka presented the semi-monthly warrant register and outlined those items that comprise more than 5% of the total warrant which include: Fuerte Systems Inc. (20.10%), Special Recreation Association (14.38%), Peapod LLC (12.60%), and Peter Baker & Son Company (8.48%).

MOTION was made by Trustee Sprawka, seconded by Trustee Johnson to approve the semi-monthly warrant register dated August 17, 2009, totaling \$686,553.26.

AYES: 4 Trustees Halen, Johnson, Poynton and Sprawka

NAYS: 0

ABSENT: 2 Rzeznik and Sustich

MOTION CARRIED

B. Presentation of 2009 Comprehensive Annual Financial Report

Trustee Sprawka reminded attendees that this item will be deferred until the Special Village Board meeting on August 31, 2009. Administrator Vitas commented that the CAFR is a new document for many people on the board and that it is important for them to understand it as it represents the financial picture of the village at the conclusion of the prior fiscal year.

C. Agreement for Internet and Video Services

Summary: The Village seeks consulting, management, and support services for its Internet video and audio broadcasting and management to promote transparency and accountability of the Village legislative process. After researching the market and soliciting and reviewing proposals, the staff identified Granicus, Inc. as most suitable to service the Village's needs at a competitive price. Granicus proposes to build the Village's capacity to provide streaming and distribution of live and archived digital media content, including hardware, licensed software, and support services. The "up-front" price is \$12,027.14, with a monthly fee of \$1,020.00. These amounts are within budget and will provide live meeting webcasting of Village Board meetings, and in the future Plan Commission and Zoning Board of Appeals meetings as well.

Trustee Sprawka read the summary. Administrator Vitas reiterated that this project is part of the effort towards increased transparency and timely communications from the Village to the public. After a year-long search they selected Granicus, a company that services more than 500 municipalities. This effort will make the meetings available to the community via the internet both as the meeting is occurring and afterwards as a download. The goal is to be live by Thanksgiving 2009. Sherman Jacobson from Granicus proceeded to then demonstrate the software for the board members.

Trustee Johnson inquired about a previously discussed option where the Village of Lake Zurich would act as a hub for others to tap into Granicus. MIS Coordinator Steve Macygin explained that the village could serve as a hub but that each community would have to secure a separate agreement with Granicus. He commented that the PEG channel is separate and that the village could negotiate with communities directly.

Trustee Poynton asked if the village would continue to provide the VHS tapes to the library. MIS Coordinator Macygin confirmed that the VHS tapes would be generated and that eventually as VHS is phased out the village would supply DVD copies as well.

Trustee Poynton asked if the system would allow trustees to participate in the meetings remotely. MIS Coordinator Macygin responded that the system does not support that functionality and Attorney Burkland reminded the trustees that the Open Meetings Act has specific standards regarding remote participation.

Trustee Halen asked if the system could be moved to a new location and asked for an update on moving. MIS Coordinator Macygin confirmed that the solution could be moved and would require a new fiber-optic drop to the new location. Administrator Vitas said that the discussion on moving never produced a decision.

MIS Coordinator Macygin confirmed for Trustee Halen that this project is part of the budget for this fiscal year.

Trustee Poynton asked if the Village of Glenview deployed the full version of Granicus as presented by Sherman Jacobson. MIS Coordinator Macygin commented that Glenview had deployed what the Village of Lake Zurich planned to deploy.

Trustee Halen asked what would happen to the data from the meetings if the village decided to switch vendors. MIS Coordinator Macygin responded that as part of the contract, Granicus would supply the data to the village.

MOTION was made by Trustee Sprawka, seconded by Trustee Poynton to approve a service agreement with Granicus, Inc. in substantially the form presented to the Board of Trustees and in final form satisfactory to the Village Administrator.

AYES: 4 Trustees Halen, Johnson, Poynton and Sprawka

NAYS: 0

ABSENT: 2 Rzeznik and Sustich

MOTION CARRIED

D. Selection of President Pro-Tem and An Ordinance Amending the Text of the TIF District Redevelopment Plan and Project

To be discussed at a future meeting per President Branding's announcement prior to Public Comment.

E. Fall Edition of the Newsline

MOTION was made by Trustee Poynton, seconded by Trustee Johnson to approve the Fall edition of the Newsline as presented.

AYES: 4 Trustees Halen, Johnson, Poynton and Sprawka

NAYS: 0

ABSENT: 2 Rzeznik and Sustich

MOTION CARRIED

F. Contract for Maintenance of Dispatch/Telecommunication Equipment

Summary: The Village routinely undertakes maintenance work on its dispatch and telecommunications equipment to keep it in good operating condition. Radicom has long been the Village's vendor for this work and knows the Village's system well. There is money in the budget allocated for this work.

Trustee Johnson read the summary. Chief Finlon commented that Radicom was involved in the initial decisions on what equipment to purchase for the new facility. They have kept their certifications current even though the various equipment companies have changed hands frequently so they are well qualified to perform this service.

MOTION made by Trustee Johnson, seconded by Trustee Halen to approve a contract with Radicom for maintenance of dispatch telecommunication equipment in the amount of \$12,614.65

AYES: 4 Trustees Halen, Johnson, Poynton and Sprawka

NAYS: 0

ABSENT: 2 Rzeznik and Sustich

MOTION CARRIED

G. Approval of Repairs to Sanitary Sewer Lift Station Pump

Summary: The 40-horsepower hydromatic submersible pump at the Orchard sanitary sewer lift station failed on May 9, 2009. Staff installed a spare pump and has received a

quote of \$10,029.00 to repair the failed pump from Metropolitan Industries, the area's authorized distributor for sales, service, and repairs. Metropolitan's quote is below the \$20,000.00 price of a new replacement pump. There is money in the budget allocated for this work.

Trustee Johnson read the summary. Trustee Poynton asked the age of the pump. Director Heyden replied that it is three years old and that it experienced troubles from the time it was installed.

Trustee Johnson asked what the average life of a pump was. Director Heyden replied that pump life could range from one year to ten years depending on the usage and wear and tear on the unit.

Trustee Johnson asked if the unit could be a lemon and if it might continue to experience difficulties after this repair. Director Heyden responded that the recent issue was probably due to a high number of particulates.

MOTION was made by Trustee Johnson, seconded by Trustee Sprawka to approve a repair invoice from Metropolitan Industries for repair of the sewer pump for the Orchard lift station in the amount of \$10,029.00.

AYES: 4 Trustees Halen, Johnson, Poynton and Sprawka

NAYS: 0

ABSENT: 2 Rzeznik and Sustich

MOTION CARRIED

10. TRUSTEE REPORTS

Trustee Johnson commented on a letter received from the owners of properties on Park Avenue in Lake Zurich. They wish to thank the board for approving money to resurface their street and replace sidewalks. They are asking the board to consider closing the end of Park Avenue where it empties on to a privately owned alley. Chief Finlon said that Mr. Hansen owns the property where the alley is located and that there is a dispute over whether or not that is a public way. He commented that he knows people use that alley to gain access to their property.

Trustee Poynton asked if this was an issue that should be brought forward to CPAC. Attorney Burkland responded that the typical process would be to review it. What are the alternative routes for the traffic? What do emergency vehicles do? What happens to the intersection right on South Old Rand Rd? Will it have to be blocked? The village needs to request a review process be initiated by village staff members and Attorney Burkland. Trustee Johnson requested that this process begin with the consensus of his fellow board members. Chief Finlon reiterated the need for CPAC's involvement to ensure proper noticing of affected residents and to ensure the proper perspectives were presented.

President Branding commented that she had sent a letter to all of the residents who signed the petition and indicated that the village would look into their request.

Administrator Vitas said that he would share the contents of the file that predates the letter request with the members of CPAC.

11. ADMINISTRATOR'S REPORT

A. Memorandum of Agreement CN/GTC

Administrator Vitas summarized the current DRAFT copy of the Memorandum of Agreement received from Grand Trunk Corporation.

Chief Mastandrea commented that the agreement should be updated to cover increased over-time costs during the response training classes. He also remarked that the communications need to be sent to both the vehicles and the stations.

Chief Finlon said that they had also discussed interoperable communications and were working on an agreement to bypass two dispatch centers and speak directly with CN personnel when necessary.

Trustee Johnson asked for an update on the construction of a 225' communications tower. Director Peterson said that they placed a stop order on CN's work efforts to build a tower in the CN right-of-way and referred the CN contact to Attorney Burkland. Director Peterson then asked the board to consider who would be responsible for maintenance on any barriers built. Trustee Johnson remarked that maintenance at the cattle crossings was still to be determined.

Administrator Vitas commented that he would review the department heads' feedback and provide it to the board. He solicited input on how to disseminate information to the public. President Branding suggested that the village hold separate meetings with neighborhoods. Chief Finlon suggested that the board consider using the Homeowner's Meeting. Director Heyden commented that we should have discussions with the homeowners after the mitigation amount is agreed upon. President Branding raised a concern and said that the village needs to ensure they have the money to do what needs to be done.

Trustee Halen remarked that the village needs to understand the costs associated with a derailment and that the agreement should cover these. He suggested that the village hold a large meeting to share information and that a large group would generate more ideas.

Trustee Poynton asked about Item 6B in the agreement which addresses two road improvement projects for at-grade crossings. He inquired who would be covering the remaining 90% of the costs of the upgrades. Administrator Vitas said that the costs would be divided and shared. Trustee Johnson asked what typical costs would be however Administrator Vitas said that they are dependent on the road type and are still to be determined.

Trustee Sprawka urged the board to move forward by reviewing Administrator Vitas' red-lined document and by coordinating meetings with the community. Trustee Johnson remarked that he too thought the meetings should be held after the village received a mitigation amount from CN.

President Branding summarized a parallel approach where the village continued to negotiate with CN and the neighborhood meetings were initiated and asked Administrator Vitas to facilitate this solution.

B. Strategic Planning Retreat

Administrator Vitas commented that for the first time in 12 years, the board of trustees will be participating in a strategic planning and goal identification retreat to be held September 11 and 12, 2009. He talked about the importance of this retreat and choosing an appropriate facilitator. The facilitator will be Dr. Gregory Kuhn a professor from Northern Illinois University's Center for Governmental Studies. The pre-session will be held at a special board meeting on August 24, 2009.

Trustee Poynton asked if there would be enough time to do everything that needed to be done. Administrator Vitas responded that the effort would be to get enough detail down during the retreat to be able to come back and finish the remaining effort required. Trustee Poynton also asked about the optional component of Dr. Kuhn's proposal and recommended that it be included in the efforts. Administrator Vitas commented that the help would be welcome and was relatively inexpensive for implementing the solutions that culminated from the efforts at the retreat. The board concurred on spending the money for the optional component.

12. ATTORNEY'S REPORT

Attorney Burkland commented on the recently signed SB189 that makes changes to Illinois' Freedom of Information Act. His office will make the necessary changes to the Village of Lake Zurich's FOIA form prior to when the law goes into effect in January 2010.

13. DEPARTMENT HEAD REPORTS

A. Park and Recreation Director Perkins: Rotary Clock update and Special Events update.

Director Perkins said that there is a concept of what the Advisory Board and Rotary Club would like to do with the park. The goal is to have work efforts complete by the club's anniversary. He mentioned that at the last Park and Recreation Advisory Board meeting that he asked for a recommendation to spend no more than \$10,000 from the Park Improvement Fund on the project.

He also reminded everyone about the following special events at Paulus Park: Concert in the Park on 8/27, Taste of the Towns on 8/30, Fall Fest on 9/12, the Family Camp Out on 9/26 & 9/27 and the Haunted House in October. He also reminded everyone that Breezewald Park beach is closed for the season but that Paulus Park beach will remain open until school begins then will be open on weekends.

Director Perkins said that Paulus Park updates are now complete and that Staples Park updates are close to completion. Bristol Trails Park is ahead of schedule.

B. Police Chief Finlon: Traffic Safety Challenge 3rd Place Award from the Illinois Association Chiefs of Police.

Chief Finlon summarized his August 12, 2009 memo to Administrator Vitas announcing that the Lake Zurich Police Department had been awarded 3rd place in the Municipal Police Department category with 26 – 35 sworn officers for their 2008 traffic safety efforts. The department received a Decatur Genesis Handheld Directional RADAR Unit, and two CMI/Intoxilyzer SD-5 Preliminary Breath Test Devices.

Chief Finlon also announced that the Illinois Secretary of State launched a new emergency contact program. Please visit the website at www.cyberdriveillinois.com for more information.

14. CLOSED SESSION / ADJOURNMENT

MOTION made by Trustee Johnson, seconded by Trustee Sprawka to recess into closed session to discuss matters related to pending litigation, specific personnel, and review of closed session minutes and to adjourn immediately after the closed session without conducting further business.

AYES: 4 Trustees Halen, Johnson, Poynton and Sprawka

NAYS: 0

ABSENT: 2 Rzeznik and Sustich

MOTION CARRIED

Respectfully submitted: *Wende M. Dau, Village Clerk*

Approved by: _____
President Suzanne K. Branding