

VILLAGE OF LONG GROVE
3110 RFD, ILLINOIS 60047-9613

MINUTES OF THE VILLAGE BOARD OF LONG GROVE
Tuesday, June 14, 2011 at 7 P.M.
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CALL TO ORDER:

At 7:04 P.M. President Rodriguez called the June 14, 2011 Village Board Meeting to Order.

OFFICIALS IN ATTENDANCE:

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

Call To Order: Recitation of the Pledge of Allegiance

Item: Homeowner Associations:

Country Club Estates – George Yaeger. – HOA President Yaeger thanked the Board for the snow removal efforts.

He thanked the Board for Roads Commissioner Marc Small's water removal efforts on the storm sewer line on Checker Road, Village President Rodriguez said that he removed 25 gallons of materials from the pipes. This led into discussion regarding the drainage issues on Shenandoah. There was a question as to responsibility for maintaining and repairing the storm sewer and utility easement. President Rodriguez said that the issue goes back to the faulty development when the subdivision was initially designed.

There was discussion that during heavy rainfall, the Fire Department might have to come in and use pumps to alleviate road flooding. President Rodriguez said that there would be a meeting on June 30 with residents to discuss options.

Village Counsel Filippini said that there is ambiguity as to who owns the storm sewer and who has an obligation to fix it.

HOA Yaeger asked about removing street signs. He was told that signs could be straightened but not removed if they were in the Village right-of-way. He also said that any changes to monuments had to be approved by the Architectural Committee.

HOA President Yaeger asked about the soccer fields, and was told that there are bids to lease the fields as early as this Fall. – **No action was taken.**

Woods End – David Korshak. – **No one was present. No action was taken.**

Item: Proclamation: Encouraging Citizens To Participate In Welcome Home 2011.

The Proclamation encourages citizens to participate in the "Welcome Home 2011" celebrating the 25th Anniversary of the 1986 Chicago Vietnam Veterans Welcome Home Parade in the City Of Chicago during the weekend of June 17-19. – President Rodriguez read to the Board and the audience the proclamation regarding the recognition and gratitude of the Village of Long Grove for the Vietnam veterans. – **No action was taken.**

Items from the Audience – Trustee Schmitt asked about mailboxes in the right-of-way. Village Manager Lothspeich said that they are prohibited. – **No action was taken.**

Item: Raffle License Application: LGBCP – Strawberry Fest: June 27, 2011.

Long Grove Business & Community Partners (LGBCP) filed a request for approval of a raffle license and waiver of the bond or fee requirements. – **Trustee Schmitt moved to Approve the requests by the Long Grove Business and Community Partners for a raffle license and waiving the bond and \$25 application fee requirements for June 27, 2011; seconded by Trustee Weber.**

ROLL CALL VOTE:

Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – Absent; Weber – aye.
Motion carried 5 – 0, one absent

ACTION ITEMS:**Item #1: Report Of The June 7, 2011 Plan Commission & Zoning Board Of Appeals Mtg.**

The Plan Commission & Zoning Board Of Appeals (PCZBA) considered the following items during their meeting.

- A. Consideration Of A Request For Final Plat Approval For The Subdivision Of Property To Be Known As The “*Trails End Estates Subdivision*” Within The R-2 Residential District And/Or Any Additional Relief Necessary And/Or Appropriate Under The Village Code To Allow Subdivision Of Property On Property Commonly Known As 1889 Checker Road, Submitted By Orrin Pickell Designers & Builders. *Deferred*. – Until July Meeting.
- B. Public Hearing For The Consideration Of A Request For A Special Use Permit And/Or Additional Relief Necessary And/Or Appropriate Under The Zoning Code To Allow Co-Location Of Wireless Communications Antenna On An Existing Commonwealth Edison Transmission Tower And Related Facilities For Property Located On The North Side Of And Adjacent To Illinois Route 22 And Within The Commonwealth Edison Right-Of-Way And Zoned Under The R-1 & R-2 PUD District Classification, Submitted By Mr. Ray Shinkle On Behalf Of T-Mobile Corporation. *Recommended Denial*. – President Rodriguez noted that T-Mobile had requested to come back to the July 12th Village Board Meeting with other options. Residents in the audience stated that they wanted a vote at the current meeting, but Village Counsel Filippini said that in response to the T-Mobile request, the Board had deferred the vote. He added that a deferral did not show intention to approve or deny the motion. Resident Ed Hogue said that the petitioner was asking for severe variance changes. Resident Karen Morrison read a letter from Resident Pam Newton regarding her disapproval of the T-Mobile motion. Resident Kelley Smith read a letter in approval of the T-Mobile request, stating that the area is neither a scenic corridor nor a conservancy. Ray Schinkle of T-Mobile was in the audience and stated that the petitioner had heard the aesthetic issues that were raised by the residents and they wanted the deferral in order to address those issues. President Rodriguez said that, legally, the Board was obligated to allow the petitioner the deferral. – **DEFERRAL TO JULY 12, 2011**

Item #2: Referral Of Executive House PUD To The PCZBA For Public Hearing.

The PUD application referral is a ministerial process required by the Village Code but does not infer the support and/or approval of the application by the Village Board. In addition, amendment(s) to the existing Declaratory Judgment on the Executive House property that will require Village Board approval as part of any rezoning and/or subdivision of the property. –

Trustee Barry moved to Refer to the Plan Commission & Zoning Board of Appeals for Public Hearing: An application for the Executive House Planned Unit Development (PUD) Including: Reclassification; The Preliminary PUD Plat and Amendments to the Declaratory Judgment to Allow for the redevelopment as “The Executive House PUD” under The HR “Highway Retail” Zoning District Classification for Executive House, 4180 IL Route 83; seconded by Trustee Schmitt.

VOICE VOTE:

All ayes, No Nays (Motion Carried 5 – 0; Trustee Wachs absent).

Trustee Schmitt says that the Village hopes that this is the start of sustainable, green features in development projects. Village Planner Hogue said that the developer was award that Long Grove wants to be a green Village, and that the “green” concept should be incorporated in the development plans.

Item #3: Discussion Of An Intergovernmental Agreement For Herons Landing LM Water.

The draft ordinance includes various modifications from the versions previously distributed to the Village Board. These changes are the result of joint reviews with Lake County Public Works and an effort to address the concerns previously raised by the HOA and Residents of Herons Landing. Although Herons Landing Resident Larry Kluge informed the Village that the concerned residents have hired an attorney and that they expect to have their attorney’s comments on the draft IGA prior to the May 24, 2011 Board Meeting, there have not been any comments received by their attorney to date. – **NO ACTION TAKEN.**

President Rodriguez said that this meeting would just be used as a review of the changes. Village Manager Lothspeich said that the document had gone to the HOA and that the Village was awaiting a response. He also stated that the residents would also be given the documentation.

Item #4: Public Hearing Re: Enlargement Of SSA For Herons Landing Lake Michigan Water.

At 8:27 PM, Trustee Barry moved to Open the Public Hearing RE; enlargement of Herons Landing Lake Michigan Water Special Service Area; seconded by Trustee Underwood.

VOICE VOTE:

All ayes, No Nays (Motion Carried 5 – 0; Trustee Wachs absent).

Village Manager Lothspeich said that expanding the proposed Herons Landing Lake Michigan Water Special Service Area (SSA) boundaries is to include the open space property owned by the Long Grove Park District. Although the open space property is part of the Herons Landing Subdivision, the HOA did not include the address and/or property index number for this property when requested to provide a list of all properties located within their subdivision. As a result, the original establishing ordinance did not include this property and the proposed ordinance would correct this deficiency. It should be noted that the proposed enlargement of the SSA will not affect the representations made by the HOA to the residents and will not affect the schedule originally contemplated for this project.

At 8:28 PM, Trustee Schmitt moved to close the public hearing re: enlargement of the Herons Landing Lake Michigan Water Special Service Area; seconded by Trustee Marshall.

VOICE VOTE:

All ayes, No Nays (Motion Carried 5 – 0; Trustee Wachs absent).

Item #5: Resolution Approving Sunset Grove/Foods Propane Outside Storage.

Sunset Foods submitted a May 1, 2011 letter to Village President Rodriguez requesting approval for the addition of an outside storage of a propane tank fill/exchange center. Sunset Grove Planned Unit Development Approval ordinance 2008-O-27 prohibits outside displays, storage unless approved by the Village Board. As suggested by staff in order to avoid “cluttering up” the front of the store, Sunset Foods is requesting approval to add the propane fill/exchange unit along their parcel pick up area on the south side of their building. – **Trustee Marshall Moved to Approve a Resolution to Allow for the Single Cage Outside Storage for a Propane Tank Fill/Exchange Center at Sunset Foods Under the Sunset Grove Planned Unit Development amended to be relocated on the east side entrance of the door; seconded by Trustee Weber.**

ROLL CALL VOTE:

Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – Absent; Weber – aye.

Motion carried 5 – 0, one absent

Item #6: Resolution Ratifying An Identification Protection Policy.

The Act is unclear how such policy is to be "approved," as it also requires the approved policy to be filed with the "governing body" of the local government. As reported during the May 24, 2011 Board Meeting, out of caution Staff approve the policy as an administrative policy so that it was in place prior to June 1, 2011. The Village Board is being asked to ratify the approved policy. By following this dual course, there will be no question that the Village has complied with the Act. – **Trustee Weber moved to**

Approve a Resolution Ratifying a Village Identification Protection Policy; seconded by Trustee Barry.

VOICE VOTE:

All ayes, No Nays (Motion Carried 5 – 0; Trustee Wachs absent).

Item #7: Resolution Approving Village NPDES II – MS4 Year 8 Report.

The proposed National Pollutant Discharge Elimination System (NPDES) II – MS4 Year 8 Report continues the approach followed for the first 7 years, developing a plan for implementing various goals toward final compliance. The NPDES permit needs to be submitted to the IEPA. Most of this continues to piggyback on the countywide efforts. – **Trustee Barry moved to Approve a Resolution the Village of Long Grove National Pollutant Discharge Elimination System (NPDES II) – MS4 Year 8 Report; seconded by Trustee Weber.**

ROLL CALL VOTE:

Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – Absent; Weber – aye.

Motion carried 5 – 0, one absent

Item #8: Resolution Adopting Health Savings Account (HSA) Cafeteria Plan.

In December 2008, the Village Board approved Resolution 2008-R-42 authorizing the replacement of the existing Humana Health Insurance Plan with the Blue Cross High Deductible Health Insurance Plan with Health Savings Accounts for all full-time Village employees. The change to the HDP with the Village’s HSA contribution reduced Village health insurance costs by roughly \$39,000 over the past three years. The adopted budget includes a 10% employee contribution and in order to allow for the employees contribution to be deducted from their individual HSA accounts, was advised by the Village’s insurance broker to work through Flex Source to establish the necessary cafeteria plan. – **Trustee Underwood moved to Approve a Resolution Adopting a Health Insurance Health Savings Account (HSA) Cafeteria Plan For All Full-Time Employees; seconded by Trustee Marshall.**

ROLL CALL VOTE:

Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – Absent; Weber – aye.

Motion carried 5 – 0, one absent

Item #9: Village President Rodriguez
Nothing to report. No action was taken.

Item #10: Village Trustee Barry.

A. Treasurer Report For May 31, 2011. – Trustee Schmitt moved to Approve the Treasurer’s Report for May 31, 2011; seconded by Trustee Barry.

ROLL CALL VOTE:

Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – Absent; Weber – aye.

Motion carried 5 – 0, one absent

B. Actual and Budget Comparisons For Period Ending May 31, 2011. For informational purposes only, no motion required.

C. Vision Church Litigation Insurance Money - - Trustee Barry reported that the Village had received \$250,000 to be put back in the General Fund. There was discussion as to whether the money should be used to build up reserves, or to be used for other projects. It was noted that the Village would be looking to its accountants regarding what should be held in reserves. – **No action was taken.**

D. 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 five (5) payments to date. 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)].

TIF Release #5 – May, 2011 in the amount of \$57,388.00 [Restricted Funds #1] - **No action was taken.**

Item #11: Village Trustee Marshall.

Building Permits – Trustee Marshall reported that while permits were going up, the cost of the permits was declining. He said this reflected that the smaller size of the projects. He said that at the present rate the Village would make approximately \$340,000 - \$350,000 in permits. Village Manager Lothspeich said that this would be in conjunction with the applications for two new homes, which would put the Village close to the target for the budgeted \$400,000 in total permit fees. – **No action was taken.**

Item #12: Village Trustee Schmitt.

Electronic Recycling Tonnage Contest - Trustee Schmitt said that there were five winners from the contest. She also said that the Village made \$788 from its recycling effort. She said that 36,817 tons of recyclables had been collected. – **No action was taken.**

Fire Extinguishers and Smoke Alarms – Administrative Assistant Sherry Shlagman had suggested to the Board that there be an event to dispose of smoke alarms and fire extinguishers as they cannot be thrown in the trash. There was Board consensus that this should be done; with the possibility of an event in August with a bin at the fire station possibly. – **No action was taken.**

Recycling Sneakers – Trustee Schmitt said that SWALCO had a “Reuse a Shoe” program to recycle gym shoes. There was a suggestion that this could be in cooperation with other Villages and that the event be at Menards or Sunset Foods – **No action was taken.**

Item #13: Village Trustee Underwood.

Mosquito Abatement/West Nile Virus Update. – Trustee Underwood said that there were six mosquito abatement applications in May. – **No action was taken.**

Historical Society Auction – Trustee Underwood said that the Historical Society took in \$3000 from its auction – **No action was taken.**

Item #14: Village Trustee Wachs.

Absent

IL 83 SSA Water System - Change Order #7. The following six (6) change orders have been approved to date:

1. Change Order #1 totaling (\$95,880.00) approved June 22, 2010.
2. Change Order #2 totaling \$104,497.20 approved September 28, 2010.
3. Change Order #3 totaling \$2,952.02 approved October 12, 2010.
4. Change Order #4 totaling \$39,326.79 approved February 22, 2011
5. Change Order #5 totaling \$16,907.06 approved February 22, 2011.
6. Change Order #6 totaling \$6,005.75 approved March 22, 2011.

Change Order #7 totals **\$13,971.63** with recommendation for partial payment of Request 29 valued at \$7,910 (50% = \$3,955).

Trustee Barry Moved to approve Change Order #7 in the amount of \$13,971.63 for the IL 83 Water SSA project; seconded by Trustee Marshall.

ROLL CALL VOTE:

Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – Absent; Weber – aye.

Motion carried 5 – 0, one absent

Item #15: Village Trustee Weber.

Resident's Night – Trustee Weber said that there had been a good crowd for Resident's Night, and that it was nicely done. – **No action was taken.**

Item #16: Village Clerk Schultheis.

Nothing to report. No action was taken.

Item #17: Village Manager Lothspeich.

Nothing to report. No action was taken.

Item #18: Village Planner Hogue.

Nothing to report. No action was taken.

Item #19: Village Attorneys Filippini and Gates.

Nothing to report. No action was taken.

Item #20: Approval of Board Meeting Minutes.

May 24, 2011 Board Meeting Minutes. – Trustee Weber moved to Approve the May 24, 2011 Board Minutes as amended; seconded by Trustee Marshall.

VOICE VOTE:

All ayes, No Nays (Motion Carried 5 – 0; Trustee Wachs absent).

Item: Executive Session.

At 9:10 PM, Trustee Schmitt moved to go into Executive Session to discuss: (1) Executive Session Minutes; (2); Litigation; and (3) Acquisition & Disposition Of Property; seconded by Trustee Marshall.

ROLL CALL VOTE:

Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – Absent; Weber – aye.

Motion carried 5 – 0, one absent

Item: Other Business – Approval Of Executive Session Meeting Minutes.

May 24, 2011 Executive Session Meeting Minutes. – Trustee Barry moved to Approve the May 24, 2011 Executive Session Minutes as amended, but not for Public Release; seconded by Trustee Schmitt.

VOICE VOTE:

All ayes, No Nays (Motion Carried 5 – 0; Trustee Wachs absent).

Bank Building – There was discussion regarding the status of the building – **No action was taken.**

Status of Downtown Shops and Restaurants – It was noted that "Victoria's Restaurant" had closed. There was discussion regarding a few other locations in the downtown area that were having financial issues. There was also discussion of some new shops that are coming into the downtown business district. – **No action was taken.**

Poultry as Pets – Village Manager Lothspeich said that there would be an upcoming request from a petitioner to amend the code to allow chickens as pets. – **No action was taken.**

Item: Adjournment.

At 10:45 PM, Trustee Underwood moved to Adjourn; seconded by Trustee Weber.

VOICE VOTE:

All ayes, No Nays (Motion Carried 5 – 0; Trustee Wachs absent).