



3110 RFD, ILLINOIS 60047-9613

**MINUTES OF THE VILLAGE BOARD OF LONG GROVE  
Tuesday, May 10, 2011 at 7 P.M.  
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**CALL TO ORDER:**

At 7:01 P.M. President Rodriguez called the May 10, 2011 Village Board Meeting to Order.

**OFFICIALS IN ATTENDANCE:**

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

**Oath of Office – Newly Elected Village Officials.**

The newly elected officials will received the Oath Of Office by Village Clerk Karen Schultheis prior to the start of the Board Meeting:

- Village Trustee Joseph Barry;
- Village Trustee Angie Underwood; and
- Village Trustee Charles Wachs

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

**Homeowner Associations:**

**Long Grove Woods – Marcia Marshall. – No one was present. No action was taken.**

**White Oaks – David Bendoff. – No one was present. No action was taken.**

**Items from the Audience:**

***Residence Night* – Trustee Weber said that on a June 7<sup>th</sup>, Residence Night would allow residents the opportunity walk around the shops at night. – No action was taken.**

**ACTION ITEMS:**

**Item #1: Continued Discussion Re: Establishment Of LM Water SSA For Herons Landing.**

Village Counsel Filippini was working with the County and the Village to prepare a draft Intergovernmental Agreement (IGA) for discussion. The draft IGA will also be distributed to the County, HOA and concerned residents for possible consideration during the May 24, 2011 Board

Meeting. During the March 21, 2011 meeting with the concerned residents, they presented concerns regarding whether the Herons Landing HOA was complying with the Declarations for Herons Landing Subdivision. Staff replied that the Village has historically not been involved in enforcing Subdivision Declarations but have rather viewed these as private contracts between the residents and the HOA and if they were concerned about possible violations they should be working with their HOA to address these concerns. – President Rodriguez said that the Intergovernmental Agreement was sent out today, and that it would be discussed the following week. There would be no other comments at this Board Meeting, but it would be on the agenda for the next meeting – **No action was taken.**

**Item #2: Report Of The May 4, 2011 Conservancy Scenic Corridor Committee Meeting.**

The CSCC considered the following item during their meeting. *Please refer to the enclosed Village Planner Report for details.*

- CSCC 11-04; Final Plat Of Subdivision Of Property To Be Known As The “Trails End Estates” Subdivision, Including The Location Of Conservancy District Boundaries, On Property Commonly Known As 1889 Checker Road, Orrin Pickell Designers & Builders.

No motion necessary, the recommendation of the CSCC will be forwarded to and considered by the Plan Commission & Zoning Board Of Appeals as part of their deliberations re: Final Plat Of Subdivision for Trails End Subdivision. – Kelley Smith was in attendance and spoke about the property and how Orrin Pickell was looking to subdivide it. Village Manager Lothspeich discussed the process that would be implemented. – **No action was taken.**

**Item #3: Resolution Changing The Authorized Agents For The UBS Financial.**

With the retirement of Trustee Acuna, the enclosed draft resolution replaces retired Trustee Acuna with Trustee Barry and Trustee Schmitt as Second Authorized Agent, - **Trustee Wachs moved to Approve a Resolution Changing the Authorized Agents for an Existing Banking Account with UBS AG Financial Services; seconded by Trustee Barry.**

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs - aye; Weber – aye**  
**Motion carried 6 - 0**

**Item #4: Resolution Changing The Authorized Agents For The Baxter Credit Union.**

With the retirement of Trustee Acuna, the draft resolution replaces retired Trustee Acuna with Trustee Barry, and Trustee Schmitt as the Second Authorized Agent. - **Trustee Marshall moved to Approve a Resolution Changing the Authorized Agents for an Existing Banking Account with UBS AG Financial Services; seconded by Trustee Weber.**

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs - aye; Weber – aye**  
**Motion carried 6 - 0**

**Item #5: Village President Rodriguez.**

**A.Board/Commission/Committee Appointments.** – President Rodriguez noted the new appointments to the committees –

FINANCE – Trustee Barry (Lead), Trustee Schmitt (Second)

PUBLIC WORKS/SECURITY – Trustee Wachs (Lead), Trustee Marshall (Second)

BUSINESS DEVELOPMENT – Trustee Weber (Lead), Trustee Underwood (Second)  
BUILDING PLANNING and ZONING – Trustee Marshall (Lead), Trustee Wachs (Second)  
COMMUNICATIONS – Trustee Schmitt (Lead), Trustee Weber (Second)  
ENVIRONMENTAL/HISTORICAL – Trustee Underwood (Lead), Trustee Barry (Second)  
There was discussion regarding the formation of ad hoc committees and having residents join these committees. – **No action was taken.**

**B. Tax Increment Financing (TIF) Bond Releases Re: Sunset Grove Redevelopment Agreement – Update.** Although the RDA grants Staff the authority to release these funds as they are submitted and reviewed and approved (certified) by the village engineer, there is a large amount of money that has been and will be moved during the course of the payments approved under the RDA (\$2.7 M to Lakewood and \$300,000 to Sunset Foods). In an effort to keep the Village Board informed on the status of these transactions, there will be regular monthly reports under the Village Treasurer’s Report. Village Board is not aware of these approvals and payments. Lakewood has submitted and the Village has released four (4) payments to date and they have submitted for a 5<sup>th</sup> payment. While these amounts are reflected in the monthly Treasurer Reports the following summarizes these transactions to date (Total Releases To Date = \$1,830,628.95):

- TIF Release #1 – December, 2010 in the amount of \$501,539.80.
- TIF Release #2 – January, 2011 in the amount of \$891,726.70.
- TIF Release #3 – March, 2011 in the amount of \$137,362.45.
- TIF Release #4 – May, 2011 in the amount of \$300,000.00 [Sunset Foods \$300,000)]. – Discussion. - **No action was taken.**

**C. Treasurer Report For April 30, 2011.** – Trustee Wachs moved to Approve the Treasurer’s Report for April 30, 2011; seconded by Trustee Marshall.

**ROLL CALL VOTE:**

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs - aye; Weber – aye**  
**Motion carried 6 - 0**

**D. Actual and Budget Comparisons For Period Ending April 30, 2011.** For informational purposes only, no motion required.

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

**Phone Tax** – Trustee Barry reported that Lake Zurich is still being given Long Grove resident phone tax money even after residents complain that the tax is misdirected to Lake Zurich. Village Manager Lothspeich said that residents had to remain vigilant because sometimes the taxes reverted back to Lake Zurich even after changes had been made via the phone company. – **No action was taken.**

**Pathway** – Trustee Barry said that a volunteer staff had helped clear a pathway. He thanked the volunteers for their efforts – **No action was taken.**

**Clark Mosquito** – Trustee Barry said that Clark Mosquito was going to front load services to larvacide the Village. – **No action was taken.**

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

**A. Building Permit Fees Calculations.** In response to a complaint from resident Tatyana Nagaj re: building permit fees for a new home at 5183 Eastgate Building Commissioner Margerita Romanello and Staff met with Mrs. Nagaj and her builder to review the fees. During this meeting it was confirmed that the building permit fees were being calculated per Code the fees due according to code. However,

Mrs. Nagaj continued to raise objections over how high the permit fees were for various reasons but was primarily concerned with the fact that the a new home permit fees did not change regardless of whether or not the basement was finished or unfinished. Mrs. Nagaj house plans do not call for the basement to be finished. Mrs. Nagaj picked up her permit and paid the fees as calculated (\$1.20 per sq. ft.) with the understanding that IF the Village Board was sympathetic to the objection and amended the building permit fees, the Village would refund her the difference. Building Commissioner Romanello and Staff subsequently met with Trustee John Marshall to discuss the concerns and agreed that the permit fees for a new home with an unfinished basement should be less than if the basement were finished. Based upon this rationale, it is recommended that the permit fees for only the unfinished basement portion of a new home be charged at 75% of the rate of the current building permit fees (\$0.90 per sq. ft for a 25% discount). If the basement is to be finished, the basement area would not be discounted and charged at the full \$1.20 per sq. ft. In the case of Mrs. Nagaj the permit fees would be reduced from \$11,124 to \$10,197 (reduction of \$927) of which the difference would be recouped when and if the basement is finished as a separate project. – **Trustee Wachs moved to Direct Counsel to draft an Ordinance Amending the Village Code Permit Fees to Reduce the Amount Charged for Unfinished Basement Area as per the explained 75% of pre-amended costs; seconded by Trustee Marshall.**

**ROLL CALL VOTE:**

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

**Motion carried 5 – 1**

Discussion regarding how the 75% was used as the new calculation. Petitioners were in the Audience. It was explained by Board that this new Ordinance would apply to all residents, not just the petitioner.

**B. Long Grove Business & Community Partners Board Meeting – May 3, 2011.** Trustee Marshall and Staff represented the Village during the May 3, 2011 LGBCP Meeting. – **No action was taken.**

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

**Waste Management** – Trustee Schmitt said that Waste Management would have an Open House on May 24<sup>th</sup>. She said that there was going to be a new compressed natural gas facility in Wheeling, which would be better for air quality. – **No action was taken.**

**Book Deposit** – Trustee Marshall wanted to know if the new book deposit would also take donated books. Trustee Schmitt said that the long term hope was that it would. She believed that the Book Deposit would be opened on May 20<sup>th</sup>. – **No action was taken.**

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

**Drainage** – Regarding the broader issue, Trustee Wachs said that this might be a catalyst to discuss public versus private roads. In this particular case, there was the question of drainage being a hot topic for Home Owners Associations. There was also the question of developer error vis a vis infrastructure in Country Club Estates that had created these drainage issues. – **No action was taken.**

**McHenry Road** – Discussion regarding the fact that surveyors were inspecting the intersection to make changes, President Rodriguez said that letters had been submitted to state representatives to leave the Stop Signs and repair the roads, and then vacate the roads to the Village. – **No action was taken.**

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

**Bridge** – Trustee Weber said that there were now 686 online subscribers to the Bridge. – **No action was taken.**

**Historical Society** – Trustee Weber said that the Historical Society was sponsoring an auction, and that auction items could be dropped off. – **No action was taken.**

**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 Planner Hogue.**  
Not Present.

**Item #14: Village Attorney Filippini.**  
Not Present.

**Item #15: Approval of Board Meeting Minutes.**  
*April 26, 2011 Board Meeting Minutes.* – Trustee Barry moved to Approve the April 26, 2011 Board Minutes as amended; seconded by Trustee Wachs.

**VOICE VOTE:**  
All ayes, no nays (Motion carried 6 – 0)

**Item: Executive Session.**  
At 8:21 PM; Trustee Schmitt moved to go into Executive Session to discuss (1) Executive Session Minutes; (2) Personnel Matters; (3) Litigation; (4) Investments; (5) Acquisition and Disposition of Property; seconded by Trustee Weber.

**ROLL CALL VOTE:**  
Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs - aye; Weber – aye  
Motion carried 6 - 0

**Item: Other Business.**  
*April 26, 2011 Executive Session Meeting Minutes.* – Trustee Barry moved to Approve the April 26, 2011 Executive Session Minutes, as amended; but not for public release; seconded by Trustee Schmitt.

**VOICE VOTE:**  
All ayes, no nays (Motion carried 6 – 0)

**Item: Adjournment.**  
At 9:30 PM, Trustee Wachs Moved to Adjourn; seconded by Trustee Marshall.

**VOICE VOTE:**  
All ayes, no nays (Motion carried 6 – 0)