

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

Monday, September 21, 2009, 7:00 p.m.

A G E N D A

1. CALL TO ORDER

2. ROLL CALL

Village President Suzanne Branding
Trustee Jeff Halen
Trustee Tom Poynton
Trustee Jonathan Sprawka

Trustee Jim Johnson
Trustee Dana Rzeznik
Trustee Rich Sustich

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT

(This is an opportunity for residents to comment briefly on matters included on the agenda and otherwise of interest to the Board of Trustees.)

5. PRESIDENT'S REPORT

(This is an opportunity for the Village President to report on matters of interest to the Village.)

- A. Presentation of Brownfields Grant money from Lake County Board member Craig Taylor.
- B. Acknowledgement of Senator Duffy for IDOT grant of \$553,074.00. *(Document included in packet)*
- C. Illinois Department of Transportation "Saved by the Belt" award to Jessica and Lisa Krogman. *(Document included in packet)*
- D. Proclamation Recognizing 30th Anniversary of Lake Zurich Rotary Club. *(Document included in packet)*
- E. Proclamation, Fire Prevention Week, October 4-10, 2009 & Open House on October 4, 2009. *(Document included in packet)*
- F. Appointment of 2010 Census Committee members. *(Document included in packet) (Voice Vote)*

6. CONSIDERATION OF MINUTES *(Documents included in packet)*

- A. Minutes of the Special Village Board Meeting August 31, 2009
- B. Minutes of the Village Board Meeting September 8, 2009

Recommended Action: Motion to approve each of the minutes. *(Voice Vote)*

7. CONSENT AGENDA

(Matters on the Consent Agenda will be considered by a single motion and vote because they are considered to be generally of a routine nature. Any member of the Board of Trustees may request that an item be removed from the Consent Agenda and considered separately.)

(No items at this time.)

8. OLD BUSINESS

(This agenda item includes matters for action by the Board of Trustees.)

- A. **Amendment of code section 1-4-7 Regarding Appointment of Special Board Committees and Task Forces.** *(Tabled 9-8-09)*

Summary: The Board directed the Staff and Village Attorney to prepare an ordinance amending the Village's Municipal Code to provide for consent of the Board of Trustees to the membership of special Board committees. The proposed ordinance proposes a traditional approach to creation and membership on special Board committees and creation by the Mayor of task forces to advise her on matters of Village policy and business.

Recommended Action: Motion to pass "An Ordinance Amending Section 1-4-7 of the Lake Zurich Municipal Code related to Board Committees, Task Forces." *(Roll Call Vote)*

9. NEW BUSINESS

(This agenda item includes matters coming to the Board of Trustees for discussion and possible action.)

- A. **Intergovernmental Agreement with Lake County for Brownfield Grant.** *(Trustee Sustich)*

Summary: The Village has received approval of a Brownfield Grant through the Lake County Community Block Development Grant Program. This grant is for the removal and remediation of underground storage tanks at the old Police Station Site on Main Street in the amount of up to \$100,000. This is a reimbursement type grant which requires the Village to pay all costs up front, then submit for the reimbursement on a one-to-one matching basis. The Village has up to one year to complete the project. This project was not

anticipated in the current budget process but there is adequate funds in the TIF budgeted line items to complete the Phase I study and remediation costs will need to be included in the 2010-2011 budget.

Recommended Action: Motion to approve an Intergovernmental Agreement between the Village and Lake County to accept Brownfield Grant reimbursement funding in a amount not to exceed \$100,000; to assist in the environmental clean up at the Main Street Police Station site. *(Roll Call Vote)*

B. Donata Subdivision Letter of Credit Reduction Request. *(Trustee Sustich)*

Summary: Flex Construction Corporation has requested a letter of credit reduction for the Oslo Development, LP (commonly known as Donata Court Subdivision) to the amount of \$51,957.50. After review of the remaining site improvements, Village staff does not agree with the reduction request to \$51,957.50, but recommends a reduction to the amount of \$114,456.25.

Recommended Action: Approve a reduction in Letter of Credit #1870 for the Oslo Development, LP of \$333,747.75 from an original amount of \$448,204.00 to a new amount of \$114,456.25.

C. Flint Creek Letter of Credit Reduction Request. *(Trustee Sustich)*

Summary: The current owner of the Flint Crossing Development, Bank of America, has requested a reduction in the current outstanding Letter of Credit and, more specifically, a waiver of the requirement to complete various improvements within the subdivision, which include a public sidewalk and pedestrian bridge over Flint Creek along the west side of Route 12.

Recommended Action: Board discussion of requests. *Roll Call Vote)*

D. Agreement for Professional Services related to Lake Michigan Water.

Summary: The engineering consultant for the Lake Michigan Water Planning Group, Applied Technologies, has requested an extension to the previous agreement in an amount not to exceed \$5,000 for continued services for the planning group as a whole.

Recommended Action: Motion to authorize the Village Administrator to execute the continued services Agreement with Applied Technologies in an amount not to exceed \$5,000.00. *(Roll Call Vote)*

E. Semi-Monthly Warrant Register Dated September 21, 2009, Totaling \$169,873.37. *(Trustee Sprawka)*

Recommended Action: Motion to approve the semi-monthly warrant register dated September 21, 2009, totaling \$169,873.37 *(Roll Call Vote)*

F. Village Wide Telephone System Replacement. *(Trustee Sprawka)*

Summary: The Village staff recommends a contract with Telecom Innovations Group for a more cost efficient way to provide telephone communications over time, while currently providing equal or enhanced service.

Recommended Action: Motion to authorize the Village Administrator to finalize a negotiated contract with Telecom Innovations Group for acquisition of the “MITEL” solution for equipment and installation of equipment that will meet the specifications detailed in the Request for Proposals at a cost not to exceed \$6,200 per month for no longer than 60 months. *(Roll Call Vote)*

G. Liquor License for Brothers Ribs Shack, 69 S. Rand Road. *(President Branding)*

Summary: Brother’s Ribs Shack at 69 S. Rand Road has applied for a Class B liquor license to sell and serve beer and wine. The Liquor Commissioner has reviewed the materials required for a license and recommends a Class B liquor license be approved for this business. The Municipal Code requires an amendment to add the additional Class B license.

Recommended Action: Motion to approve “An Ordinance amending the Lake Zurich Municipal Code Related to the Number of Authorized Liquor Licenses. *(Roll Call Vote)*

H. Building Code Amendments. *(Trustee Poynton)*

Summary: The Director of Building and Zoning, with substantial assistance from other department heads and Village Staff, has prepared a comprehensive rewriting of Title 8 of the Village’s Municipal Code to adopt more modern model building codes. The updated codes include 2006 International Building Code, 2006 International Residential Code, 2006 International Property Maintenance Code, 2006 International Mechanical Code, 2004 Illinois State Plumbing Code, 2005 National Electrical Code, 2006 International Fire Code, 2006 International Energy Conservation Code and 2006 International Fuel Gas Code. These updated model codes will provide for safer, better construction in the Village and will contribute to the Village’s high rating by the insurance industry. Notably, this revision provides for the creation of a Building Code Board of Appeals and includes the requirement for fire suppression systems in new single family detached houses. Also, the Village’s sign regulations and permit fees are not being amended at this time.

Recommended Action: Motion to approve “An Ordinance Comprehensively Amending Title 8 Of The Lake Zurich Municipal Code And Adopting Various Standard Codes Pertaining To Buildings, Construction, And Development-Related Regulation.” (*Roll Call Vote*)

10. TRUSTEE REPORTS

(This is an opportunity for Trustees to report on matters of interest to the Board of Trustees.)

11. ADMINISTRATOR’S REPORT

(This is an opportunity for the Village Administrator to report on matters of interest to the Board of Trustees.)

A. Fiscal Year 2010 1st Quarter Performance Report from all departments.

12. ATTORNEY’S REPORT

(This is an opportunity for the Village Attorney to report on legal matters of interest to the Board of Trustees.)

13. DEPARTMENT HEAD REPORTS

(This is an opportunity for department heads to report on matters of interest to the Board of Trustees.)

A. Park and Recreation Director Perkins: Update on park improvements at Main Street and Old Rand

B. Finance Director Zochowski: Fiscal year 2010 1st Quarter Budget Report. (*Document included in packet*)

C. Police Chief Finlon: Information on Amendment to Adjudication Ordinance. (*Document included in packet*)

D. Building and Zoning Director Peterson: ISO rating (*Document included in packet*)

14. CLOSED SESSION / ADJOURNMENT

Recommended Action: Motion 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. (*Roll Call Vote*)

Note to Clerk:

NEXT ORDINANCE #: 2009-09-656

NEXT RESOLUTION #: 2009-09-21A

Attachments:

1. Plan Commission meeting minutes, August 19, 2009
2. Park and Recreation Advisory Board mtg. agenda, September 15, 2009
3. Notice, Special Village Board meeting, September 17, 2009
4. Zoning Board of Appeals mtg. agenda, September 17, 2009
5. Calendars for September and October, 2009.

The Village of Lake Zurich is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at 847.438.5141 (TDD 847.438.2349) promptly to allow the Village to make reasonable accommodations for those individuals.