

**VILLAGE OF LONG GROVE**  
3110 RFD, ILLINOIS 60047-9613  
**MINUTES OF THE VILLAGE BOARD OF LONG GROVE**  
**Tuesday, February 10, 2009 at 8 P.M.**  
**3110 RFD, LONG GROVE, ILLINOIS 60047-9613**

**CALL TO ORDER:**

President Rodriguez called the meeting to order at 8:02 P.M.

**OFFICIALS IN ATTENDANCE:**

Village President: Rodriguez  
Trustees: Acuna (arrived at 8:37 PM), Barry, Hannon, Lazakis (arrived at 8:04 PM), Schmitt, Wachs (arrived at 8:04 PM)  
Village Clerk: Schultheis  
Also Present: Village Manager Lothspeich, Village Planner Hogue, Village Counsel Filippini, Superintendent Block and Village Engineer Witkowski.

**HOMEOWNERS ASSOCIATIONS/ITEMS FROM THE AUDIENCE:**

**Homeowner Associations:**

**Mardan Estates – Deb Borgeson. – No one present. Nothing to report.**

**Mardan Lake – Mike Silver. - No one present. Nothing to report.**

**Prairie Trails – Anthony Spina. - No one present. Nothing to report.**

**Victorian Oaks – Mariola Kordek. - No one present. Nothing to report.**

**Item: Congregation Beth Judea License To Conduct Raffle.**

Congregation Beth Judea applied for approval of a raffle license and requested waiver of the \$25 application fee and waiver of the bonding requirements for their fundraiser.

**Trustee Schmitt moved to approve the license to conduct a raffle and waiver of the \$25 application fee and bond requirements for the Beth Judea fundraiser; seconded by Trustee Barry.**

**ROLL CALL VOTE:**

**Acuna – absent; Barry – aye; Hannon – aye; Lazakis – absent; Schmitt – aye; Wachs – absent;**

**President Rodriguez – aye.**

**(Motion carried 4 – 0).**

**There were no items from the audience.**

**\*At 8:04 P.M., Trustees Lazakis and Wachs joined the meeting.**

**ACTION ITEMS**

**Item #1: Report Of The February 3, 2009 PC&ZBA Meeting.**

The Plan Commission & Zoning Board Of Appeals *recommended conditional approval* of the following item during their meeting.

- Request For A Special Use Permit And/Or Additional Relief Necessary And/Or Appropriate Under The Zoning Code To Allow The Continued Operation And Maintenance Of An Existing Wireless Communication Antenna And Related Facilities And The Co-Location Of Additional Antennas On The Existing Monopole Telecommunications Tower At 4210 Illinois Route 22 And Zoned Under The R-1 Zoning District Classification, Cricket Communications. – Village Planner Hogue discussed the fact that the new antenna would not exceed 135 feet; it would be grounded to prevent lightning strikes; and that the owner of the tower had agreed to co-petition because it was their tower (they had agreed). Village Planner said that the Planning Commission had voted 6 – 1 in favor of the request.

Resident Kerry Bell said that his property line was less than 100 feet from the tower; and that since the tower had been constructed in 1998, their house had been hit by lightning three times. He added that he did not think that the tower was necessary because there were other towers within 2000 feet of the tower in question. He said that given that the industry was consolidating, he did not see the need to expand the tower.

Frank Dobbs of Cricket Wireless (petitioner) - said that Cricket was growing the industry and launching in Chicago within the next ten days.

Gail Nady (Cricket Wireless) – said that the location has been chosen because height was important, and the other towers were too short.

Village Counsel Filippini said that even though the tower is a non-conforming structure, and that Cricket Wireless could get a special use permit for its proposed use.

Trustee Barry noted that the tower was not in accordance with Long Grove regulations but had been constructed before being incorporated into Long Grove.

Village Counsel Filippini said that the life span of the tower was 25 years, so that there was the possibility that the antenna lease might be amortized on the same schedule as the tower.

Trustee Barry requested the Special Use expire at the expiration of the leases so as to eliminate the tower at that time.

Plan Commission Member DiIorio said that Castle Crown owned the tower and the upper portion of the tower was not being used. Therefore, there was a possibility that that portion could be removed.

**Trustee Lazakis moved to direct Counsel to create an Ordinance to Approve a Special Use Permit on the Existing Monopole Telecommunications Tower at 4210 Illinois Route 22; seconded by Trustee Hannon.**

**ROLL CALL VOTE:**

**Acuna – absent; Barry – aye; Hannon – aye; Lazakis – aye; Schmitt – aye; Wachs – aye  
(Motion carried 5 – 0).**

**Item #2: Report Of The February 4, 2009 CSCC Meeting.**

The Conservancy Scenic Corridor Committee discussed the following item during their meeting. Review of

- 2008 CSCC activities. *No action.*
- Banning Phosphorous – Trustee Schmitt noted that on February 13, 2009, there was to be a regarding the effect of the ban on phosphorous in several communities. She said that the Health Department said that the ban had produced excellent results in Lake Villa. The Park District said it backed the ban 100%; and President Rodriguez suggested that the Park District write a letter stating that opinion. – **No action was taken.**

**Item #3: Report Of The February 9, 2009 AC Meeting.**

The Architectural Commission considered the following items during their meeting.

- A. Elevations For A Commercial Structure At 7107 Route 83 And Within The B-2 Business District, Daniel Lesus Architects Inc.
- B. Reface The Existing Monument Sign At “*Gridley’s*” Rt. 83 And Gilmer Road To “Double G’s Roadhouse”, Nick Mele, Kieffer & Co. Inc. – **CONTINUED.**

**At 8:37 P.M., Trustee Acuna arrived at the meeting.**

Trustees discussed whether or not the sign change suggested a change in the use of the restaurant. It was suggested that the petitioner be at the next meeting to discuss their plans.

**Item #4: Ordinance Amending SUP & PUD For Additional Parking & Signage – 6700 Wildlife Way.**

The PCZBA held a public hearing on December 2, 2008 and recommended approval of the petition. As directed during the January 13, 2009 Board Meeting, Village Counsel Filippini prepared a draft Ordinance Amending the Special Use Permit Consideration Of An Ordinance Amending The Special Use Permit And Planned Unit Development For Additional Parking And Signage For *The Waud Farm Phase 1* Planned Unit Development, Commonly Known As 6700 Wildlife Way, MAT Holdings, Inc. – **Trustee Hannon moved to approve an Ordinance Amending the Special Use Permit and Planned Unit Development for Additional Parking and Signage for the Waud Farm Phase I PUD, Located at 6700 Wildlife Way; seconded by Trustee Schmitt.**

**ROLL CALL VOTE:**

**Acuna – aye; Barry – aye; Hannon – aye; Lazakis – aye; Schmitt – aye; Wachs – aye  
(Motion carried 6 – 0).**

**Item #5: Resolution Selecting A Developer For The Archer Municipal Parking Lot Outlots.**

Noting the mutual desire to have some formal commitment from the Village, Village Counsel was requested to prepare a draft Resolution for consideration by the Village Board during the upcoming February 10, 2009 meeting as an interim measure to allow all sufficient time to finalize the draft Agreement prior to consideration by the Village Board. The draft Developer Agreement was provided to Leigh Rabman of RN Realty on February 4, 2009 with the understanding that the Village Board has not yet reviewed the Agreement and there may be further changes prior to their consideration for approval. Village Trustee Lazakis, Village Trustee Hannon and Staff plan to meet with Mr. Rabman during the week of February 16, 2009 to discuss the specific development plans and to address any open items in the Agreement. The Village Board is scheduled to consider approval of the final draft Agreement no later than March 10, 2009. – Village Manager Lothspeich told the Board that RNR wanted the Board to express their interest in RNR as the preferred developer for a

set period of time, and that they wanted public acknowledgement as being the chosen developer for the Parking Lot Outlets.

**Trustee Hannon moved to direct Counsel for a Resolution choosing RN Realty as the developer of the Archer Municipal Parking Lot Outlets; seconded by Trustee Wachs.**

**VOICE VOTE:**

**All ayes, no nays.**

**(Motion carried 6 – 0)**

**Item #6: Village President Rodriguez.**

**A. IL Route 53 Extension - Update.** – No update was given. – **No action was taken.**

**B. Commission/Committee Appointments.** – President Rodriguez said that the Plan Commission and Architectural Commission was restructured. Lynn Michaelson-Cohn was to finish out the term of John Staub as Chairman of the Architectural Commission. She also said that Secretary of the Architectural Commission, Marietta Calas was next in line for a seat on that Commission. She asked that the Board make a formal appointment. – **Trustee Hannon moved to appoint Marietta Calas as Architectural Commission Board Member; seconded by Trustee Lazakis.**

**VOICE VOTE:**

**All ayes, no nays.**

**(Motion carried 6 – 0)**

**Item #7: Village Trustee Acuna.**

**Status:** **A. Lake Michigan Water Village-wide Water System Referendum - Update.** The following advisory question during the January 27, 2009 Board Meeting:

<p><b>Should the Village of Long Grove continue to pursue the development of a village-wide potable water system supplied by Lake Michigan water that could cost an average home approximately \$6,900 each year for 30 years?</b></p>	Yes
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	No

Please refer to the enclosed Village Ordinance #2009-O-1 calling for an advisory referendum on a Village-wide water system. The ordinance was published in the Daily Herald Newspaper on February 5, 2009. The Village certified the question to the Lake County Clerk’s office by the February 6, 2009 deadline. – Trustees noted that the Board needed to communicate with residents that there would be no action taken on this issue until it is approved by residents. Trustees vented the concerns of residents who are worried about tax increases and the exorbitant costs of a potential village-wide water system. Trustee Acuna said that the Board should not move forward without referendum approval of the system. – **No action was taken.**

**B. IL 83 Water System – IEPA Pre-application For Loan Assistance and Master Plan.** As reported by Village Engineer Chiczewski during the January 27, 2009 Executive Session, it appears that there are 2 possible ways that the funds may come to local agencies. One is through the IEPA (either as a grant or as revolving loans at zero percent or similar) or it may come through the USDA State Office for Rural Water Development (for towns of less than 10,000 population). – Village Manager Lothspeich said that there were still possibilities of Sunset Foods continuing to develop and operate on a shallow well system until a water system is built. – **No action was taken.**

**C. Schaeffer Road Vacation (Unpaved Portion North Of IL Route 53) – Asphalt vs. Gravel.** Village Trustee Hannon reported during the January 27, 2009 Board Meeting that in 2001 the Village Board agreed to notify the adjoining property owners of the Village’s intent to pave the unpaved portion of Schaeffer Road and vacate the right-of-way turning the responsibility for maintaining the road over to the adjoining property owners. Staff requested that Village Engineer provide a cost comparison of gravel vs. paving for review by the Village Board when considering this possible action. If the Village Board desires to vacate the roadway, - **CONTINUED.** There was discussion that residents on that street do not want to pay for paving; and that the road was never deeded to them. They would rather keep the gravel to keep traffic off of the street. Discussion continued regarding ownership responsibilities and vacating the land, but maintaining rights if a path easement is needed. It was decided that residents needed to be contacted and that costs needed to be established.

**D. Comcast Franchise Renewal & Scheduling Of Public Hearing.**

As noted in the memorandum, there are a few issues that should be considered, including: (1) areas of service; (2) franchise fee payments; (3) construction standards and (4) public, educational and governmental (PEG) Access. Of these issues, the most notable may be whether or not the Village is interested in PEG access keeping in mind the limitations of the village hall and facilities. – Discussion whether or not the Village wanted to pay for broadcasting the meetings. There was little interest in that. It was also noted that the Village Hall does not have Comcast high speed internet, but uses dial up. **Trustee Acuna moved to direct Counsel to prepare the necessary documents for: (1) Modifying the Village's right-of-way construction standards ordinance; (2) Ordinance modifying Village code relating to the payment and auditing of franchise payments; (3) Conduct a public hearing on the proposed Comcast Franchise agreement to Comcast; seconded by Trustee Barry.**

**ROLL CALL VOTE:**

**Acuna – aye; Barry – aye; Hannon – aye; Lazakis – aye; Schmitt – aye; Wachs – aye**  
(Motion carried 6 – 0).

**Item #8: Village Trustee Barry.**

Trustee Barry said that February 13, 2009, there would be a pathway meeting and a meeting regarding a ban on phosphorous - **No action was taken.**

**Item #9: Village Trustee Hannon.**

**A. Treasurer Report For January 31, 2009. – Trustee Hannon moved to approve the Payment of the Bills as presented; seconded by Trustee Schmitt.**

**ROLL CALL VOTE:**

**Acuna – aye; Barry – aye; Hannon – aye; Lazakis – aye; Schmitt – aye; Wachs – aye**  
(Motion carried 6 – 0).

**Trustee Hannon moved to approve the Fund Balance as presented; seconded by Trustee Barry.**

**ROLL CALL VOTE:**

**Acuna – aye; Barry – aye; Hannon – aye; Lazakis – aye; Schmitt – aye; Wachs – aye**  
(Motion carried 6 – 0).

**B. Actual and Budget Comparisons For Period Ending January 31, 2009.** For informational purposes only, no motion required. – **No action was taken.**

**C. Fiscal Year 2009/10 Budget Hearing Schedule.** In order to incorporate the YTD expenditures through January, the proposed budget hearing schedule has been tentatively moved back one meeting as follows: (1) January 13, 2009 Board Meeting. Call for committee Budgets (submit no later than January 31, 2009). February 24, 2009 Board Meeting. Initial review Draft Budget for Public Hearing/Comment during second board meeting in February - Budget Posted at the Village Hall and on the Village Web Site, and (2) March 10, 2009 Board Meeting – Public Hearing/Approval of Budget. – Discussion regarding lower expectations for the income that would be generated for the upcoming fiscal year. Trustee Hannon said that Village would begin seeing revenue from Menards sales tax around Aril, 2009. Superintendent Block said that the income would be about \$400,000.00 less than expected this year because of the delay in the building of Sunset Grove. There was also discussion about the lack of income from building permits – **No action was taken.**

**D. Illinois Municipal Retirement Fund (IMRF) – Report.** Village Superintendent Block and Staff attended the February 3, 2009 meeting and will provide a brief report during the February 10, 2009 Board Meeting. – Trustee Hannon noted that because the IMRF had invested badly and had negative returns; there will be a big impact on Long Grove, as well as all the communities in the state. Village Manager Lothspeich said that there was a movement to have Village Managers appeal to the state government for relief – **No action was taken.**

**Item #10: Village Trustee Lazakis.**

**Public Hearing To Amend The Legal Description Of IL 83 TIF** – The Village Board approved the Resolution To Start The Process To Amend The TIF Legal Description during the January 27, 2009 Board Meeting. Consistent with this approval, the public hearing for the consideration of the proposed amendment by the TIF Joint Review Board (JRB) has been scheduled for February 20, 2009 at 3:00 p.m. (Village Representatives: Trustee Ted Lazakis; and Nick Fasano). – Trustee Lazakis briefly described the nature of the upcoming meeting to amend the legal description of the TIF area. – **No action was taken.**

**Item #11: Trustee Schmitt.**

**A. The Bridge** - Trustee Schmitt said that the First Quarter edition was to be in print shortly – **No action**

was taken.

**B. Park District** – Trustee Schmitt said that Park District Commissioner candidates Borowski and Wilburg were running unopposed; and that former commissioners Nathanson and Hoyne would continue to support the Park District – **No action was taken.**

**C. Earth Day** – Trustee Schmitt said that on April 19 there was to be an event at Reed-Turner Woodland, and that the Village Board might want to partner with the Park District to support the event. She said that it would involve a small amount of funding – **No action was taken.**

**Item #12: Village Trustee Wachs.**

**Burglary Patrol Alert.** In response to a couple of recent burglaries in Long Grove and many others in the surrounding communities, the Village sent out a Burglar Patrol Alert to all HOA's. – Trustee Wachs thought that it would be a good idea to get the report on the website. Village Manager Lothspeich said that the Lake County Police had warned that they had noticed during their patrols how many residents in Long Grove leave their garage doors open and unattended. They expressed concern that this was an invitation to a potential burglary. – **No action was taken.**

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**Item #13: Village Clerk Schultheis.**

**Nothing to report. No action was taken.**

**Item #14: Village Manager Lothspeich.**

**Nothing to report. No action was taken.**

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**Item #15: Village Superintendent Block.**

**Nothing to report. No action was taken.**

**Item #16: Village Planner Hogue.**

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**Nothing to report. No action was taken.**

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**Item #17: Village Attorney Filippini.**

**Nothing to report. No action was taken.**

**Item #18: Approval of Board Meeting Minutes.**

**January 27, 2009 Board Meeting Minutes.** – Trustee Schmitt moved to approve the January 27, 2009 Board Minutes as amended; seconded by Trustee Barry.

**VOICE VOTE:**

**Five ayes, no nays, one abstention ((Motion carried 5 – 0; Trustee Acuna abstained)**

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**Item: Executive Session.**

**At 10:00 P.M.;** Trustee Hannon moved to go into Executive Session to discuss (1) Executive Session Minutes; (2) Litigation; (3) Personnel; and (4) Acquisition and Disposition of Property; seconded by Trustee Barry.

**ROLL CALL VOTE:**

**Acuna – aye; Barry – aye; Hannon – aye; Lazakis – aye; Schmitt – aye; Wachs – aye  
(Motion carried 6 – 0).**

**Item: Other Business.**

**January 27, 2009 Executive Session Meeting Minutes.** – Trustee Barry moved to Approve the January 27, 2009 Executive Session Minutes as amended, but not for public release; seconded by Trustee Hannon.

**VOICE VOTE:**

**All ayes, no nays.  
(Motion carried 6 – 0)**

**Waste Management** – Trustees noted that there would be an increase in the cost of trash pick up. – **No action was taken.**

**Egg Hunt** – It was noted that Carolyn Osuyos would no longer be in charge of the Easter Egg Hunt. Trustees believed that it should probably be run by the Park District, but the Stevenson High School and the Rotary Club had also been approached – **No action was taken.**

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**Item:     Adjournment.**

**At 10:56 P.M.; Trustee Barry moved to adjourn; seconded by Trustee Acuna.**

**VOICE VOTE:**

**All ayes, no nays.**