

**VILLAGE OF LONG GROVE**  
3110 RFD, ILLINOIS 60047-9613  
**MINUTES OF THE VILLAGE BOARD OF LONG GROVE**  
**Tuesday, April 10, 2012 at 7 P.M.**  
**3110 RFD, LONG GROVE, ILLINOIS 60047-9613**

**CALL TO ORDER:**

At 7:03 P.M. President Rodriguez called the April 10, 2012 Village Board Meeting to Order.

**OFFICIALS IN ATTENDANCE:**

Village President: Rodriguez  
Trustees: Barry, Marshall, Schmitt, Underwood, Wachs, Weber  
Village Clerk: Schultheis  
Also Present: Village Planner Hogue and Village Manager Lothspeich

**Call To Order: Recitation of the Pledge of Allegiance**

**Item: Lake County Sheriff's Report.** – Sheriff Byrne reported that resident Bill Jacobs had complained of ATV's being used in his subdivision. Sheriff Byrne said that extra patrols had been deployed to monitor the area. – **No action was taken.**

**Item: Homeowner Associations:**

**Promontor/Oak Hills #3** – Boris Geeza.

**Stockbridge Farms** – Dennis Keane.

**There was no one present and nothing to report.**

**THERE WERE NO ITEMS FROM THE AUDIENCE.**

**Item: Raffle License Application & Waiver Of The Bond Requirement.**

*Historical Society Community Auction.* The Long Grove Historical Society submitted a Raffle License Application for a raffle as part of the Community Auction fundraiser on Saturday, June 21, 2012. –

**Trustee Underwood moved to Approve the Application by the Long Grove**

**Historical Society for a raffle license and waiving the Bond Requirements to conduct a Raffle as part of the Community Auction Fundraiser on June 21, 2012; seconded by Wachs.**

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – aye; Weber – aye**

**(Motion carried 6 – 0).**

**ACTION ITEMS:**

**Item #1: Report Of The April 3, 2012 Plan Commission & Zoning Board Of Appeals Meeting.**

\\The PCZBA **recommended approval** of the following item during their meeting.

- Continued Consideration Of A Request For Side And Rear Yard Setback Variations Relating To The Location Of Accessory Structures For The Construction Of A Fire Pit And Three (3) Foot Seating Wall For Property Located At 2579 Lincoln Avenue (*Country Club Estates Subdivision*), Morris. – Village Planner Hogue said that the PCZBA had recommended approval. **Trustee Barry moved to recommend a variation reducing the side yard setback requirements to 15 feet and rear yard setback to requirements to 15 feet to accommodate the deck, pool, bench and fire pit as all are depicted on the plans, subject to the applicant's submittal of final plans that specifically the lot lines, and all dimensions for structures that encroach into the side and back yard setbacks and further subject to the petitioner's confirmation of compliance with the bulk and yard requirements for the existing improvements; seconded by Trustee Schmitt.**

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – aye; Weber –**

**Aye**

**(Motion carried 6 – 0).**

Village Planner Hogue said that administrative and interpretive issues were not consistent in the past. President Rodriguez said

that the global issue of setbacks that needed to be fixed could be looked into in the next meeting. Trustee Schmitt said that residents from Country Club Estates should be invited to any discussion.

**Item #1: Report Of The April 4, 2012 Conservancy Scenic Corridor Committee Meeting.**

The CSCC ***recommended approval*** of the following item during their meeting.

**CSCC 12-02.** Consideration Of A Request To Remove Unwanted Materials (Buckthorn) From A Scenic Corridor And To Allow The Addition Of Trees, Shrubs, Prairie Grass And Wildflowers For Property Located At 5142 Bridlewood Lane (*Bridlewood Subdivision*), Rafferty. – Conservancy Scenic Corridor Committee Chair Kelley Smith discussed the issue.

**Trustee Barry moved to Approve Application CSCC 12-02 as recommended by the Conservancy Scenic Corridor Committee; seconded by Trustee Underwood.**

**VOICE VOTE:**

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

**Item #3: First Public Hearing Re: Electric Aggregation Plan Of Operations & Governance (POG).**

The public hearing notice for the Village Electric Aggregation Plan Of Operations & Governance (POG) was published in the *Daily Herald* on March 23, 2012, posted at the Village Hall and on the Village Web Home Page on March 24, 2012 for the scheduled April 10, 2012 and April 24, 2012 Public Hearings.

**At 7:16 PM, Trustee Weber moved to Open the First Public Hearing RE: Aggregation Plan of Operations and Governance (POG); seconded by Trustee Marshall.**

**VOICE VOTE:**

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

Village Manager Lothspeich said that there are eight bids being evaluated. He said that the intention was to have the options for residents ready by June, 2012. He added that the option was extended to small business owners whose usage was under the 1500 kilowatt per year maximum. Trustee Barry noted that residents would be able to opt in or out of the “green” alternative, as well as being able to opt or out of the entire plan.

Tobin Fraley noted that small businesses were converting to LED lighting and receiving rebates from ComEd. He wanted to know if the Aggregation Plan were adopted, would ComEd still provide this rebate. Village Manager Lothspeich replied that ComEd would still be the provider of the electricity, but he would need to find out about the rebate program.

Tobbin Fraley also noted that ComEd’s contract with their energy source was set to expire in July, 2013, at which time it was expected that rates would be cheaper. He wanted to make sure that the Village did not lock residents into higher rates. Village Manager Lothspeich said that the contract would be for twelve months because the Consortium was aware that energy prices could change radically.

**At 7:27 PM, Trustee Wachs moved to Close the First Public Hearing RE: Aggregation Plan of Operations and Governance (POG); seconded by Trustee Barry.**

**VOICE VOTE:**

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

**Item #4: Public Hearing Re: Draft Village Budgets FY 2012/13.**

The enclosed public hearing notice for the Village Budget was posted at the Village Hall on February 8, 2012, posted on the Village Web Home Page and published in the *Daily Herald* on February 10, 2012 for the scheduled March 8, 2012 Budget Public Hearing. The budget approval ordinance is tentatively scheduled following the public hearing. – **At 7:28 PM, Trustee Marshall moved to Open the Village Budget public hearing; seconded by Trustee Barry.**

**VOICE VOTE:**

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

President Rodriguez asked the Board to go through the Budget page by page.

There was discussion regarding the unfunded EPA mandate. After research and engineering assessment, it was suggested that the amount of money set aside in the Budget should be about \$37,000.

There was discussion regarding the amount requested from the LGBCP grant. Trustee Schmitt suggested that the Village might consider a reimbursement of sales tax for any new business after one

year in business and a renewal for a new year's lease. This would be a way to incentivize potential businesses to come to the downtown area. The consensus from the Board was that this was an excellent idea in lieu of cash out of the budget to incentivize new business growth. The suggested amount of the grant to the LGBCP was the \$20,000 grant plus \$10,000 for marketing plus the sales tax rebate after one year (Village Manager Lothspeich said that the rebate would be based on monthly sales tax filings given to the state). The budgeted number was suggested at \$30,000 plus rebate (which would not come out of the Budget).

The teasel rebate and the IL Route 53 educational materials were lowered to \$1000 each in the budget. The \$1000 teasel removal in the budget would be given to the Park District, if they approved it, to enhance their teasel removal program.

The new Village sign amount of \$50,000 would be lowered to \$25,000 and include a new monument sign.

**At 8:15 PM, Trustee Marshall moved to close the Village Budget Public hearing; seconded by Trustee Barry.**

**VOICE VOTE:**

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

**Proposal From Village Engineer ESI For NPDES MS4 Compliance. – Trustee Schmitt moved to Approve a Proposal from ESI for National Pollution Discharge Elimination System (NPDES) II – MS4 Compliance Program Year 1 of a 3 year program for an amount not to exceed \$36,994.00; seconded by Trustee Weber.**

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – aye; Weber – Aye**

**(Motion carried 6 – 0).**

**Proposal From Village Engineer ESI For 2012/13 Annual Road Maintenance Program. In order to have the annual road maintenance bid documents out as early as possible in an effort to obtain the most competitive pricing as possible, direction is requested on the total amount (engineering and paving) that is anticipated to be approved with the 2012/13 Village Budget so that the roads can be selected and bids prepared. The Village Board will vote on whether or not to accept the lowest responsible bid at a future Board Meeting. – Trustee Barry moved to direct the Village Engineer to prepare documentation to go out for bid for the 2012/13 Annual Road Maintenance Program; seconded by Trustee Wachs.**

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – aye; Weber – Aye**

**(Motion carried 6 – 0).**

**Item #5: Ordinance Approving Village Budgets FY 2012/13.**

The Village Budgets will be modified to include the changes approved during the April 10, 2012 Board meeting. – Trustee Barry moved to Approve an Ordinance Approving the Village Budget, Motor Fuel Tax Budget, Open Space Budget, and Budget for Fiscal Year 2012/13; seconded by Trustee Underwood.

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – aye; Weber – Aye**

**(Motion carried 6 – 0).**

**Item #6: Resolution Approving Eighth Amendment to Manager's Employment Agreement.**

The resolution amends the existing agreement to renew the Employment Agreement reflecting the 2.5% cost of living increase. This will be the eighth amendment to the agreement in ten years. –

**Trustee Barry moved to Approve a Resolution Approving the Eighth Amendment to the Village Manager's Employment Agreement; seconded by Trustee Weber.**

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – aye; Weber – Aye**

**(Motion carried 6 – 0).**

**Item #7: Village President Rodriguez.**

**A.IL Route 53 Extension – Update. – Village President Rodriguez said that there would be a special meeting of the Finance Committee to get funding solutions for the extension of IL 53. She said that there was an enormous gap in funding, and that even if funding were available now it would not be until 2025 before residents would even have access to the extension. She added that it did not seem logical to tax residents with tolls for an extension that would not be usable for over a decade. – No**

**action was taken.**

**B. Village Records Confidentiality Policy.** This item has been included to the agenda for discussion as a result of a request for Residents names and addresses. Village Manager Lothspeich said that Village policy is to refrain from providing names of residents upon request, but that there was some question as to whether or not a FOIA would allow names and addresses to be made available. Village Counsel Filippini had provided information saying that Under the Freedom of Information Act, 5 ILCS 140/2(c-5), "private information" is not subject to mandatory disclosure.

It was decided that giving names without addresses would comply with the FOIA and retain the privacy of the individuals. - **The direction of the Trustees was to allow the names but not the addresses to be given.**

**C. Barry Nathanson Remembrance.** The Long Grove Park District is planning a memorial for Barry and has inquired as to whether the Village was interested in participating. – **The consensus of the Board was that the Village would like to be part of the Remembrance for Barry Nathanson.**

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

**A. Treasurer Report For March 31, 2012.** Trustee Schmitt moved to Approve the Treasurer's Report for March 31, 2012; seconded by Trustee Marshall.

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – aye; Weber – Aye**  
(Motion carried 6 – 0).

**B. Actual and Budget Comparisons For Period Ending March 31, 2012.** For informational purposes only, no motion required.

**C. TIF-Eligible Projects** – Trustee Barry said that the Village should keep track of TIF-eligible projects so that information could be retrieved easily if needed. – **No action was taken.**

**D. Pathway Committee** – Trustee Barry said that there would be a meeting on April 20<sup>th</sup>. He said that volunteers would continue to clear pathways. – **No action was taken.**

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

**Book Depository** - Trustee Marshall repaired the book depository, saving the library \$5000 to replace it. He suggested that the Village should ask the Library if they wanted to make a donation to Pathways. There was a split decision from the Board as to whether or not this should be done, but President Rodriguez said that she would ask the Library if they were interested. Trustee Wachs suggested that the Village should acknowledge the Trustee Marshall's donation of repair to the damaged book depository. – **No action was taken.**

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

**Recycling** – Trustee Schmitt said that it was unknown as to how many volunteers would be coming from Hawthorn Woods. It was noted that CERT members would assist. – **No action was taken.**

**Item #11: Village Trustee Underwood.**

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

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

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

**Item #13: Village Trustee Weber.**

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

**Item #14: Village Clerk Schultheis.**

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

**Item #15: Village Manager Lothspeich.**

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

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

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

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

Village Counsel Filippini **was not** in attendance.

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

*March 27, 2012 Board Meeting Minutes.* Trustee Marshall moved to Approve the March 27, 2012 Board Meeting Minutes, as amended; seconded by Trustee Underwood.

**VOICE VOTE:**

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

**Item: Executive Session.**

At 8:50 PM, Trustee Weber moved to go into Executive Session to discuss (1) Executive Session Minutes and (2) Litigation; seconded by Trustee Underwood.

**ROLL CALL VOTE:**

Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – aye; Weber – Aye (Motion carried 6 – 0).

**Item: Other Business.**

*March 27, 2012 Executive Session Board Meeting Minutes.* Trustee Schmitt moved to Approve the March 27, 2012 Executive Session Minutes, but not for Public Release; seconded by Trustee Weber.

**VOICE VOTE:**

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

**Item: Adjournment.**

At 9:07 PM, Trustee Weber moved to Adjourn; seconded by Trustee Barry.

**VOICE VOTE:**

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