

VILLAGE OF LONG GROVE
3110 RFD, ILLINOIS 60047-9613
MINUTES OF THE VILLAGE BOARD OF LONG GROVE
Tuesday, August 23, 2011 at 7 P.M.
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CALL TO ORDER:

At 7:02 P.M. President Rodriguez called the August 23, 2011 Village Board Meeting to Order.

OFFICIALS IN ATTENDANCE:

Village President: Rodriguez (arrived 8:13 PM)
 Trustees: Barry, Marshall, Schmitt, Underwood, Wachs, Weber
 Village Clerk: Schultheis
 Also Present: Village Manager Lothspeich, CERT Director and Roads Commissioner Marc Small,
 Village Counsel Filippini and Village Counsel Gates

Village Clerk Schultheis asked for a motion for a President Pro Tem for the August 23, 2011 Board Meeting. **Trustee Wachs moved to appoint Trustee Barry as President Pro Tem until the arrival of President Rodriguez at the meeting; seconded by Trustee Marshall.**

VOICE VOTE:

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

Call To Order: Recitation of the Pledge of Allegiance**Visitors' Business: Homeowner Associations:**

Burr Oak/Oak Hills – *Cathleen Faerber*. – **No one present. No action was taken.**

Orchards Of Long Grove – *Joe Gallo*. – There were issues regarding the water runoff on Lot #7 that the HOA President said has turned this area into a wetland. Village Manager Lothspeich said that he will contact the County and ask for a meeting.

Resident from 3996 RFD said that IDOT is expanding RTE. 22, and looking to impose permanent easements for widening. This information took the property owners by surprise. Village Manager Lothspeich said that IDOT is in Phase II engineering and that they were surveying their right-of-way. He was not aware of anything being done on Orchard Lane, but did mention that the County had the right to survey on residents' property. The resident said that they wanted notification if anything specific was going to be implemented.

There was a question regarding the Letter of Credit that had been issued six years ago. It has been maintained for the proper amount of time and IDOT has signed off on it. The problem is that the engineer has gone out of business. It would cost \$10,000 to get new engineers. They would like to get their letter of credit refund for \$33,000. Village Counsel Filippini suggested that the Board might be able to help move the process along. Village Manager Lothspeich said that documents would also be needed for Stormwater Management, and if the documents were there, the Village could begin to go through the process.

HOA President complained that a bill from ESI Engineering for \$750 for 5 ½ hours of work was in dispute, especially since the subdivision had never requested the work. ESI had done work in the name of the Village, and the subdivision felt that they had been overcharged. Village Manager Lothspeich said that the charges were based upon reviews and revisions, and that ESI had done a comparison analysis. President Pro Tem Barry said that the Village would review the charges. – **No action was taken.**

Royal Melbourne – *Andy Maggio*. – **No one present. No action was taken.**

Stonehaven – *Brian Kluever*. – **No one present. No action was taken.**

Willowbrook Woods – *Mark Challenger*. – **No one present. No action was taken.**

Item: Visitors' Business: Special Event Applications.

The Long Grove Community & Business Partners recommended approval of the following Special Event Applications during the August 16, 2011 meeting:

- (1) Sweet Whimsy Extended Hours & Outdoor Sales:
- (2) Downtown Long Grove World Tour: September 3 - 5, 2011
- (3) Festival Of Sunset Grove: September 10, 2011.
- (4) Long Grove (LGBCP) Oktoberfest & Downtown Parade.
- (5) The Village Tavern Oktoberfest

Trustee Schmitt moved to Approve the Sweet Whimsy Extended Hours & Outdoor Sales; Long Grove Downtown World Tour Event from September 3 – 5, 2011; the Festival of Sunset Grove on September 10, 2011; the Long Grove

Oktoberfest during October 15 & 16, 2011; and The Village Tavern Oktoberfest during October 8 thru 16, 2011; seconded by Trustee Weber.

VOICE VOTE:

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

Item: Visitors' Business: Proclamation Recognition Of CERT Volunteer Team Members.

CERT Director Marc Small submitted a Proclamation to the Board in recognition of the work performed by the CERT Team during the July 11, 2011 weather emergency. – President Pro tem Barry read the Proclamation and announced the name of each member. President Pro Tem also noted the admirable job done by the Lake County Sheriff's Department and the Long Grove Fire Department during the crisis. –

No action was taken.

THERE WERE NO ITEMS FROM THE AUDIENCE

ACTION ITEMS:

Item #1: Report Of The August 2, 2011 PCZBA Mtg.

The Plan Commission & Zoning Board Of Appeals (PCZBA) considered the following items during their August 2, 2011 meeting. *All items were continued, no action necessary.*

- A. Final Plat Approval For The Subdivision Of Property To Be Known As The "*Trails End Estates Subdivision*" To Allow Subdivision Of Property On Property Commonly Known As 1889 Checker Road, Orren Pickell (*Withdrawn*).
- B. Amendment Of An Existing 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 Monopole Tower On Property Located At 5105 Arlington Heights Road, AT&T Corporation (*Continued*).
- C. Special Use Permit For The Continued Operation & Maintenance And/Or Additional Relief Necessary And/Or Appropriate Under The Zoning Code To Allow Co-Location Of Wireless Communications Antenna And Related Facilities On An Existing Monopole Tower On Property Located At 4211 Old McHenry Road, AT&T Corporation (*Continued*). -
- D. Amendment Of An Existing 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 Monopole Tower On Property Located At 9109 Oakwood Road (A.K.A Gridley Ball Fields) And Zoned Under The OS-P District Classification, AT&T Corporation (*Continued*).

ALL ITEMS WERE CONTINUED

Item #2: Report Of The July 18, 2011 Architectural Commission Meeting.

The Architectural Commission (AC) considered the following items during their meeting. *Please refer to Agenda Item #19 Village Planner Report for further details.*

- A. Illumination Of An Existing Subdivision Sign For The *Oak Hills Unit 1* Subdivision, Sazma (*Approved*).
- B. Signage For "*Celine Custom Jewelers*" For 201 Robert Parker Coffin Road, Wanda Wilson (*Approved*).
- C. Signage For "*The Cedar Grill*" For 330 Old McHenry Road, Kenneth Siwieck (*Approved*). – Is scheduled to open September 3, 2011
- D. Additional Changeable Copy Signage For "*Sunset Foods*", Sunset Grove, 4190 IL Route 83 (*Approved*).

NO ACTION NEEDED BY THE BOARD

Item #3: Referral To PCZBA Text Amendments To Sign Regulations For The B-1 District.

The LGBCP is requesting that the Village Board reconsider amendments to the Village Zoning Code re: temporary signage. – **CONTINUED**

Item #4: Ordinance Proposing Amendments To SSA For Herons Landing Lake Michigan Water.

When the original SSA was noticed, a single bond was contemplated at a rate of up to 6.5%. As the project proceeded, Bond Counsel suggested that in order to achieve the lowest interest rate overall, the improvements on the private properties would have to be financed separate from the majority of the public improvements. While the interest rate for the improvements to the private improvements may be as high as 9.5%, the bonds for the public portion of the project are expected to be less than 6.5% with the overall "blended" interest rate remaining in the 6.5% range. If approved, the amending ordinance will amend the Herons Landing Lake Michigan Water Special Service Area (SSA) to accommodate the expected higher interest rate for the bonds for the private improvements (water service lines and improvements on individual residents properties). In order to ensure that the SSA is fully authorized to issue the bonds as contemplated, the Village will be considering an amendment to the SSA regarding the

bonds and the special tax roll. The public hearing on this amendment is set for 8/23/11. Assuming that (i) the hearing closes on 8/23 and (ii) there is no valid protest to the proposed amendment, the Village Board can consider the amendment to the SSA on 10/25/11. The bonds can be issued at any time thereafter. 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. – **Trustee Wachs moved to Approve an Ordinance Proposing Amendments to the Herons Landing Lake Michigan Water Special Service Area Relating to the Issuance of Bonds and Amendment to Special Tax Roll; seconded by Trustee Marshall.**

ROLL CALL VOTE:

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

Village Counsel Filippini explained that in the course of marketing the bonds, it was decided that the bonds needed to be broken up into taxable and non-taxable. He explained that this motion was one step in the statutory process.

Item #5: Public Hearing Re: Enlargement Of SSA For Herons Landing Lake Michigan Water.

At 7:47 PM, Trustee Wachs Moved to Open the Public Hearing re: enlargement of Herons Landing Water Special Service Area; seconded by Trustee Marshall.

VOICE VOTE:

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

It was explained that there would be \$2.35 million of tax exempt bonds floated and \$650,000 of taxable bonds floated. Residents in the audience stated that there were 40 homeowners in the subdivision that were against the SSA. A resident from the subdivision said that there were many that believed that the HOA had acted illegally. They also noted that recent studies showed that Lake Michigan water contained pollutants such as hexachlorophene. Residents asked how they might be able to cap off their houses if they did not want the water. They also asked for explanation of the process if a resident didn't want the water connection, but a future owner did want to connect.

At 7:57 PM, Trustee Underwood moved to Close the Public Hearing; seconded by Trustee Weber.

VOICE VOTE:

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

Item #6: Ordinance Amending Village Code Re: Liquor License For The Cedar Grill Restaurant.

The draft Ordinance amends the Village Code to increase the number of Class C “Restaurant” Liquor License category to issue a license to *The Cedar Grill Restaurant*. – **Trustee Marshall moved to Approve an Ordinance Amending the Village Code regarding Liquor Licenses; seconded by Trustee Schmitt.**

ROLL CALL VOTE:

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

Item #7: Resolution Initiating Submission Of Binding Referendum Question Re: Electric Aggregation.

As directed during the July 26, 2011 Board Meeting, Village Counsel Filippini prepared a draft Ordinance Seeking Voter Approval Of A Binding Referendum For An “Opt-Out” Aggregation Of Electricity Program. The resolution requests approval of the following specific question:

SECTION TWO. PUBLIC QUESTION ON PROGRAM FOR AGGREGATION OF ELECTRICITY. A public question shall be submitted to the voters of the Village of Long Grove, County of Lake, State of Illinois, at the _____, 2011 general election (or at the next available election permitted by the general election law), as follows:

Shall the Village of Long Grove have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?	YES _____	NO _____
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Please note that the next available election for the referendum is the general primary election on March 12, 2012, followed by the general election on November 16, 2012. As a result, the Village Board has considerable time to mull over this resolution if it chooses to do so. – **Trustee Wachs moved to Approve a Resolution Initiating the Submission of a Public Question to Authorize the Village to Adopt an “Opt-Out” Program for the Supply of Electricity to Residential and Small Retail Customers for the March 12, 2012 ballot; seconded by Trustee**

Marshall**ROLL CALL VOTE:**

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

Village Counsel Filippini said that depending upon the size of the pool of purchasers, there may be as much as a 20% savings per home.

It was noted that ComEd would still be supplying the power.

There was discussion as to whether the referendum should be opt-in or opt-out. They decided that the opt-out would be a more effective approach to energy savings if approved by the Village voters.

At 8:13 PM; Village President Rodriguez arrived at the Meeting, having just been at the Tollway hearing.

Item #8: Resolution Re: Emergency Communications Network – Connect-CTY.

The Village greatly missed not having this service during the past two major power outages and this item has been included for discussion and direction. Other than fielding the many phone calls from residents, our ability to communicate with our residents was very limited. The 2,377 Long Grove Contacts (residents and businesses) that are currently in the system will be dumped by Connect CTY if the service is not renewed by Mid-August. Blackboard Connect provided the following alternatives -

Trustee Wachs moved to Approve a Resolution Awarding a Contract for a Village Emergency Communications Network to Connect-Cty, Inc. for an amount not to exceed \$2.35/address or the equivalent of \$5,224/year based upon the 2021 households and 202 businesses (a,223 total addresses); seconded by Trustee Barry.

ROLL CALL VOTE:

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

Trustee Barry stated that the residents needed to get their cell phones on the system in case their landlines went down.

Item #9: Resolution Approving Soccer Field Lease With Grove United.

The Village Board has directed Staff to work with area soccer clubs for potential leases. Grove United has expressed an interest in the fields for several year and based upon their long-standing interest and their stated uses/goals, the Village Board directed Staff to pursue a lease with Grove United. The DRAFT lease is the latest version of the lease that the Village provided to Grove United. Grove United has indicated that they will be submitting a revised lease to the Village in advance of the upcoming August 23, 2011 Board Meeting. –

Trustee Schmitt moved to Approve an 18-month lease, with exclusions as suggested by Village Counsel, between the Village of Long Grove and Grove United for use of the Village’s soccer fields; seconded by Trustee Wachs.

ROLL CALL VOTE:

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

Village Manager Lothspeich said that there were questions of lights, but that would involve a code amendment so there would be no lights. He also said that there would not be any capital improvements as desired by Grove United because this was a short term lease. He said that there would also be measures so that traffic on Checker Road would not be affected adversely.

Item #10: Village President Rodriguez.

Status: A. Metropolitan Mayors Conference. – President Rodriguez said that she met with mayors from the area, including with Chicago’s Mayor Emanuel. She said that one of the principal concerns is that Motor Fuel Tax reimbursement funding may soon disappear. – **No action was taken.**

B. Old McHenry Road & Robert Parker Intersection Improvements. **No action was taken.**

C. IL 53 Extension. *Tollway Public Hearings August 19, 2011 and August 23, 2011.* The Village received the first word of Tollway Hearings (tonight and Monday) on Thursday, August 18th through Aaron Lawlor’s electronic newsletter and the following “reminder” from Lake County Partners on August 19th. – President Rodriguez noted that the extension will cause toll hikes. – **No action was taken.**

D. Art Fest – President Rodriguez said that the new sound system was a success – **No action was taken.**

Item #11: Village Trustee Barry.

Treasurer Report For July 31, 2011. **Trustee Barry moved top Approve the July 31, 2011 Treasurer's Report; seconded by Trustee Marshall.**

ROLL CALL VOTE:

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

Pathways – Trustee Barry said that they were waiting for a couple dozen signs for the pathways. He said that there would be a volunteer effort supported by the Eagle Scouts. Roads Commissioner Marc Small said that there had been an issue of overgrowth on the Schaeffer Road pathway near Bridgewater Farms. He said that while the pathway was being mowed, it had still grown amok. He said that HOA President Sophia Hanson had said that the IEPA did not have the subdivision on the burn list, and that the area needed to be cleared. Village Manager Lothspeich said that he would look into getting the subdivision on the IEPA list. – **No action was taken.**

Item #12: Village Trustee Marshall.

Monthly Building Department Report. – Trustee Marshall said that there were 4 permits for new homes in July, and that the Village is well ahead of the amount of permits from last year. – **No action was taken.**

T-Mobile Antenna – Update. T-Mobile requested that the consideration of an ordinance be continued until the September 13, 2011 Board Meeting in order to provide them additional time for review. – **CONTINUED**

Water in Archer Lot – Trustee Marshall said that there is a problem with water in the Archer lot. He said that there is an aquifer underneath it and water is surfacing. Trustee Marshall noted that ESI engineered the lot, and they are working on the issue. – **No action was taken.**

Item #13: Village Trustee Schmitt.

SWALCO – Trustee Schmitt said that she will be attending a meeting in Grayslake on August 25, 2011 at 7 PM to see the recycling plant – **No action was taken**

Recycling Smoke Detectors and Fire Extinguishers – Trustee Schmitt said that in October, 2011 there would be an event held to recycle smoke detectors and fire extinguishers. – **No action was taken**

Item #14: Village Trustee Underwood.

Mosquito Abatement/West Nile Virus Update. Trustee Underwood said that Clarke Mosquito Abatement was still larvaciding and spraying – **No action was taken.**

Historical Society – Trustee Underwood said that there was to be a Barbara Rinella re-enactment of Cleopatra on September 7, 2011. the cost would be \$30 per person. – **No action was taken.**

It was noted that the Village Tavern would receive historical designation as having the longest consecutive liquor license in Illinois. – **No action was taken.**

Item #15: Village Trustee Wachs.

A. Cuba Road Maintenance Intergovernmental Agreement. With Long Grove scheduled to repave its' portion of Cuba Road (north half), Staff contacted the Village of Kildeer inquiring whether they would be interested in having their south half of Cuba Road paved. The Village of Kildeer reviewed their section of the road and agreed to reimburse the Village of the cost of their half of the road (estimated at \$29,216). With this reduction in Long Grove's commitment, Village Engineer ESI is working with the paving contractor to include additional repaving of N. Krueger Road at the agreed upon unit prices. – It was noted that the main patching would be done on Cuba Road. It was suggested that the Village pay for the paving intended and that an intergovernmental agreement be designed to share paving in the future. – **No action was taken.**

B. Installation Of Additional Fire Hydrant @ Robert Parker Coffin Road. In July the Village Board directed Staff to obtain proposals for the installation Of Fire Hydrant On Robert Parker Coffin Road. The initial proposal from Concord in the amount of \$11,650 was significantly more than the estimated \$7,500 cost. Roads Commissioner Marc Small received additional proposals from Layla (\$11,650) and Site Utility (\$6,900, not including restoration) and is recommending the selection of Site Utility. As of the most recent change order, the IL 83 Water Project was \$31,905.28 below the approved contract project cost of \$2,874,200.00. If the installation of this additional fire hydrant is approved, the IL 83 SSA Water System project will be **\$25,005.28 below** the approved contract amount. – **Trustee Wachs moved to approve the installation of an additional fire hydrant by Site Utility in the amount of \$6,900.00; seconded by Trustee Marshall.**

ROLL CALL VOTE:

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

Light on 83 – Roads Commissioner Marc Small said that the light going up on Rte 83 will have permanent controls on the east side of 83; and that this was a state-designated light., He believed that the Village should not have to pay for this new light – **No action was taken.**

Item #16: Village Trustee Weber.

Long Grove Business & Community Partners Board Meeting – August 16, 2011. – Trustee Weber said that the Fine Arts and Wine Fest did a wonderful job. Trustees Weber, Underwood and Schmitt were singled out for their volunteer effort, as well as Roads Commissioner Small. – **No action was taken.**

Howard Finster – Trustee Weber said that starting September 15, 2011 there would be Howard Finster work on display and a lecture series on Fridays. At current, there was no final location decision for the showing. Trustee Weber said that they were seeking volunteers to act as docents. – **No action was taken**

Oktoberfest – The Village Board was invited to be in the Oktoberfest Parade on Saturday, October 15 at 10 AM. – **No action was taken.**

Item #17: Village Clerk Schultheis.

Nothing to report. No action was taken.

Item #18: Village Manager Lothspeich.

Nothing to report. No action was taken.

Item #19: Village Planner Hogue.

Absent.

Item #20: Village Attorneys Filippini/Gates.

Nothing to report. No action was taken.

Item #21: Approval of Board Meeting Minutes.

July 26, 2011 Board Meeting Minutes. – Trustee Schmitt moved to approve the July 26, 2011 Board Meeting Minutes as amended; seconded by Trustee Weber.

VOICE VOTE:

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

Item: Executive Session.

At 9:27 PM, Trustee Marshall moved to go into Executive Session to discuss: (1) Executive Session Minutes; (2); Litigation; and (3) Acquisition & Disposition Of Property; seconded by Trustee Wachs.

ROLL CALL VOTE:

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

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

July 26, 2011 Executive Session Meeting Minutes. Trustee Schmitt moved to Approve the July 26, 2011 Executive Session Minutes as amended, but not for Public Release; seconded by Trustee Barry.

VOICE VOTE:

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

Art Fest Weather Emergency – There was discussion regarding the decision made to evacuate the area during the lightning storm. CERT Director Small said the evacuation went successfully and safely. – **No action was taken.**

Item: Adjournment.

At 10:12 PM, Trustee Schmitt moved to Adjourn the Meeting; seconded by Trustee Weber.

VOICE VOTE:

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