

**VILLAGE OF LONG GROVE**  
**MINUTES OF THE VILLAGE BOARD OF LONG GROVE**  
**Tuesday, February 12, 2008 at 8 P.M.**  
**3110 RFD, LONG GROVE, ILLINOIS 60047-9613**

**CALL TO ORDER:**

President Rodriguez called the meeting to order at 8:00 P.M.

**OFFICIALS IN ATTENDANCE:**

Village President: Rodriguez  
Trustees: Acuna, Barry,  
Hannon, Lazakis, Schmitt, Wachs  
Village Clerk: Schultheis  
Also Present: Village  
Manager  
Lothspeich,  
Superintendent  
Block,  
Village  
Planner  
Hogue  
and  
Village  
Counsel  
Filippini

**HOMEOWNERS**

**ASSOCIATIONS/ITEMS FROM  
THE AUDIENCE**

**Homeowner Associations:**

**Prairie Trails** – Anthony Spina. –  
**Nothing to report. No action was taken.**

**Mardan Estates** – Greg Tomczyk. –  
Discussed traffic issues regarding entering and leaving Old 53.

Village Manager Lothspeich noted that the Traffic Study that had been conducted identified traffic improvements. He said that the Association might want to consider sending a petition to the state, but that IDOT might not have money to fund any projects. Mr. Tomczyk also complimented the Village on the snow removal efforts. Mr. Tomczyk mentioned drainage issues especially on the east side of Middlesax. Village Manager Lothspeich said that resurfacing was not scheduled for that area for this season, but was on the top of the list for next season.

Superintendent Block noted that individual property owners are responsible for their own culverts. Mr. Tomczyk said that 3276 RFD is vacant property and neighbors were concerned about it. Superintendent Block told him that the property was in trust, but that it was not dilapidated, so the Village could not did not have any recourse.. – **No action was taken.**

**Mardan Lake** – Mike Silver. –  
**Nothing to report. No action was taken.**

**Victorian Oaks** – Mariola Kordek – She noted that the Bus Stop on Old 53 was a hazard, because cars were not stopping. She told the Lake County Police Officer present at the meeting that the problem areas were 53 & Shiloh and 53 & Victoria at around 7:45 AM – **No action was taken.**

**Requests for Donation and Funding.**

*Annual Spring Egg Hunt* – President Rodriguez said that the event has been one of the most successfully attended events, and has been for the last thirteen years. She asked the Trustees if the Village should support the event in a larger way. Because the egg hunt is so early this year, March 15, some trustees worried about weather. Carolyn Osuyos (Event Chair) said that the total expenditures were around \$1,300.00. Trustee Wachs suggested that the Village take the majority position on funding, while the Rotary Club take the majority position on providing the manpower.

**Trustee Acuna moved to have the Village of Long Grove sponsor the Spring Egg Hunt in the amount of \$800.00; seconded by Trustee Schmitt.**

**ROLL CALL VOTE:**

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

**(Motion carried 6 – 0).**

*Long Grove Arts Council:*

**Trustee Barry moved to allot \$5,000.00 for the 2008 Arts**

**Council Events; seconded  
by Trustee**

**Lazakis.**

**ROLL CALL VOTE:**

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

**(Motion carried 6 – 0).**

*Adlai E. Stevenson Lock-In:*

**Trustee Barry moved to allot \$150  
toward the June 6, 2008  
Adlai E. Stevenson Lock-  
In;**

**seconded by Trustee Acuna.**

**ROLL CALL VOTE:**

**Acuna – aye; Barry – aye; Hannon –  
aye; Lazakis – aye;  
Schmitt – nay; Wachs –  
aye.**

**(Motion carried 5 – 1).**

*Petition:* Monica Bedrosian offered a petition from residents from Long Grove calling for a referendum for the TIF (Tax Increment Financing) to be placed on the November, 2008 ballot. The Papers were placed in a sealed envelope and handed to the Village President. – **No action was taken.**

*Plan Commission Meeting Location*

*Change:* Haig Bedrosian said that the February 5, 2008 Plan Commission Meeting change of venue was not posted nor received via email. Resident Dee McLaughlin said that she did not receive an agenda. *Village Planner Hogue noted that a sign with the change of venue was posted on the Village Hall door.* – **No action was taken.**

**ACTION ITEMS:**

**Item #1: Report Of The February 5,  
2008 Plan Commission & Zoning  
Board Of Appeals Meeting.**

The PCZBA considered the following items during their meeting.

**A.**

- Continued Zoning Code Amendment And Reclassification Of Property (R2 Residential To New HR-1 Highway

Retail & OS-P Open  
Space Preservation),  
Planned Unit  
Development, Special  
Use Permit & Zoning  
Code Amendment(s) To  
Allow A Retail Planned  
Unit Development  
Anchored By A  
Specialty Grocer Store  
Located At The  
Southeast Corner Of  
Route 83 & Aptakisic  
Road, Mid-America  
Development Partners.  
Continued until the  
February 5, 2008  
PCZBA Meeting. – The  
PCBZA *recommended  
approval* of the  
Preliminary PUD Plans  
and grant relief  
requested by the  
petitioner, subject to the  
following conditions:

1. The conditions set forth in Section 6 of the draft ordinance presented to the Plan Commission, modified to change the reference to “convenience store” in Section 6.M to “drug store.”
2. All noise-causing activities from deliveries to the grocery store between the hours of 10 P.M. and 7 A.M. shall be controlled so that they do not exceed the background average sound level from traffic on IL Route 83 when measured from the rear of the residences to the east property. The Village Manager may require the petitioner to implement mitigation measures in order to achieve the foregoing standard, which measures may include,

but are not limited to, any one or more of the following: performing a noise study at the petitioner's expense, restricting the hours of deliveries, increasing the amount of landscaping, or raising the height of the fence.

3. The petitioner must provide improved pedestrian connections between the buildings located within the Proposed Development.
4. The width of the landscaped buffer adjoining Illinois Route 83 must be substantially increased beyond the width shown in the plans submitted to the Plan Commission.
5. The overall density of the Proposed Development must be decreased below the density levels shown in the plans submitted to the Plan Commission.

- Mike Firsel made a statement regarding the scope of the project and gave diagrams showing some of the footprints of planned buildings. He said that sound attenuation was given priority and so a wooden fence will be put up. He also said that the closest resident would be 580 feet away. Mike Firsel said that a Sound Study showed that the sound would be no greater than it currently is in that area; and Photometric Study should that there would not be leakage of light to the residents, as the lights would be domed.

Trustee Schmitt said that she was concerned about impervious surfaces. Trustee Hannon noted that the proposed

parking for Sunset Grove was low leaving a lot of area for green space.

Mike Firsel noted that the entire project was not being built all at once, and that changes could be made as the project added more buildings.

Mike Firsel also noted that the proposed Dry Cleaner – Zengler Cleaners would have a self-encapsulated system with no pipes in the ground.

Superintendent Block told the audience that our codes allow for dry cleaners.

**Trustee Lazakis moved to direct Counsel to prepare a revised Draft Ordinance for the Mid-America Sunset Grove Planned Unit Development for consideration during the February 26, 2008 Board Meeting; seconded by Trustee Wachs.**

**ROLL CALL VOTE:**

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

**(Motion carried 6 – 0).**

**B. Front Yard Setback Variation for 2564 Lincoln – Fobbe – Public Hearing.**

Village Planner Hogue stated that The Plan Commission recommended approval 8 – 0.

**Trustee Schmitt moved to direct Counsel to prepare a revised Draft Ordinance granting approval of the front yard setback variations for consideration during the February 26, 2008 Board Meeting; seconded by Trustee Wachs.**

**ROLL CALL VOTE:**

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

**(Motion carried 6 – 0).**

**C. B1 Historic District: Village Planner Hogue told the Board that Shamrock Cyclery had closed; and that a stained glass shop was there. – **No****

**action was taken.**

**Item #2: Report of the February 11, 2008 Architectural Board Meeting.**

The Architectural Board Considered the following items during the February 11, 2008 meeting:

- A.** Plans and Plats for Landscaping, Lighting, Signage and Elevations as part of an Application submitted by the Sunset Grove, LLC for Zoning Code Amendment and Reclassification of Property (R2 Residential to New HR-1 Highway Retail & OS-P Open Space Preservation), Planned Unit Development , Special Use Permit & Zoning Specialty Grocer Store located at the Southeast Corner of Route 83 & Aptakistic Road, Mid-America Development Partners.
  - B.** Proposed Zoning Ordinance Amendments.
- No action was taken.**

**Item #3: Resolution Re-Appointing Long Grove Arts Commissioner Tobin Fraley.**

**Trustee Wachs moved to reappoint Tobin Fraley as the Long Grove Arts Commissioner; seconded by Trustee Acuna.**

**VOICE VOTE:**

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

**Item #4: Resolution Appointing Delegate and Alternate Representative for SWALCO.**

**Trustee Barry moved to approve a Resolution Approving Karen Schmitt as Delegate Representative and Village President Rodriguez, Village Superintendent Block, and Village Manager Lothspeich as Alternate Representatives to the Solid Waste Agency of Lake County;**

**seconded by Trustee Hannon**

**VOICE VOTE:**

**All ayes, no nays (Motion carried 6 –**

0).

**Item #5: Resolution Approving an Elevator Safety Agreement with the Fire Marshall.**

Under Illinois Elevator Safety and Regulation Act, 225 ILCS 312/140, the Office of the Illinois State Fire Marshall has created a set of required standards for elevator safety and maintenance and a requirement that municipalities must sign an Elevator Safety Agreement to be authorized to conduct its own elevator inspections.

**Trustee Schmitt moved to Approve a Resolution approving an Elevator Safety Program Agreement with the Illinois State Fire Marshall; seconded by Trustee Wachs.**

**VOICE VOTE:**

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

**Item #6: Ordinance Directing Modification to the Proposed TIF Plan & Report**

In response to the TIF public hearing and JRB recommendations, Village Counsel Filippini suggested revisions to the documents:

1. TIF Boundaries – The TIF Plan and Eligibility Report should be revised to delete from proposed TIF

District the following parcels:

- a. The sliver parcel along IL Rte. 53 (PIN 15-30-106-003)
- b. The School District 96 parcel along Old McHenry Road (PIN 15-30-100-004)
- c. The Village Hall along Old McHenry Road

(PIN 15-30-  
100-003)

In addition, the JRB recommends that the TIF Plan be revised to state that at no time in the future should the proposed TIF District be expanded to include properties fronting on Arlington Heights Road.

2. Correction to TIF Plan – Page 2 of the TIF Plan should be corrected so that the second sentence of the first paragraph reads: “The median home value in 2000 was \$555,400.”

Also, on Page 15 of the TIF Plan, in Item 15, the word “patron” should be “resident.”

3. Residential Development – The TIF Plan should not provide assistance for the development of additional residential units within the proposed TIF District.

4. Fire Protection Standards – New development in the Proposed TIF District should be required to comply with the applicable code requirements of the Long Grove Fire Protection District.

5. TIF Plan Priorities – The TIF Plan should identify certain projects for the Historic Downtown Area of the proposed TIF District as “High priorities” including:

a. The establishment of a water system to serve properties in the Historic Downtown Area.

b. Burial of overhead utility lines.

6. TIF Bonds – The TIF Plan should provide that any bonds will be backed only by incremental tax revenue generated from the proposed TIF District, and that the Village shall not give its full faith and credit (General Obligation) backing of any such bonds. The Village shall seek to include a “call” provision in any such bonds.

7. Duration of the TIF – The TIF Plan should not seek to extend the Proposed TIF District beyond the customary 23-year term in the TIF Act. In addition, the Village should endeavor to conclude the TIF in less than 23 years if all objectives and obligations are satisfied.

8. Surplus Funds – At such time that the Proposed TIF District generates

sufficient incremental tax revenue that there are surplus revenues, those surplus revenues should be promptly returned pro rata to the taxing districts affected by the Proposed TIF Districts. The Village over time should consider reducing the percentage of incremental revenue that will be dedicated to TIF projects.

9. Eminent Domain – The Village should not seek to exercise its powers of eminent domain under the TIF Act in connection with properties fronting Arlington Heights Road. The JRB recognizes that the Village does not have eminent domain authority over the lands of the taxing bodies.

10. Capital Expense Agreements – The Village should explore with the affected taxing districts appropriate agreements as contemplated under item 8 on page 21 of the TIF Plan.-

Discussion followed.

**Trustee Schmitt moved to approve an Ordinance to modify Proposed TIF Plan and Report; seconded by Trustee Lazakis.**

**VOICE VOTE:**

**All ayes, no nays, one abstain (Motion carried 5 -0; Trustee Acuna abstained)**

**Item # 7: Public Hearing RE: Proposed SSA for Developing A Deep Well Water System for B1-A.**

At 11:44 P.M., the Public Hearing was opened.

Discussion followed.

**At 11:48 P.M.; Trustee Barry moved to close the public hearing on the proposed SSA for Developing a Deep Well Water System for the B1-A; seconded by Trustee Schmitt.**

**VOICE VOTE:**

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

**Item # 8 Village President Rodriguez.**

**A. *IL Route 53 Update.*** – President Rodriguez noted that the Strategic Plan Meetings Lake County members were not whole-heartedly against the extension of Rte. 53 - **No action was taken.**

**B. EJ&E/STAR Line Update.** –

President Rodriguez reported that she would like a resolution on the next agenda to oppose purchase of the railroad by Canadian Pacific. – **No action was taken.**

**C. Discussion of Canceling the March 23, 2008 Board Meeting due to Lack of a Quorum** –

Consensus was that there would be a quorum so there was no need for action. - **No action was taken.**

**D. Petition for Referendum:** Village Counsel Filippini said that this would be a non-binding referendum that would come up after the fact.- **No action was taken.**

**Item #9: Village Trustee Acuna.**  
**Nothing to report. No action was taken.**

**Item #10: Village Trustee Barry.**  
**Pathways:** Trustee Barry discussed path up Old McHenry that would extend up the west side. He requested that the pathways be shown on the budget– **No action was taken.**

**Item #11: Village Trustee Hannon.**  
**Trustee Hannon moved to approve 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 Account Balances 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).**

**Item #12: Village Trustee Lazakis.**  
**Nothing to report. No action was taken.**

**Item #13: Trustee Schmitt.**

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

**Item #14: Village Trustee Wachs.**

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

**Item #15: Village Clerk Schultheis.**

*Special Service Area Tax Law* – Village Clerk Schultheis reported that there HB 4322 in the Illinois

Legislature assigned a to Local Government Committee regarding amending Special Service Areas – **No action was taken**

**Item #16: Village Manager**

**Lothspeich.**

*Snow Removal - Village Manager*

*Lothspeich wanted to note that Superintendent Block had been working on locating and obtaining salt for deicing the roads. With salt stocks depleted and becoming more expensive, Superintendent Block was able to secure 100 tons of salt at \$61.46 per ton. – No action was taken.*

**Item #17: Village Superintendent Block.**

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

**Item #18: Village Planner Hogue.**

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

**Item #19: Village Attorney Filippini**

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

**Item #20: Approval of Board Meeting Minutes.**

*January 22, 2008 Minutes. – Continued*

**Item: Executive Session.**

**At 12:21 A.M.; Trustee Schmitt moved to go into Executive Session to discuss (1) Executive Session Minutes; (2) Litigation; (3) Acquisition and Distribution of Property; and (4) Personnel;seconded by Trustee**

**Barry.**

**ROLL CALL VOTE:**

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

**Item: Other Business.**

*January 22, 2008 Executive Session  
Meeting Minutes. –  
Continued.*

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**Item: Adjournment.**

**At 1:10 A.M.; Trustee Acuna moved  
to adjourn the meeting;  
seconded by Trustee  
Barry.**

**VOICE VOTE:**

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