

VILLAGE OF LAKE ZURICH

Board of Trustees
70 East Main Street



Monday, September 16, 2019 7:00 p.m.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Mary Beth Euker, Trustee Janice Gannon, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider.
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 / COMMUNITY UPDATE**
(This is an opportunity for the Mayor to report on matters of interest to the Village.)
 - A. **Proclamation Honoring Records Supervisor Julie Vormittag after 37 Years of Public Service to the Village of Lake Zurich**
6. **CONSENT AGENDA**
(These titles will be read by the Village Clerk and approved by a single Roll Call Vote. Any item may be pulled from the Consent Agenda for discussion by any member of the Board).
 - A. **Approval of Minutes of the Village Board Meeting, September 3, 2019**
 - B. **Approval of Semi-Monthly Warrant Register Dated September 16, 2019 Totaling \$2,321,180.94**
 - C. **Ordinance Authorizing Disposal of Surplus Property Owned by the Village of Lake Zurich (Assign Ord. 2019-09-325)**

Summary: Staff has determined the items listed in this proposed Ordinance are no longer necessary, useful, or in the best interests of the Village to retain

ownership. The proposed Ordinance declares the property as surplus and authorizes the sale or disposal of the items.

D. Agreement with Pure Technologies to Assess the Condition of the 24-Inch Force Main Transmission Pipe Connected to the Northwest Pump Station in an Amount Not-to-Exceed \$285,000

Summary: The Fiscal Year 2019 budget includes \$300,000 in the Water and Sewer Fund for assessment of the 24" force main connected to the northwest pump station, which is approximately two miles long and made of concrete cylinder pipe. This main handles all of Lake Zurich's wastewater west of the CN railroad at Route 22 and Main Street and is a critical section of transmission pipe that connects to the Lake County Treatment Facility in Buffalo Grove. Pure Technologies will use a PipeDiver device that can be inserted into the force main and extracted two miles downstream after using sensors and GPS equipment to collect data on the condition of the pipe wall.

7. OLD BUSINESS

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

None at this time.

8. NEW BUSINESS

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

A. Ordinance Granting Final Plan Approval for a Planned Unit Development at Canterbury Estates, 80 Genesee Street – Block G (Assign Ord. #2019-09-326) (Trustee Beaudoin)

Summary: Ryan Homes and the owner of property on Block G are requesting Final Plan Approval for a Planned Unit Development to construct a new 38-unit 9-building townhouse subdivision to be known as *Canterbury Estates*, located on the north side of Route 22, east of the CN railroad bypass and west of Old Rand Road. The property is almost entirely zoned within the Village's B-2 Central Business District but has a small Village-owned parcel that is zoned as OS - Open Space.

The builder and property owner were granted Preliminary Plan approval to proceed by the Village Board on April 15, 2019. The Planning and Zoning Commission considered this request for Final Plan Approval at a public meeting on August 21, 2019 and found that the Final Plan was in substantial conformity with the previously approved concept plan. The Commission voted 7-0 in favor of recommending approval of the Final Plan for the property development, subject to the conditions outlined in the attached staff report.

Recommended Action: A motion to approved Ord. #2019-09-326 Granting Final Plan Approval for a Planned Unit Development at Canterbury Estates on Block G at 80 Genesee Street.

- B. Ordinance Approving and Authorizing the Execution and Attestation of a Development Agreement by and Between the Village of Lake Zurich, Ryan Homes, NVR, Inc. and Jade Development, Inc. Relating to the Development of Canterbury Estates Subdivision, 80 Genesee Street – Block G** (Assign Ord. #2019-09-327) (Trustee Beaudoin)

Summary: Ryan Homes, a subsidiary of NVR, Inc. and Jade Development will be required to enter into a binding agreement with the Village in order to proceed with the development of the Canterbury Estates townhouse subdivision. This agreement contains all the provisions, terms and conditions to be implemented as part of the development as well as provisions for the conveyance for the Village-owned parcel requested by the Owner to make the development feasible.

Recommended Action: A motion to approve Ordinance #2019-09-327 Approving and Authorizing the Execution and Attestation of a Development Agreement by and Between the Village of Lake Zurich, Ryan Homes, NVR, Inc. and Jade Development, Inc. relating to the Development of Canterbury Estates Subdivision at 80 Genesee Street on Block G.

- C. Ordinance Prohibiting Recreational Cannabis Businesses from the Village of Lake Zurich** (Assign Ord. #2019-09-328) (Mayor Poynton)

Summary: With the legalization of recreational marijuana for adults 21 and over by the State of Illinois effective January 1, 2020, municipalities across the State are deciding whether to authorize recreational cannabis businesses with local zoning restrictions or to out-right prohibit recreational cannabis businesses from locating within municipal boundaries.

While adult-use recreational cannabis businesses may be prohibited, local governments are required to allow medical cannabis dispensaries subject to local zoning provisions. The Lake Zurich Zoning Code already has existing regulations adopted in February 2014 regarding medical dispensaries.

There are a number of zoning regulations Lake Zurich could impose on recreational dispensaries, such as restricting the zoning districts they may operate in, restricting the hours of operation, regulating the proximity to other land uses, or imposing a cap on the number of recreational dispensaries allowed. The State also allows the application of an extra 3% local sales tax, which could generate a dedicated revenue source for parks, storm water improvements or other service and infrastructure needs. Village staff estimates on the conservative side of a potential local revenue enhancement in the range of \$200,000 - \$400,000 per year if Lake Zurich authorizes recreational dispensaries and imposes the 3% municipal tax.

The proposed Ordinance would prohibit all recreational cannabis businesses from locating within Lake Zurich, including craft growers, cultivation centers, dispensaries, infusers, processing organizations, and transporting organizations.

Recommended Action: The proposed Ordinance is being introduced to the Village Board for either discussion or action. The following options are at the Board's discretion:

- **Option #1:** Entertain a motion to approve the attached Ordinance #2019-09-328 prohibiting recreational cannabis businesses from the Village of Lake Zurich and vote.
- **Option #2:** Introduce the attached Ordinance for discussion only at this point and vote on the ordinance at a future meeting.
- **Option #3:** Direct the Planning & Zoning Commission to begin the public hearing process on cannabis zoning regulations to authorize recreational cannabis businesses within the Village.

D. Ordinance Approving Budget Amendment #1 for Fiscal Year 2019 Budget to Adjust Staffing Positions in the Police Department Records Division (Assign Ord. #2019-09-329) (Trustee Gannon)

Summary: The retirement of the Police Department's Records Division Supervisor has provided an opportunity to assess the structure of the agency to advance organizational efficiencies, job task equity, and work distribution. The Records Division currently maintains a structure of one full-time supervisor and two full-time records clerks.

The proposed budget amendment for Fiscal Year 2019 will reclassify the authorized positions within the Records Division by amending the titles of the existing two Records Clerks to Records Coordinator and upgrading their organizational responsibility from a Grade 4 to a Grade 6. The proposed budget amendment maintains one full-time Records Clerk as an entry level position, which the Village will begin recruiting for upon Village Board approval of these amendments.

Moving to a structure that includes two Records Coordinators and one Records Clerk produces an annual savings of approximately \$25,000. The restructuring also recognizes the diligent work of two long-serving employees and increases flexibility and efficiency within the Records Division.

Recommended Action: A motion to approve Ord. #2019-09-329 approving budget amendment #1 for Fiscal Year 2019 budget to adjust staffing positions in the Police Department Records Division.

9. TRUSTEE REPORTS AND COMMENTS

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

10. VILLAGE MANAGER'S REPORT

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

A. Monthly Data Metric Reports

11. ATTORNEY'S REPORT

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

12. DEPARTMENT HEAD REPORTS

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

13. ADJOURNMENT

(Next regularly scheduled Village Board meeting on Monday, October 7, 2019)

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.