

VILLAGE OF LONG GROVE
MINUTES OF THE VILLAGE BOARD OF LONG GROVE
Tuesday, June 22, 2010 at 7 P.M.
3110 RFD, LONG GROVE, ILLINOIS 60047-9613

CALL TO ORDER:

At 7:06 P.M. President Rodriguez called the June 22, 2010 Village Board Meeting to Order.

OFFICIALS IN ATTENDANCE:

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

Strawberry Fest – President Rodriguez told the audience that the Strawberry Fest would be June 25 – 27, 2010. She told of the music featured performance including Carlise Guy, daughter of Blues legend Buddy Guy; and Chicago celebrity Paul Young, a finalist from “The Next Food Network Star” for a cooking demo. – **No action was taken.**

Homeowner Associations:

Fairfield Village - Athena Merageas. – **No one was there. No action was taken.**

Lakes of Long Grove – Jack Demes. – Barb Jonas and Terri Balbirer spoke of the easement “eyesore” on the 4112 RFD property. Terri Balbirer said that the new drainage structure installed there was not stable. She also said that she had never been informed previous to the installation that the structure would be on the property. Staff said that they would follow up – **No action was taken.**

Item: Special Event Applications.

The Long Grove Business & Community Partners recommended approval of the following special event applications during their June 15, 2010 Board Meeting:

- (1) Congregation Beth Judea Rummage Sale:
- (2) Kildeer School PTO Fine Art & Wine Fest.
- (3) Lunch On The Green - Timmy’s Sandwiches. This new event will be hosted on the Towner Green during Friday’s from June through August –
Trustee Wachs moved to Approve the (1) Congregation Beth Judea Rummage Sale on August 8, 2010, (2) the Fine Art & Wine Fest during August 14-15, 2010, and (3) Timmy’s Sandwiches Lunch on the Green from June thru August, 2010; seconded by Trustee Marshall.

VOICE VOTE:

All ayes, No nays (Motion carried 5 - 0; Trustee Barry Absent).

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

Village Tavern. The Village Tavern submitted the enclosed Raffle License Application for a raffle as part of the Veterans Benefit Concert fundraiser on Saturday, July 25, 2010. – **Trustee Wachs moved to Approve the Application by The Village Tavern for a raffle license and waiving the Bond Requirements to Conduct a Raffle as part of the Veterans Benefit Concert on July 25, 2010; seconded by Trustee Schmitt.**

ROLL CALL VOTE:

Acuna – aye; Barry – absent; Marshall – aye; Schmitt – aye; Wachs – aye Weber – aye (Motion carried 5 – 0; one absent).

Items from the Audience: LGBCP President John Maguire said that there were some water and neighbor issues on Turner Green as a site to be used for music events. It was suggested that Archer Lot or Fountain Square be used. President Rodriguez did not like the venue site being moved to an area where it could not be seen from the road. There were also insurance concerns, especially if alcohol sales were to be added. – **No action was taken.**

ACTION ITEMS:**Item #1: Report Of The June 15, 2010 Plan Commission & Zoning Board Of Appeals Mtg.**

The Plan Commission & Zoning Board Of Appeals considered the following requests during

their meeting.

- A. Continuation.** Special Use Permit For Modification Of An Existing Planned Unit Development (PUD) And Reclassification Of Property From The R-2 PUD District To The HR “Highway Retail” District, Text Amendment And/Or Additional Relief Necessary And/Or Appropriate Under The Zoning Code, Including: The Preliminary PUD Plat To Allow For Redevelopment As The “*Arbor Grove PUD*” Under The HR “Highway Retail” Zoning District Classification For *The Geimer Greenhouse, 2727 Illinois Route 53*. ***Recommended Approval.*** – Village Planner Hogue said that the proposal was well-received by the Plan Commission. – Trustees were concerned about environmental issues, including pervious surface concerns. There was also concern regarding the surplus of retail land that the Village already has available. Village Counsel Filippini noted that the Comprehensive Plan does recognize the land for business use, but acknowledges the concern of some Trustees that the buildings that are constructed may be vacant. Plan Commissioner Rubin stated that Geimer’s is moving out, so there needs to be something to present to the market for that area – he suggested that the ordinance move forward with safeguards installed. Steve Cross of Cross Engineering noted that when comparing Arbor Grove’s to Sunset Foods or Menards, there was comparable green space. Steve Henley, Executor of the property also stated that it was the intention of the property owner not to allow any buildings to be constructed unless it had occupants. – **Trustee Wachs moved to Direct Village Council to prepare the necessary Approval Ordinances for the Approval of a Special Use Permit for Modification of an Existing Planned Unit Development (PUD) and Reclassification of Property from the R-2 PUD District to the HR “Highway Retail” District, Text Amendment and/or Additional Relief Necessary and/or Appropriate Under the Zoning Code, Including: The Preliminary PUD Plat to Allow for Redevelopment as the “Arbor Grove PUD” Under HR “Highway Retail” Zoning District Classification for the Geimer Greenhouse, 2727 Illinois Route 53, as amended; seconded by Trustee Marshall.**

ROLL CALL VOTE:

Acuna – nay; Barry – absent; Marshall – aye; Schmitt – aye; Wachs – aye Weber – aye
(Motion carried 4 - 1; one absent).

- B. PUBLIC HEARING;** Variations Of The Front And Side Yard Setback Requirements Within The R-2 Zoning District In Conjunction With Preliminary Plat Approval For Subdivision Of Property To Be Known As The “*1899 Checker Road Subdivision*” For Property Commonly Known As 1889 Checker Road, Pickell Designers & Builders. ***Continued.***
- C.** Preliminary Plat Approval For The Subdivision Of Property To Be Known As The “*1899 Checker Road 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, Pickell Designers & Builders. ***Continued.***

Item #2: Report Of The June 21, 2009 Architectural Commission Meeting.

The Architectural Review Commission (AC) copnsidered the following items during their June 21, 2010 meeting.

- A.** Window Treatments For The *CVS Pharmacy* Building D, 4186 IL Route 83 Sunset Grove, Sure Light Signs. – Village Planner Hogue said that photos would be provided for the next meeting, as the ones that were shown were not sufficient. – **No action was taken.**
- B.** Colors And Final “Accessory Items” For Water System Improvement Structures (Water Treatment Plant And Storage Reservoir Structure) To Service Sunset Grove And Downtown Business District On Property Located At 4180 Route 83, ESI Consultants LTD.

Item #3: Resolution Approving Agreement With Canadian National Railroad Re: Mitigation

As directed during the May 25, 2010 Board Meeting, Village Counsel prepared a draft resolution approving the mitigation offer from Canadian National Railroad. Staff relayed the Village Board’s concerns that the value of their offer was too low and Mr. Jakubowski initially replied that the Village did not meet the thresholds for providing any relief and that the dollar amount would not be increased.

If the mitigation offer is acceptable to the Village Board, Staff recommends that the Village Board consider formally accepting the offer via resolution during the upcoming board meeting. In addition, the Village Board may wish to establish the basic terms for how the funds will be dispersed since there are other neighborhoods (Eleanora Estates) beyond Indian Creek Club that are adjacent to the tracks in the Village. – The consensus of the Board was to agree with Mr. Bill Jacobs (resident) that the HOA should take all the funds and dole them out. Village Manager Lothspeich said that the determination of the fund amounts allotted by Canadian National were based up on lineal footage, and that the Railroad added funds for a park site. The funds would be distributed to Village, and then, in turn, be given to the HOA. Bill Jacobs said that extra time had also been negotiated so that 270 days were now available to make plans for the usage of the money. – **NO VOTE WAS TAKEN.**

Item #4: Resolution Waiving Bids & Approving The Contract For Soccer Fields Irrigation.

Non-budgeted expense. The bid specifications and the approved contract for the construction of the

three (3) soccer fields did not include the irrigation system and the irrigation system was not included in the Village Budget as a separate line item. The cost for the construction of the soccer fields is approximately \$10,000 below the approved contract and budget. Prior to the cancelled April 27, 2010 Board Meeting Village Superintendent Block obtained quotes from three contractors with the lowest bid amount of \$23,065.00. In an effort to ensure the best pricing possible Superintendent Block solicited quotes from additional irrigation companies but none have been received to date. – President Rodriguez said that she was not in favor of spending an unbudgeted money for irrigation. Village Manager Lothspeich said that without a lease, it was not prudent to discuss irrigation. It was suggested that a lease might give the Park District other funding opportunities. Consensus is that unbudgeted money of this amount could not be used to pay for irrigation of the athletic fields. – **CONTINUED INDEFINITELY**

Item #5: Resolution Approving Athletic Field Lease With Park District.

During the June 8, 2010 Board Meeting, Trustee Schmitt reported that the Park District Board had assigned the review of the proposed lease to Commissioners Nathanson and Borawski. To date, Staff has not received any requested changes to the lease and requested an update from Park District President Lee Bassett.

- CONTINUED.

Item #6: Resolution Reducing LOC From \$118,268.81 To \$58,833.86 For Eastgate Estates.

This will be the fourth reduction in the amount of the Letter Of Credit (LOC) for Eastgate Estates. Trustee Schmitt moved to Approve a Resolution Reducing The Letter of Credit for Eastgate Estates Subdivision from \$118,268.81 to \$58,833.86 for Fidelity Wes of Eastgate; seconded by Trustee Weber.

ROLL CALL VOTE:

Acuna – aye; Barry – absent; Marshall – aye; Schmitt – aye; Wachs – aye Weber – aye (Motion carried 5 – 0; one absent).

Item #7: Resolution Reducing LOC From \$3,913,543.72 To \$3,804,134.33 For Sunset Grove.

This will be the first reduction in the amount of the Letter Of Credit (LOC) for Sunset Grove. – Trustee Schmitt moved to Approve a Resolution Reducing The Letter of Credit for Sunset Grove from \$3,913,543.72 to \$3,804,134.33 for Sunset Grove, LLC; seconded by Trustee Marshall.

ROLL CALL VOTE:

Acuna – aye; Barry – absent; Marshall – aye; Schmitt – aye; Wachs – aye Weber – aye (Motion carried 5 – 0; one absent).

Item #8: Resolution Approving Changes To The Sunset Grove Redevelopment Agreement.

- Village Counsel Filippini suggested that Items 8, 9, and 11 be deferred; but that Item 10 could be voted upon at the meeting. The consensus of the Trustee was to agree with Village Counsel - DEFER

Item #9: Resolution Re: Amendment & Restated Incentive Agreement Sunset Foods.

DEFER

Item #10: Intent and Inducement Resolution Re: TIF District Along IL Route 83.

During the March 25, 2007 Board Meeting the Village Board approved Resolution 2007-R-25 “A Resolution Expressing Official Intent Concerning The Establishment Of A Tax Increment Financing District”. – Trustee Wachs moved to Approve a Resolution Amending Resolution No. 2007-R-25 Expressing Official Intent Concerning the Establishment of a Tax Increment Financing District, with parameters to be met and as amended; seconded by Trustee Marshall.

ROLL CALL VOTE:

Acuna – aye; Barry – absent; Marshall – aye; Schmitt – aye; Wachs – aye Weber – aye (Motion carried 5 – 0; one absent).

Item #11: Ordinance For Issuance of \$5M Limited Obligation TIF Bonds.

DEFER

Item #12: Ordinance For Issuance of \$1,687,566 IL 83 SSA Bonds.

Village Counsel Filippini said that the purchaser was looking to close before the next Board Meeting. Trustee Acuna wished to have Staff note and clarify the amount of money that has been spent on Archer Lots, Sunset Grove and anything else in the TIF area for future reference – Trustee Acuna moved to Approve an Ordinance Providing the Issuance of Not to Exceed \$1,687,566 of Long Grove Route 83 Water Special Service Area Special Tax Bonds, Series

2010 of the Village of Long Grove, Lake County, Illinois, and Providing for the Levy of a Direct Annual Tax on Taxable Property in Such Special Service Area for the Payment of Principal and Interest Such Bonds with additional changes from Bond Council; seconded by Trustee Wachs.

ROLL CALL VOTE:

Acuna – aye; Barry – absent; Marshall – aye; Schmitt – aye; Wachs – aye Weber – aye (Motion carried 5 – 0; one absent).

Item #13: Ordinance Approving The Sale Of Surplus Property – Office Equipment.

The Village Board can authorize the sale of personal property by ordinance and direct the Village Manager to sell the property.

- ❖ One (1) Ricoh Aficio Color Laser Printer, model number CL 1000N, serial number Q1540500367;
- ❖ One (1) Cannon Super G3 Fax, Phone, Copier, serial number JLR4953;
- ❖ One (1) Oak Desk With Hutch; and

If approved, the property will be offered to the Long Grove Park District, Long Grove Historical Society and other not for profit local agencies prior to being sold or discarded. – **Trustee Wachs moved to Approve an Ordinance Authorizing the Sale of Certain Surplus Personal Property Owned by the Village of Long Grove; seconded by Trustee Marshall.**

ROLL CALL VOTE:

Acuna – aye; Barry – absent; Marshall – aye; Schmitt – aye; Wachs – aye Weber – aye (Motion carried 5 – 0; one absent).

Item #14: Village President Rodriguez.

Board/Commission/Committee Appointments. With the retirement of former PCZBA Commissioner Tobin Fraley, PCZBA Secretary has requested being appointed to the PCZBA.- President Rodriguez said that an additional member is needed for Secretary. Village Manager suggested approval of the new Plan Commission appointee with the understanding that he will remain as Secretary until one is found. – **No action was taken.**

Item #15: Village Trustee Acuna.

Nothing to report.

Northwest Lake Michigan Water Planning Group – June 17, 2010 & June 22, 2010. – Staff represented Long Grove during the Water Planning Group Meeting as a non-member community during the June 17, 2010 meeting. – Village Manager Lothspeich said that an informational piece would be drafted to clear up misinformation being distributed by a resident. – **No action was taken.**

Item #16: Village Trustee Barry.

Absent

Item #17: Village Trustee Marshall.

Long Grove Business & Community Partners Board Meeting – June 16, 2010. Trustee Marshall and Staff represented the Village during the LGBCP Meeting – Trustee Marshall said that the Oktoberfest event might include a parade. Village Manager Lothspeich suggested that any intended parade route avoid Old McHenry Road to avoid traffic congestion issues. Trustee Marshall also said that the LGBCP is looking to meet with HOA representatives at one of their meetings prior to an event. The hope is to get subdivisions more involved – **No action was taken.**

Item #18: Village Trustee Schmitt.

IEPA – Trustee Schmitt mentioned the mitigation plan discussed on behalf of the Park District in regards to Sunset Grove. – **No action was taken.**

Vernon Area Public Library – Trustee Schmitt said that the Library will likely fund a drop box in Downtown Long Grove, somewhere near Stempel Parking lot as the Village's own book drop. Trustee Schmitt said that Joe Caruso had been instrumental in getting the Library to pass installation of the Long Grove drop box. – **No action was taken.**

Item #19: Village Trustee Wachs.

Nothing to report. No action was taken.

Item #20: Village Trustee Weber.

Nothing to report. No action was taken.

Item #21: Village Clerk Schultheis.

Nothing to report. No action was taken.

Item #22: Village Manager Lothspeich.

Nothing to report. No action was taken.

Item #23: Village Superintendent Block.

Trees Down 0 Due to storms, several trees came down closing Oakwood and Port Clinton Roads. McGinty had the trees cleared within an hour. Superintendent Block noted the speedy and efficient job that they provided for this emergency tree removal – **No action was taken.**

Item #24: Village Planner Hogue.

Nothing to report. No action was taken.

Item #25: Village Attorney Filippini.

Nothing to report. No action was taken.

Item #26: Approval of Board Meeting Minutes.

June 8, 2010 Board Meeting Minutes. – Trustee Schmitt moved to Approve the June 8, 2010 Board Meeting Minutes as amended; seconded by Trustee Marshall.

VOICE VOTE:

All ayes, no Nays, One Abstain (Motion Carried 4 – 0; Trustee Acuna abstained and Trustee Barry absent).

Item: Executive Session.

At 10:09 P.M., Trustee Marshall moved to go into Executive Session to Discuss: (1) Executive Session Minutes; (2) Personnel Matters; (3) Litigation and (4) Acquisition and Disposition of Property; seconded by Trustee Wachs.

ROLL CALL VOTE:

Acuna – aye; Barry –absent; Marshall – aye; Schmitt – aye; Wachs – aye, Weber – aye (Motion carried 5 – 0; one absent)

Item: Other Business.

May 25, 2010 Executive Session Meeting Minutes. - Trustee Schmitt moved to Approve the May 25, 2010 Executive Session Minutes as amended, but not for Public Release; seconded by Trustee Weber.

VOICE VOTE:

All Ayes, no Nays (Motion Carried 5 – 0; Trustee Barry Absent)

Item: Other Business.

Downtown Vacancy – Superintendent Block said that there are 14 vacancies in the Downtown out of 65 storefronts. There was also related discussion regarding frustration between property owners and storeowners. Corollary to the discussion was the mention of fire alarm enforcement and whether or not fire code enforcement would be cost prohibitive for businesses. Superintendent Block said that the Fire Marshal insisted on the code being enforced by January, 2011. –**No action was taken.**

Item: Adjournment.

At 11:07 P.M., Trustee Wachs moved to Adjourn; seconded by Trustee Acuna.

VOICE VOTE:

All Ayes, No Nays (Motion Carried 5 – 0; Trustee Barry Absent).