

**VILLAGE OF LONG GROVE**  
**MINUTES OF THE VILLAGE BOARD OF LONG GROVE**  
**Tuesday, February 24, 2009 at 8 P.M.**  
**3110 RFD, LONG GROVE, ILLINOIS 60047-9613**

**CALL TO ORDER:**

President Rodriguez called the meeting to order at 8:04 P.M.

**OFFICIALS IN ATTENDANCE:**

Village President: Rodriguez  
Trustees: Acuna, Barry, Hannon, Schmitt  
Absent: Wachs, Lazakis  
Village Clerk: Schultheis  
Also Present: Village Manager Lothspeich, Village Counsel Filippini, Superintendent Block and Village Engineer Witkowski.

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

**Homeowner Associations:**

**Creekside** - Bobbie O'Reilly. – HOA President Bobbie O'Reilly said that, in general, the subdivision was doing well and there were no complaints. She expressed concern regarding the condition of Indian Creek Road. Village Manager Lothspeich informed her that the 2009 Budget included money to repair that road. – **No action was taken.**

**Eleanora Estates** – Adam Plummer. – **No one was present. No action was taken.**

**Indian Creek Estates** – Helen Dorn. – **No one was present. No action was taken.**

**Spring Egg Hunt:** Park District President Lee Bassett said that there would be an April 18th Spring Egg Hunt that would coincide with the Fire Department's Pancake Day. Her said that there would be several age-appropriate egg hunts, lunch and a follow up "Springtime with the Frogs" event at Reed-Turner Woodland with Native-American storyteller and naturalist, Swiftdeer. These events are a lead-in in the Earth Day events – **No action was taken.**

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

**ACTION ITEMS:**

**Item # 1: Special Event Applications:**

**A. *Porsche Club Concours:*** Trustee Hannon moved to approve the Porsche Club Concours event to be held on Sunday, June 21 (Father's Day), 2009; seconded by Trustee Acuna.

**VOICE VOTE:**

**4 ayes, 0 nays (Motion carried – Trustees Wachs and Lazakis absent)**

**B. *Village Tavern Temporary Dining Expansion:*** Trustee Hannon moved to approve the Village Tavern Temporary Dining Expansion during the Festivals (2009); seconded by Trustee Schmitt.

**VOICE VOTE:**

**4 ayes, 0 nays (Motion carried – Trustees Wachs and Lazakis absent)**

**C. *Long Grove Goes Pink – Cancer Benefit Walk:*** Event Coordinator Renee Clark was in the audience and said that she would work with the merchants regarding the event. She said that in 2008, the events that were sponsored by this charity raised \$51,000. – **Trustee Acuna moved to approve the Long Grove Goes Pink – Cancer Benefit Walk for May 30, 2009; seconded by Trustee Hannon.**

**VOICE VOTE:**

**4 ayes, 0 nays (Motion carried – Trustees Wachs and Lazakis absent)**

**Item #2: Ordinance Approving A Water Agreement For IL 83 Properties.**

The draft Agreement is based upon a conference call between MidAmerica, the Glazers and the Village. The draft Agreement was circulated to all interested parties on February 19, 2009 and comments have not yet been received. – Village Counsel Filippini stated that the Agreement would show intent to undertake a water system. Village Counsel said that the developer had agreed to take on the project, and that the Village was under contractual agreement to give the developer the opportunity to undertake the project, and that the developer had two weeks to reply (as amended to the ordinance wording). – **Trustee**

**Schmitt moved to approve an Ordinance Approving a Regional Deep Well Water Construction & Acquisition Agreement As Part of IL Route 83 Water Special Service Area & The IL Route 83 Tax Increment Financing (TIF) District, as amended to add a proviso that the Ordinance had to be signed within the next fourteen days; seconded by Trustee Hannon.**

**ROLL CALL VOTE:**

**Acuna – nay; Barry – aye; Hannon – aye; Lazakis – absent; Schmitt – aye; Wachs – absent; Rodriguez – aye. (Motion carried 4 – 1; Trustees Lazakis and Wachs absent; President Rodriguez voted for quorum approval)**

**Trustee Hannon moved to approve a Resolution Expressing Official Intent Concerning the Expenditure of Moneys Relating to and the Route 83 Water SSA and Reimbursement of Expenditures from Future Bond Proceeds Relating to the Establishment of a Public Water Supply System; seconded by Trustee Schmitt.**

**ROLL CALL VOTE:**

**Acuna – aye; Barry – aye; Hannon – aye; Lazakis – absent; Schmitt – aye; Wachs – absent (Motion carried 4 – 0; Trustees Lazakis and Wachs absent)**

**Item #3: Ordinance Approving Comp Amendments To Zoning Code Re: Floor Area & Height.**

Continued from the September 9, 2008 Board Meeting. The draft ordinance is based upon the version recommended for approval by the Plan Commission with possible changes discussed by the Village Board during the August 12, August 26, 2008 and September 9, 2008 board meetings. Specifically, changes during the prior board meeting include: impact of straight subdivisions vs. PUD's; nature of open space; definition of areas included/excluded under the bulk regulations; applicability to existing subdivisions vs. new subdivisions, etc. – **CONTINUED. No action was taken.**

**Item #4: Village President Rodriguez.**

**A. Annual Spring Egg Hunt Organization & Funding.** – It was decided that more information was needed regarding donations that were made by the Village previously. Park District President Bassett said that he would come back the Board with a specific dollar amount – **No action was taken.**

**B. IL Route 53 Extension** – President Rodriguez said that a Stevenson High School Government Teacher had asked that a debate be set up with a Pro-53 Extension Representative and an Anti-53 Extension Representative. The debaters would be from the Community and would help enlighten the high schoolers about this topic. - **No action was taken.**

**Item #5: Village Trustee Acuna.**

**A. Lake Michigan Water Village-wide Water System Referendum - Update.** The Lake Michigan Water Planning Group met on February 18, 2009 to review the Memorandum Of Understanding. Staff informed the group that due to the initial negative responses received by residents to the non-binding referendum re: \$6,900 annually over a period of 30 years the Village Board requested postponing the Village's decision on the requested \$5,000 additional expenditure until after the results of the April election. The group responded that Long Grove would continue to be invited to participate in the meetings/process but that the group would be proceeding regardless of the decision by Long Grove. Trustee Acuna said that the Village would not be moving forward until the referendum vote. There was also mention that IL 53 Extension would be the other referendum on the election docket. Resident Bobbie O'Reilly noted that fifteen years ago the Court of Council for Rte 53 concluded that there would probably need to be a \$10 toll in order to pay to extend Rte 53 from Lake Cook to the 120 Bypass. She thought that there should be a dollar amount associated with the extension, just like a dollar amount was put on the referendum for Lake Michigan water so that people would know just how costly these projects would be to construct. Resident O'Reilly believed, as did members of Board, that money would be better spent fixing the roads that we have.

President Rodriguez called the IL 53 Extension Plan a 1950's solution to a 2009 problem.

Trustee Schmitt suggested that a fact sheet should be drafted for the website so that residents would be well-educated as to the referendums. – **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 two 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). In either case, it appears that we should be submitting an application (simple, 2 page) to effectively get in the queue for monies. – Trustee Acuna said that if we spend the proposed \$47,000 for a Master Plan from ESI, we might be spending the money with no guarantee that we would get the government grant. Village Manager Lothspeich said that he would have to find out whether or not a pre-existing plan could be submitted, as the Village would just need a plan for the application. Further information would be needed – **No action was taken.**

**C. Infrastructure Committee Meeting – February 17, 2009.**

**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 – Village Engineer Witkowski said that paving over this portion of Schaeffer Road would cost \$100,000. Trustees considered not paving and not vacating as an option. – **No vote was taken.**

**D. Schaeffer Road (South Of IL Route 53) Neighborhood Traffic Management Application.** The Committee reviewed the petition for the installation of speed tables for traffic calming along Schaeffer Road (IL 53 to Holly Lane). The next step under the Neighborhood Traffic Management Program (NTMP) requires Village Board referral of the application for review and recommendation by the Village Engineer. – There was discussion amongst the Trustees regarding the next step. There were also questions regarding what areas should be included in the application, whether or not a new Engineering study would be needed; and what type of traffic calming devices were being considered. The petition (from November 18, 2008) from Resident Frank Kowalczyk wished to look at speed tables from Rte. 53 to Holly Court; a petition from Country Club Meadows wanted to study the option for brick pavers as a traffic calming device; and a petition submitted by Bridgewater Farms HOA President Sophia Hanson (February 24, 2009) showed that the residents there did not want any traffic calming devices and wanted to be included in any decision-making on traffic calming in the area. Village Engineer Witkowski said that it had already been established that there was a need for traffic calming, but that he had not reviewed the signatures for the additional streets from Holly Court to Checker Road. Country Club Estates HOA President George Yaeger noted that additional roads were being added to the study, his subdivision should be included as a possible candidate for traffic calming. He also said that his subdivision wanted to be part of any decision-making on traffic calming solutions. Bridgewater Farms HOA President Hanson said that Schaeffer Road was the only point of exit and entrance for her residents, and that any traffic calming on Schaeffer Road would have a dramatic impact on those residents. Village Engineer Witkowski said that he did not know if the original plan could be altered or whether or not steps could be skipped. Trustees decided that they would have to review the entire process and could not make a decision to move forward at this meeting – **CONTINUED. No action was taken. (NOTE: Petitions were received by the Village Manager from Bridgewater Farms President Hanson (February, 2008); from Country Club Meadows President Hannon (February, 2008); and Resident Frank Kowalczyk's from November 18, 2008).**

**E. Mardan Area Drainage Study.** The Committee discussed the drainage and roadway improvements identified in the Study and various alternatives for funding, including establishing a Special Service Area. - Trustee Acuna said that there was need for a meeting regarding the area. Trustee Schmitt said that it was important that the Board separate Mardan Woods from Mardan Estates. She said that there were separate issues for the subdivisions, and noted that residents were hoping to participate in a meeting to learn what was being done. – **No action was taken.**

**F. 2009/10 Street Maintenance Program.** The Committee (Trustee Acuna, Village Engineer Chiczewski, Village Engineer Witkowski and Staff) met on Tuesday, February 17, 2009 and discussed the 2009 Transportation Program Project Recommendations prepared by the Village Engineer. Due to the current economic uncertainty, and recognizing the high level of expenditures for projects during the current fiscal year, the Committee suggested reducing the total budgeted amount for FY 2009/10 by fifty percent. FY 2009/10 approved budget for roadway paving at the funding level of \$695,000 (MFT = \$255,000, General = \$440,000). Possible projects focused on the repaving of a portion of Robert Parker Coffin Road, repaving of Indian Creek Road, various roadway maintenance such as crack sealing, etc. The Committee (including Trustee Lazakis) are scheduled to meet on Friday, February 20, 2009 to discuss these issues further for report during the February 24, 2009 Board Meeting. – Trustee Acuna updated the Board as to projects being considered or in progress. The Trustees suggested that repairs be slated for Cuba Road and Indian Creek Road; and that the repair work for 2009 for the Village should stay within budget limits. – **No action was taken.**

**Item #6: Village Trustee Barry.**

**Pathways:** Trustee Barry said that several engineering proposals were discussed. He added that no new monies needed to be allocated in the Budget for engineering proposals, because the \$10,000 allotted in 2008 had not been spent – **No action was taken.**

**Cell Towers:** Trustee Barry noted that an amendment should be written into the cell tower resolution to tie together the leasing, so that it coincides with the expiration dates for the leases and the non-conforming structure expire at the same time. – **No action was taken.**

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

**A. Fiscal Year 2009/10 Budget.** The draft budgets will be distributed during the February 24, 2009 Board Meeting. 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 by January 31, 2009);
- (2) *February 24, 2009 Board Meeting.* Initial review Draft Budget;
- (3) *March 10, 2009 Board Meeting* – Further discussion of Budget - Budget Posted at the Village Hall and on the Village Web Site;
- (4) *March 24, 2009 Board Meeting* – Public Hearing/Approval of Budget. – Trustee Hannon said that the Budget is being worked upon, and near completion. – **No action was taken**

**B. Investment/Banking Discussion.** – Trustee Hannon said that Citibank could not meet its obligation to the Village regarding collateralization. The Village Funds in question were to be moved to UBS. – **No action was taken.**

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

**Not Present**

*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. – A public hearing is scheduled for March 24, 2009. – **No action was taken.**

**Item #9: Trustee Schmitt.**

*Phosphorous Ban Ordinance.* Trustee Schmitt, Trustee Barry and CSCC Member Wiberg met on February 14, 2009 to develop the enclosed draft ordinance based upon current ordinances from several area communities. Trustee Schmitt informed Geimer's and Menards of the proposed ordinance and Geimer's already carries organic fertilizer while Menards does not have any non-phosphorous fertilizer in stock or on order at this location. The Village Board will be considering proposed building code updates that will include property maintenance regulations during an upcoming meeting. If appropriate, the fertilizer use restrictions may be incorporated as part of these regulations. – Trustee Schmitt says that local stores that sell fertilizer must show with signage that Long Grove bans the use of phosphorous fertilizers. Trustees noted that the retail stores will police themselves on this issue and that there is no difference in cost between phosphorous and non-phosphorous fertilizers. – **Trustee Schmitt moved to direct Village Counsel to prepare an Ordinance, as amended, based upon the initial Draft to restrict the Use and Application of Phosphorous Lawn Fertilizers in the Village of Long Grove; seconded by Trustee Barry.**

**ROLL CALL VOTE:**

Acuna – aye; Barry – aye; Hannon – aye; Lazakis – absent; Schmitt – aye; Wachs – absent  
(Motion carried 4 – 0; Trustees Lazakis and Wachs absent).

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

**Not present.**

**Item #11: Village Clerk Schultheis.**

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

**Item #12: Village Manager Lothspeich.**

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

**Item #13: Village Superintendent Block.**

*Building and Fire Code Update:* - Superintendent Block said that the Building and Fire Code document that was being prepared could be written to allow enforcement of the ban on phosphorous. – **No action was taken.**

*Housing Permits:* Superintendent Block said that there were no new housing permits, and that there were three on hold – **No action was taken.**

**Item #14: Village Planner Hogue.**

**Not present.**

**Item #15: Village Attorney Filippini.**

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

**Item #16: Approval of Board Meeting Minutes.**

*February 10, 2009 Board Meeting Minutes.* – Trustee Barry moved to approve the February 10, 2009

**Board Minutes as amended; seconded by Trustee Schmitt.**

**VOICE VOTE:**

**All ayes, no nays. (Motion carried 4 – 0; Trustees Lazakis and Wachs were absent)**

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**Item: Executive Session.**

**At 10:05 P.M., Trustee Barry moved to go into Executive Session to Discuss (1) Executive Session Minutes; (2) Litigation; (3) Personnel Matters; and (4) Acquisition and Disposition of Property; seconded by Trustee Schmitt.**

**ROLL CALL VOTE:**

**Acuna – aye; Barry – aye; Hannon – aye; Lazakis – absent; Schmitt – aye; Wachs – absent  
(Motion carried 4 – 0; Trustees Lazakis and Wachs absent)**

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**Item: Other Business.**

***February 10, 2009 Executive Session Meeting Minutes.* – Trustee Barry moved to approve the February 10, 2009 Executive Session Minutes as amended, but not for public release; seconded by Trustee Acuna.**

**VOICE VOTE:**

**All ayes, no nays. (Motion carried 4 – 0; Trustees Lazakis and Wachs were absent)**

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**Item: Adjournment.**

**At 11:03 P.M.; Trustee Acuna moved to adjourn the Meeting; seconded by Trustee Barry.**

**VOICE VOTE:**

**All ayes, no nays. (Motion carried 4 – 0; Trustees Lazakis and Wachs were absent)**