

VILLAGE OF LAKE ZURICH

Board of Trustees
70 East Main Street



Monday, September 21, 2020 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.)
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 8, 2020**
 - B. **Approval of Semi-Monthly Warrant Register Dated September 21, 2020 Totaling \$2,134,617.48**
 - C. **Resolution Approving Public Release of Executive Session Meeting Minutes of the Lake Zurich Village Board of Trustees (Assign Reso. #2020-09-051)**

Summary: The Village is required to conduct periodic reviews of Executive Session minutes for the purpose of determining whether any minutes may be released for public viewing. The proposed Resolution identifies the executive session minutes that the Board has provided consensus on to either keep confidential or release.

D. Intergovernmental Agreement between the Illinois Department of Healthcare and Family Services and the Village of Lake Zurich for Ambulance Transport Services

Summary: The cost to provide ground emergency general transport (GEMT) services has increased while the reimbursement from Medicare and Medicaid has fallen behind. Recognizing the disparity between the reimbursed amount and actual costs for ambulance services, the Federal Government, through the State of Illinois, made funds available to assist in bridging the gap between actual costs and the reimbursed amounts. For the period of January 1, 2019 through - December 31, 2019, the Village is eligible for a 50% reimbursement for 90 ambulance transports in the amount of \$81,310.77.

E. Agreement with Suburban Concrete for Concrete Flatwork on Curbs and Sidewalks in the Amount Not-to-Exceed \$175,000

Summary: The 2020 budget includes \$175,000 for concrete curb and sidewalk repair in the Non-Home Rules Sales Tax Fund. The Village contracts out concrete repair work to address deteriorating sidewalk and curb and gutter in an ongoing effort to maintain and improve its infrastructure. The Board awarded a contract with Suburban Concrete on July 15, 2019 for curb and sidewalk repair that allows for two additional one-year renewal periods subject to acceptable performance by both parties. Subsequent terms are limited to a two percent (2%) increase.

F. Agreement with Patriot Pavement Maintenance for Crack Sealing of Streets in the Amount Not-to-Exceed \$50,000

Summary: The 2020 budget includes \$50,000 in the Motor Fuel Tax Fund for preventative street maintenance. A crack sealing program is typically introduced three to five years after a street is resurfaced and can add 10 years to the life of a street. Village has historically participated in a cooperative bid arrangement with other municipalities through the Lake County Municipal League (LCML). The LCML crack sealing program was bid on March 18, 2020, with Patriot Pavement Maintenance as the lowest responsible bidder.

G. Agreement with Chicagoland Paving for Asphalt Patching of Streets in the Amount Not-to-Exceed \$100,000

Summary: The 2020 budget includes \$100,000 in the Non-Home Rule Sales Tax Fund for the annual street patching work. A patching program is typically performed to slow deterioration in streets 10+ years old and improve driving conditions until resurfacing can be performed.

The Village has historically participated in a cooperative bid arrangement with other municipalities through the Municipal Partnership Initiative (MPI). The MPI program was bid on April 21, 2020, with Chicagoland Paving as the lowest responsible bidder.

H. Ordinance Establishing Village of Lake Zurich Special Service Area Number 17 for Canterbury Estates Subdivion at 80 Genesee Street (Assign Ord. #2020-09-382)

Summary: The proposed Ordinance establishes a backup Special Service Area for the maintenance, repair, reconstruction and/or replacement of the stormwater and detention management improvements and the private roadways located within the yet-to-be constructed Canterbury Estates Subdivision. No levy of taxes is proposed at this time. This backup SSA was required as a condition within the Development Agreement between the Village of Lake Zurich and Jade Development for the redevelopment of the property. On July 20, 2020, the Village Board conducted the required public hearing to propose the establishment of the backup SSA.

Recommended Action: A motion to approve the Consent Agenda as presented.

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. Agreement with the Ancient Oaks Foundation for the Installation of a Kuechmann Arboretum Nature Playscape Funded by Fundraising Efforts by the Ancient Oaks Foundation with Supplemental Funding from the Village of Lake Zurich Special Recreational Association (Trustee Weider)

Summary: The Ancient Oaks Foundation has submitted a proposal to enhance Kuechmann Arboretum with a nature playscape suitable for ages preschool through 12 years old. The estimated cost for the playscape, "Kuechmann Kove" would be approximately \$9,350 - \$13,500 and funded primarily by grants, philanthropic efforts, business and individual donations. The Ancient Oaks Foundation is responsible for securing the funding, with the Village contributing fiber surfacing from the Special Recreational Association (SRA) Fund if funding is available. The design is modular allowing features to be added as funding is secured.

At its meeting on August 11, 2020, the Park and Recreation Advisory Board recommended unanimous approval of the Ancient Oaks Foundation Kuechmann Arboretum nature playscape proposal and the use of SRA funding for fiber surfacing.

Recommended Action: A motion to approve an agreement with the Ancient Oaks Foundation for the Installation of a Kuechmann Arboretum Nature Playscape Funded by Fundraising Efforts by the Ancient Oaks Foundation with Supplemental Funding from the Village of Lake Zurich Special Recreational Association Fund.

B. Public Hearing for an Annexation Agreement, and Consideration of Annexation, Zoning, Development Concept and Final Plan Approval at 24909 West Signal Hill Road (South Side of Honey Lake Road) (Trustee Beaudoin)

Summary: Prestige Development LLC requests consideration of an annexation agreement, annexation, zoning and concurrent development concept and final plan for the development of a portion of the approximately 34.5-acre property on the south side of Honey Lake Road with a new residential subdivision to be known as “The Wildwood Estates of Lake Zurich.” The property is currently located in unincorporated Lake County.

Prestige Development proposes to develop the northerly 6.2 acres of the property along Honey Lake Road with 12 duplex lots containing 24 duplex residences, while leaving the southerly approximately 28.3 acres as undeveloped open space. The 6.2-acre residential portion of the development will also contain on-site stormwater detention facilities to further reduce the effects of the development on the wetlands and stormwater release areas to the south.

The developer intends to donate the remaining approximate 28.3 acres of undeveloped open space to a non-profit conservation group “Citizens for Conservation” in Barrington, to ensure that all future development, maintenance, and habitat restoration efforts on that portion of the property is conducted in a careful and controlled manner under the jurisdictional supervision of the Village of Lake Zurich.

The Planning and Zoning Commission held a virtual electronic public hearing on June 17, 2020 to consider the application and voted 7-0 in favor of recommending approval of the project.

Recommended Action #1: A motion to Open the Public Hearing regarding the Annexation of the property at 24909 West Signal Hill Road. *Roll Call*.

Recommended Action #2: A motion to Close the Public Hearing regarding the Annexation of the property at 24909 West Signal Hill Road. *Roll Call*

Recommended Action #3: A motion to Approve a Resolution Approving and Authorizing the Execution and Attestation of an Annexation Agreement with Prestige Development, LLC, an Illinois Limited Liability Company and C & H Enterprises, LLC, an Illinois Limited Liability Company (Assign Res. #2020-09-052). *Roll Call*

Recommended Action #4: A motion to Approve an Ordinance Annexing Certain Property to the Village of Lake Zurich at 24909 West Signal Hill Road (Assign Ord. #2020-09-383). *Roll Call*

Recommended Action #5: A motion to Approve an Ordinance Rezoning Newly Annexed Property within an R-6 Multiple-Family Residential District, and OS Open Space District, and Granting Approval of a Planned Unit Development, Development Concept and Final Plan, and Modifications to the Zoning and Land

Development Code for a Residential Subdivision (Assign Ord. #2020-09-384). *Roll Call*

C. Discussion on the Potential of Recreational Cannabis Businesses (Mayor Poynton)

Summary: On September 16, 2019, the Village Board approved an ordinance prohibiting recreational cannabis businesses from the Village of Lake Zurich. This ordinance prohibits all recreational cannabis businesses from locating within Lake Zurich, including craft growers, cultivation centers, dispensaries, infusers, processing organizations, and transporting organizations. At that time, the Board indicated it would like to revisit the topic in a year.

The first State licenses for adult-use recreational cannabis establishments were issued to organizations already operating existing medical dispensaries in January 2020. During 2020, more than 700 companies submitted more than 4,000 applications to the State Department of Financial and Professional Regulation (DFPR). As of August 1, 2020, the DFPR has issued 60 adult use dispensary licenses in Illinois with another 75 adult-use dispensary licenses issued via a lottery expected to occur in late September 2020. After this lottery, the Chicago area is expected to get up to 47 new dispensaries.

The attached staff report includes an overview of the Cannabis Regulation and Tax Act, the availability of State licenses, the economics of the cannabis market in Illinois so far, Lake Zurich's potential market, other recreational dispensaries in the northwest suburbs, neighboring town's actions on either banning such a business or regulating such a business and impacts on crime and social services.

Recommended Action: This is only a discussion on the future of recreational cannabis businesses in Lake Zurich and no final decisions will be made at this time. Village staff seeks direction from the Board on whether to prepare ordinances allowing for recreational cannabis businesses, send to the Planning and Zoning Commission for a public hearing on potential regulations, or continue the existing ban on recreational cannabis businesses.

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. DEPARTMENT HEAD REPORTS

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

12. ADJOURNMENT

(Next regularly scheduled Village Board meeting on Monday, October 5, 2020)

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.