

MINUTES OF THE VILLAGE BOARD OF LONG GROVE

Tuesday, May 26, 2009 at 7 P.M.

3110 RFD, LONG GROVE, ILLINOIS 60047-9613

CALL TO ORDER:

President Rodriguez called the meeting to order at 7:03 P.M.

OFFICIALS IN ATTENDANCE:

Village President: Rodriguez
Trustees: Acuna, Barry, Marshall, Schmitt, Wachs, Weber
Village Clerk: Schultheis
Also Present: Village Manager
Lothspeich and
Superintendent Block

Item: Homeowner Associations:

Indian Creek Club/Insignia Green/Forest Edge –
William
Jacob.
–
**No
one
present.
No
action
taken.**

Fields Of Long Grove – Lenore Simmons. – HOA

President Simmons said that there was concern regarding the temporary signage that is seen along Gilmer Road, including political signs, in the public right-of-way. Superintendent Block said that the builders are told that they are not allowed to put signage in the right-of-way; but that under the law, the Village cannot remove or install signs along a state or county right-of-way. He added that the Village could only inform the state or county of the signs. Superintendent Block said that the Village could only remove signs from the Village right-of-way. He said that the Village also could not remove signs from private streets. Superintendent Block said that residents were allowed to have as many political signs on their own property as they wanted. – **No action was taken.**

HOA President Simmons said that there was a need for a light on North Krueger and Rte.22. Village Manger Lothspeich said that the state refused to put in a light until Rte. 22 was widened. – **No action was taken.**

HOA President Simmons said that her subdivision was interested in removing teasel from the area. She wanted to know what the next step should be for teasel removal. Trustee Schmitt said that she should speak with Bob Borg, who was the resident teasel expert. Trustee Barry warned that simply trying to burn the teasel would not work; it had to be sprayed. – **No action was taken.**

Pathway System: - President Rodriguez moved this

issue up on the agenda to accommodate the residents in the audience who were there to talk about it. Resident Avis Bonnet asked about the affect that the path would have on drainage. President Rodriguez assured her that the path would not go into the drainage ditch. Superintendent Block said that Pease Construction would be putting in the path and that a Village Project Manager would be watching them. Village Manager Lothspeich said that this would be the first publicly-owned and maintained path in the Village; and that the Village would maintain the Schaeffer Road path. Trustee Barry said that the path, would in certain places be asphalt. President Rodriguez said that the decision to use asphalt instead of limestone would be decided on a case by case basis. Trustees had questions regarding the design of the path, as well as the cost of using asphalt. The consensus was to use asphalt on the Southern Section. The landscaping plans for the asphalt path would be approximately \$38,000 from the \$96,000 already collected in fines from Menards – **No action was taken.**

Item: Special Event Applications.

Long Grove Arts & Music Council Summer Concert Series - 2009 Events. As required by Resolution 2005-R-15 that established the Arts Committee, Arts Commissioner Fraley presented the list of planned events for 2009. The Long Grove Business & Community Partners recommended approval of the events during their May 19, 2009 Board Meeting. – **Trustee Schmitt moved to Approve the Arts and Music Council Free Summer Concert Series 2009; seconded by Trustee Wachs.**

VOICE VOTE:

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

Item: Timmy's Sandwiches & Ice Cream Outdoor Movies.

This event was first approved last year (2008) for Timmy's Sandwiches & Ice Cream to host free movies on the Towner's Green during weekends in September and October. The Long Grove Business & Community Partners recommended approval of the events during their May 19, 2009 Board Meeting. – **Trustee Wachs moved to Approve the Special Event/Temporary Signage Application by Timmy's Sandwiches & Ice Cream for Free Outdoor Movies on the Towner's Green during the weekend evenings of 2009; seconded by Trustee Barry.**

VOICE VOTE:

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

Item: Raffle License Applications & Waiver Of The Bond Requirement.

Avon Breast Cancer Fundraiser. In support of the various Avon Breast Cancer Walks, Avon is hosting a Long Grove Goes Pink Day on Saturday, May 30, 2009. Participating downtown stores will be decorated with pink balloons and will offer special promotions to shoppers. As part of the event there are raffles planned at various locations throughout the downtown. – **Trustee Barry moved to Approve the Application by Avon Breast Cancer Fundraiser for a raffle license and waiving the bond requirements to conduct raffles in various locations throughout Historic Downtown Long Grove Goes Pink Day on May 30, 2009; seconded by Trustee Wachs.**

ROLL CALL VOTE:

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

Positive Strokes Art School. Positive Strokes Art School is hosting a fundraising event for their Scholarship Program in The Village Tavern Party Room on Saturday August, 15, 2009 and Sunday August 16, 2009. – **Trustee Wachs moved to Approve the Application by Positive Strokes Art School for a raffle license and waiving bond requirements to conduct a raffle at the Village Tavern Party Room on August 15,**

2009 and August 16, 2009;seconded by Trustee Schmitt.

ROLL CALL VOTE:

Acuna – aye; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – aye.

(Motion carried 6 – 0)

Long Grove Rotary Club. The Long Grove Rotary Club submitted the Raffle License Application for a fundraiser at Kildeer School on Saturday, September 12, 2009. –

Trustee Schmitt moved to Approve the Application by The Long Grove Rotary Club for a raffle license and waiving the bond requirements to conduct a raffle at Kildeer School on September 12, 2009; seconded by Trustee Marshall.

ROLL CALL VOTE:

Acuna – aye; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – aye.

(Motion carried 6 – 0)

NO ITEMS FROM THE AUDIENCE

ACTION ITEMS:

Item #1: Ordinance Granting 15' Front Yard Setback Variation For 6746 RFD.

As directed by the Village Board during the May 12, 2009 Meeting, Village Counsel prepared the draft Ordinance approving the following request for a 15' front yard setback variation for 6476 RFD as recommended by the PCZBA during their May 5, 2009 meeting.

➤ **PUBLIC HEARING:**

Request For Variation Of The Front And Corner Yard Setback Requirement From The Required 75 Feet Down To 60 Feet (Lakeridge Court Frontage) To Allow For An Addition To An Existing Residence (Garage) For Lot 19 In The Indian Creek Estates Subdivision And Zoned Under The R-2 Zoning District Classification, Pamela Ringbloom And Paul Lugthart (Discussion By ZBA Only).

Trustee Schmitt moved to Approve an Ordinance Granting Approval of a Fifteen Foot (15') Variation from the Minimum Front Yard Setback Requirement along Lakeridge Court to allow for a Garage Addition to the Existing Residence located at 6746 RFD

(Lot 19 Indian Creek Estates Subdivision); seconded by Trustee Weber.

ROLL CALL VOTE:

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

Item #2: Resolution Waiving Competitive Bidding & Awarding Landscaping Contract To Tallgrass.

As directed by the Village Board, Staff solicited quotes for preparing a landscape plan for the screening of: (1) the Checker Road Lift Station & (2) the Checker Road and Schaeffer Road right of ways restoration and design services for the areas disturbed by Menard's as part of the installation of their sanitary sewer. During the March 24, 2009 Board Meeting, the Village Board directed Staff to proceed with the restoration and design services proposal by Tallgrass Restoration, LLC (Tallgrass) (dated March 16, 2009) for the development of the Landscape Plan for the Village R.O.W. Village President Rodriguez, Village Trustee Barry and Staff and the Residents (Biggam & Pence) most directly adjacent to the Checker Road Lift Station have been working with Tallgrass to develop plans that would provide immediate screening from their properties as well as along Checker Road. Those involved have agreed upon the proposed landscaping plans prepared by Tallgrass: (1) Checker Road Lift Station Landscaping Plan (Liftstation Landscaping Plan) dated May 15, 2009 and (2) Checker Road Right Of Way & Schaeffer Road Right Of Way Landscaping Restoration Plan (ROW's Restoration Plans) dated April 6, 2009 as accomplishing the effective restoration of the areas disturbed as part of the installation of the Menards sanitary sewer. As such, it is recommended that the Village waive competitive bidding and approve a proposal from Tallgrass for the: (1) Lift Station Landscaping Plan in an amount not to exceed \$35,633.50 and (2) Right Of Way Restoration Plans in an amount not to exceed \$1,625.00. Please note that a portion of these expenses are to be reimbursed by Menards with the remaining portion paid by the fines collected from Menards. – **Trustee Wachs moved to Approve a Resolution Waiving Competitive Bids & Awarding Contract for the Lift Station Landscaping in an Amount Not to Exceed \$35,633.50 to Tallgrass Restoration; seconded by Trustee Barry.**

ROLL CALL VOTE:

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

Trustee Barry moved to Approve a Resolution Waiving Competitive Bids & Awarding Contract for the Right of Way Restoration Plans in an Amount Not to Exceed \$1,625.00 to Tallgrass Restoration LLC; seconded by Trustee Wachs.

ROLL CALL VOTE:

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

Item #3: Resolution Authorizing A New Banking Account With Citigroup.

On October 14, 2008 the Village Board approved Resolution #2008-R-33 authorizing a new banking account with Citigroup. As part of this approval the Authorized Agents were changed to replace Trustee Lazakis with Trustee Barry in an effort to include elected officials with alternating terms of office. With the retirement of Trustee Hannon, the draft resolution replaces former Trustee Hannon with Trustee Acuna. – **Trustee Schmitt moved to Approve a Resolution Changing the Authorized Agents to Trustees Acuna and Barry for an Existing Banking Account with Citigroup; seconded by Trustee Marshall.**

ROLL CALL VOTE:

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

Item #4: Proposal From PNC Bank Re: Village Accounts.

On January 23, 2007 the Village Board approved Resolution #2007-R-02 authorizing a new banking account with National City Bank. National City Bank recently merged with and is transitioning from National City Bank to PNC Bank. With the retirement of past Trustees Lazakis and Hannon, the draft resolution replaces former Trustees Lazakis and Hannon with Trustees Acuna and Barry. **Trustee**

Schmitt moved to Approve a Resolution Changing the Authorized Agents to Trustees Acuna and Barry for an Existing Banking Account with PNC; seconded by Trustee Weber.

ROLL CALL VOTE:

Acuna – aye; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – aye.

(Motion carried 6 – 0).

Item #5: Resolution Authorizing A New Investment Account With UBS AG Financial Services.

On December 9, 2008 the Village Board approved Resolution #2008-R-43 authorizing a new banking account with UBS AG Financial Services. As part of this approval the Authorized Agents were changed to replace Trustee Lazakis with Trustee Barry in an effort to include elected officials with alternating terms of office. With the retirement of Trustee Hannon, the draft resolution replaces former Trustee Hannon with Trustee Acuna. - **Trustee Schmitt moved to Approve a Resolution Changing The Authorized Agents to Trustees Acuna and Barry for an Existing Banking Account with UBS Financial; seconded by Trustee Marshall.**

ROLL CALL VOTE:

Acuna – aye; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – aye.

(Motion carried 6 – 0).

Item #6: Village President Rodriguez.

A. Village Board/Commission/Committee Appointments. – President Rodriguez handed out Committee assignments. Trustee Marshall will be sworn in as the Village Representative for the Long Grove Business Community Partners. – **No action was taken.**

B. IL Route 45 Widening – May 19, 2009 Open House. The Illinois Department Of Transportation (IDOT) hosted an Open House format meeting at the Vernon Hills Sullivan Center on Tuesday, May 19, 2009. – President Rodriguez was not able to attend. – **No action was taken.**

C. SSA Deadline Extension – The consensus was to give the 60 days of relief. – **No action was taken.**

D. Avon Breast Cancer Fundraiser – Renee Clark said that there was a good response from the merchants. – **No action was taken.**

E. Sunset Grove – President Rodriguez said that there were discussions possible fines for the lack of construction work at the site. – **No action was taken.**

Item #7: Village Trustee Acuna.

Nothing to report. No action was taken.

Item #8: Village Trustee Barry.

H1N1 Virus - Update. – Trustee Barry discussed the spread of the virus, as well as a definition of what makes a virus a pandemic (it has to be a novel virus – no immunity in humans; it has to be contagious – that will be gotten eventually by between 30 to 50 % of the population; and it had to have a greater severity – HSN1 has a 63% fatality rate; it is too early to tell what that fatality rate will be for H1N1). – **No action was taken.**

Crime: It was noted by the Lake County Sheriff that the person who tried to lure a Stevenson student into his car was picked up the next day, and charged with disorderly conduct. – **No action was taken.**

Canadian National Railroad – Sam Jacob of Indian Creek Club said that there is a lot of worry in the subdivision regarding the traffic back up when the freight trains pass through. Park Commissioner Borawski stated that when the trains pass through it creates a traffic deadlock on the north side of Long Grove – **No action was taken.**

Item #9: Village Trustee Marshall.

Nothing to report. No action was taken.

Item #10: Trustee Schmitt.

Amendments To Village Code Re: Noxious Weeds. – Trustee Schmitt said that there was need for discussion amending the Village Code, so that all noxious weeds would be removed from private property. Village Manager Lothspeich said that enforcement might be difficult. President Rodriguez wanted to look into what other communities were doing. Trustees Acuna and Schmitt believed that there needed to be more education for the HOA's and the residents. Sam Jacob

of Indian Creek Club said that his subdivision was already committing \$700-\$800 per year for the removal of teasel, but that it could become very costly if subdivisions were required to remove every type of noxious weed. – **No action was taken.**

Tallgrass Rain Garden – Trustee Schmitt said that a Rain Garden would be installed by Tallgrass Restoration on Friday, May 29, 2009 by The Hotel Shops – **No action was taken.**

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

Sanitary Sewer
Connection
Requirements.

During the
March 24,
2009
Meeting, the
sense of the

Village Board was to proceed with considering possible amendments to the existing Agreement with Lake County along with the Village's connection policy. On May 11, 2009, Resident Jim Miller submitted a request to connect the planned new residence to the existing sanitary sewer that would require: (1) an amendment of the existing Agreement with Lake County (expand the service area to add the property); and (2) approval by the Village to connect to the Lake County sanitary sewer. Lake County Public Works Director Peter Kolb has yet to provide the promised draft amended Agreement. – Trustee Wachs said that the Village might want to take another look at the agreement to lessen the restrictions required to connect. Village Manager Lothspeich said that the County would defer to the Village as to how the Village would want to proceed on a connection policy. The consensus of the Trustees was to

proceed with easing the restrictions and make a policy that is Village-wide in consideration –
No action was taken.

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

Item #13: Village Clerk Schultheis.

Amendment to Village Minutes of April 28, 2009 – Village Clerk Schultheis said that there had been a request to modify the previously-approved Minutes to show that there was no dollar amount promised by Park District President Lee Bassett. It was agreed that the Agenda of the June 9, 2009 Meeting would allow for a vote in which the consensus of the Trustees was to remove the actual dollar amount.

– **No action was taken.**

SB

43(Clayborne/Fritchey)

– Village Clerk Schultheis told the Trustees that the Bill would force privately funded projects in the TIF District to pay the prevailing wage for any new construction, remodeling or maintenance. This might have an impact on the incentive for developers and businesses to build in a TIF District. The Prevailing Wage Act, was initially only meant for public works, not private enterprise. – **No action was taken.**

Item #14: Village Manager Lothspeich.

Notes from Village Counsel Filippini – Village Manager Lothspeich read some of the suggested changes to the Minutes as made by Village Counsel Filippini – **No action was taken.**

Item #15: Village Superintendent Block.

A.Archer Parking Lot Construction –

Update. If the weather forecast holds true, the stone should be installed and the construction of Phase I parking lot improvements should proceed uninterrupted. –

Superintendent Block said that the completion date for Phase I was set for June 5, 2009. – **No**

action was

taken.

B. Wind Task Force In Lake County.

Village Superintendant
Block participated in
the kick-off meeting
of the Wind Task Force Committee In
Lake County –
Superintendent Block
noted the importance
of the

a uniform county-wide ordinance. He
said that it was
important that
standards be adopted
before the

government imposed its own
standards. – **No action
was taken.**

C. Ordinance Adopting Building &

Fire Codes. Village Superintendant

Block has completed his review of
the Building and Fire Codes and is
requesting direction for Village
Counsel to review and prepare the
necessary approval ordinances for
consideration during the June 9, 2009
Board Meeting. – Superintendent
Block was based upon the
International Property Maintenance
Code. Superintendent Block said that
everything that was grandfathered or
modified in the document would be
highlighted in the document. He said
that a hardcopy would be ready by
the end of the week – **CONTINUED.**

Item #16: Village Planner Hogue.

Absent. No action was taken.

Item #17: Village Attorney Filippini.

Absent. No action was taken.

Raffle Licenses – Trustee Acuna noted that in the future, the Village might consider only waiving the raffle fees for charities and not for private enterprises. – **No action was taken**

Item #18: Approval of Board Meeting Minutes.

May 12, 2009 Board Minutes. – Substantive changes were made to the document by Trustee Schmitt. Changes were also offered from Village Counsel Filippini. Those changes would be incorporated in the amended Minutes – **Trustee Schmitt moved to Approve the May 12, 2009 Board Minutes, as amended; seconded by Trustee Weber.**

VOICE VOTE:

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

Item: Executive Session.

At 9:31 P.M., Trustee Acuna moved to go into Executive Session to discuss (1) Executive Session Minutes; (2) Litigation; (3) Acquisition and Disposition of Property; and (4) Personnel Matters; seconded by Trustee Barry.

ROLL CALL VOTE:

Acuna – aye; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – aye.

(Motion carried 6 – 0).

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Item: Other Business.

April 28, 2009 Executive Session Meeting Minutes. – **Trustee Schmitt moved to Approve the April 28, 2009 Executive Session Minutes as amended, but not for public release; seconded by Trustee Barry.**

VOICE VOTE:

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

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May 12, 2009 Executive Session Meeting Minutes. **Trustee Schmitt moved to Approve the May 12, 2009 Executive Session Minutes as amended, but not for public release; seconded by Trustee Weber.**

VOICE VOTE:

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

Item: Adjournment.

At 10:15 P.M., Trustee Barry moved to adjourn; seconded by Trustee Acuna.

VOICE VOTE:

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