

**VILLAGE OF LONG GROVE
MINUTES OF THE VILLAGE BOARD OF LONG GROVE
Tuesday, September 11, 2012 at 7 P.M.
3110 RFD, LONG GROVE, ILLINOIS 60047-9613**

CALL TO ORDER:

At 7:02 P.M. President Rodriguez called the September 11, 2012 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 and Village Planner Hogue

Call To Order: Recitation of the Pledge of Allegiance

President Rodriguez asked for a moment of silence in honor the 9/11 Remembrance and the fatal accident of a motorcyclist hit by a drunk driver in Long Grove.

Item: Homeowner Associations:

Mardan Woods – Debbie Netter. – **No one was present. Nothing to report.**

Orchards Of Long Grove – *Joe Gallo*. **No one was present. Nothing to report.**

Royal Melbourne – *Andy Maggio*. **No one was present.** Village Manager Lothspeich said that HOA President Maggio had a question regarding speed bumps and wanted clarification on their requirements.

Item: Visitors' Business - Special Event Applications.

- **Weekend Hay Wagon Rides.** The Village Tavern submitted the Special Event Application for Weekend Hay Wagon Rides in the downtown from Sept. 22nd to Oct. 14th. – **Trustee Schmitt moved to Approve the Downtown Hay Wagon Rides on weekends starting September 22, 2012 thru October 14, 2012; seconded by Trustee Barry.**

VOICE VOTE:

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

- **Downtown Promotion.** The Long Grove Business & Community Partners (LGBCP) submitted the Special Event Application for Downtown Promotions in the downtown from August 11th - December 31st. **Trustee Schmitt moved to Approve the Downtown Promotion event starting August 11, 2012 thru December 31, 2012 with specific schedule and timeframe; seconded by Trustee Underwood.**

VOICE VOTE:

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

- **Long Grove Turkey Trot.** This will be the third year for this event. In 2011 the race attracted approximately 2,000 runners. The race route is highlighted on the attached summary and map. Mr. Starykowicz has expressed a strong desire to include the downtown and Sunset Grove merchants as part of the event through purchasing race day food/drink, etc., having the packet pickup location(s) in the area store(s) and the inclusion of coupons and other offers as part of the goody bag. If approved, Staff will meet with Mr. Starykowicz, CERT Coordinator Marc Small and Lake County Sheriff reps for the coordination of traffic control and race logistics and coordinate efforts with the local merchants. ACE will send notices to the affected HOA's, Long Grove Community Church, Long Grove Montessori and to the individual property owners that are directly affected by the race. – **Trustee Underwood moved to Approve the Long Grove Turkey Trot on November 22, 2012; seconded by Trustee Wachs.**

VOICE VOTE:

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

THERE WERE NO ITEMS FROM THE AUDIENCE

Item: Lake County Sheriff's Report.

In July 2012 Sergeant John Byrne was promoted to Deputy Chief of the Highway Patrol of the Sheriff's Office. With Sergeant Byrne's promotion, Sergeant Anthony Parisi will be taking his place in representing the Sheriff's Office during the first Village Board Meeting. – **Not Present**

ACTIONS ITEMS:

Item #1: Report Of The August 20, 2012 AC Meeting.

The Architectural Commission (AC) considered and *approved* the following items during their meeting.

- A. Permanent Signage For "*Winesplash*" 132 Old McHenry Road.
- B. Replacement Signage For The "*Hope Lutheran Church*," 1660 Checker Road.
- C. Parking Lot Lighting At The *Long Grove Village Hall*, 3110 Old McHenry Road.

Village Planner Hogue gave an overview of the items that were considered and approved by the AC Board. – **No action was taken.**

Item #2: Report Of The September 4, 2012 PCZBA Meeting.

The Plan Commission & Zoning Board Of Appeals (PCZBA) re-considered and *recommended approval* of the following item during their meeting.

- Reconsideration Of Amendment(s) To Title 5 Of The Village Code And The Zoning Map For The Village Of Long Grove Regarding Setbacks And Other Zoning Regulations Affecting Properties Located In The Subdivision Commonly Known As *Country Club Estates*, Currently Located In The R-2 Residential Zoning District.

The following motion was approved (5-1) to recommend: (i) an amendment to Section 5-3-12 of the Zoning Code to add an exception that establishes the setbacks in the Country Club Estates Subdivision to be: for side yards, 30 feet; for rear yards, 30 feet; and for front yards 75 feet, except that existing residences with a lesser front yard setback shall be considered lawful nonconformities and additions or modifications to the existing residences are authorized without further variation, so long as such additions or modifications do not further encroach into the front yard setback or any side yard setbacks; and (ii) an amendment to the Zoning Map to identify the Country Club Estates Subdivision and note the preceding exception. Please note that this would also apply to existing building setback even if the building were demolished so long as the new building did not extend any closer to the front yard property line than the existing building. –

Village Planner Hogue gave an overview of the setback disparities. He noted that the amendment to the zoning map will exhibit what has been established. He said that R2 standards will prevail except where a non-conforming house already exists.

Trustee Weber moved to direct Village Counsel to Prepare the Necessary Approval Ordinance amending the Minimum Yard Setback Requirements for a portion of the R-2 District (Country Club Estates Subdivision) Under the Long Grove Zoning Code for consideration during the October 9, 2012 Board Meeting along with wording explaining the spirit of the Ordinance for future Boards; seconded by Trustee Marshall.

ROLL CALL VOTE:

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

Item #3: Ordinance Adopting The Amended Lake County WDO Ordinance By Reference.

In July, 2012, Lake County Adopted Further Amendments (94) to the county-wide Lake County WDO which requires Communities to adopt the amendments within 90-days (October 8, 2012 deadline). The amended WDO is now effective and includes the minimum county-wide standards for regulated development. The amendments address FEMA, IEPA, and NPDES mandates; floodplain; wetland; drain tile; and administrative-related clarifications and enhancements. The proposed ordinance would update the Village's regulations to be consistent with those of Lake County. Communities are required to adopt the amendments in order to comply with:

- National Flood Insurance Program Minimum Standards
- Maintain Community Certification Status

Trustee Schmitt moved to Approve an Ordinance Adopting the Amended Lake County Watershed Development Ordinance by Reference; 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: Ordinance Amending The Village Budget Increasing Funding For NPDES.

The ordinance amends the Village Budget line item NPDES Compliance (unfunded mandate) increase from \$37,000 to \$78,000 in order to comply with the deadlines set by the IEPA. The approved budgeted amount was based upon spreading out the compliance over a period of three (3) fiscal years, however, the IEPA deadline requires compliance within two (2) fiscal years. – President Rodriguez said that this was another unfunded mandates. She said that the Village had made a plea to the IEPA that this is a burden for Long Grove. The IEPA did not alter its stance. **The consensus of the Board and the Village President was that they were not pleased with the mandate and were only voting to avoid fines.**

Trustee Barry moved to Approve an Ordinance Amending Ordinance 2012-O-13 RE: Fiscal Year Budget 2012-13 Increasing The NPDES Line Item by \$41,000 from \$37,000 to \$78,000; seconded by Schmitt.

ROLL CALL VOTE:

**Barry – aye; Marshall – aye; Schmitt – aye; Underwood – aye; Wachs – nay; Weber – aye.
(Motion carried 5 - 1)**

Item #5: Resolution Reducing/Eliminating The Pavement LOC For Long Grove Commons.

The Long Grove Commons Final PUD was approved in May 2005. In June 2008, the developer received approval to expand (add) parking spaces to the original development. As a condition for approval, the developer posted a (Second) Letter Of Credit (LOC) in the amount of \$132,088 to assure completion of the additional parking lot improvements. On December 9, 2008, Resolution 2008-R-38 was approved reducing the original amount of the LOC from \$132,088.17 to \$21,264.62. On September 22, 2009, Resolution 2009-R-34 was approved further reducing the LOC amount from \$21,164.62 To \$12,008.02. Village Engineer ESI has confirmed that developer has completed the required improvements and has recommended approval of the request to reduce/release of the remaining LOC. - **Trustee Schmitt moved to Approve a Resolution Further Reducing/Releasing the Additional Parking Lot Improvements Letter of Credit for Long Grove Commons from \$12,008.02 to \$0 (Zero) for Northwest Corner Limited Partnership; seconded by Trustee Weber.**

ROLL CALL VOTE:

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

Item #6: Resolution Awarding The 2012/13 Road Maintenance Contract.

The approved Village Budget includes \$450,000 of funding for road projects (\$200,000 MFT and \$200,000 General Fund). The Village spends \$25,000 annually for misc. road, striping, misc. road repairs, signage, etc. leaving up to \$400,000 for major road reconstruction projects. During the May 24, 2011 Meeting, the Village Board approved the 2011 road paving program for an amount not to exceed \$400,000 (inclusive of engineering) and conditioned upon no reductions in State Shared revenues. The bids were opened on Friday, September 7th with all bids below the engineer's estimate. Village Engineer Brian Witkowski reviewed the contract. – **Trustee Weber moved to Approve a Resolution Awarding the Fiscal Year 2012/13 Road Paving Contracts to the Apparent Lowest Responsible Bidder, JA Johnson Paving subject to IDOT prequalification and confirmation in the Amount of \$304.104.64; seconded by Trustee Underwood.**

ROLL CALL VOTE:

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

Item #7: Resolution Approving & Awarding Village Web Site Design Agreement.

The Village received proposals from fifteen (15) firms by the August 9th submittal deadline. The

proposals are scanned and posted as part of the electronic board packets for review by the Village Board in advance of the upcoming board meeting. Village Trustee Weber, Trustee Wachs and Staff met on Tuesday, August 14th to review the proposals and narrowed the fifteen (15) proposals down to the top six (6). As discussed during the August 14, 2012 Board Meeting, Creative Spectacles was hired to review the proposals based upon their technical expertise and ranked the companies. Village Trustee Weber, Trustee Wachs and Staff met on September 6th to review the recommendations by Creative Spectacles in detail. Based upon these reviews and discussions, the recommendation is for Creative Spectacles to be hired to provide further assistance on firming up the design specs for the Village Web Site and then going back to the top five (5) bidders requesting that they refine their proposals based upon these specs. The goal is to reduce the total project cost and time-line for implementation. –

Trustee Weber said that Creative Spectacles had analyzed the web design, and that 75% of the design and navigation was already available from prior research. She suggested \$1595 be awarded to the consultant to do more bid research to save the Village thousands of dollars recreating portions of the web design that we already have. – **Trustee Wachs moved to Direct Creative Spectacles to redo the bidding in an amount not to exceed \$1595 to come from the original \$10,000 for the Village Web Site Design Agreement with tighter parameters and resubmit the new parameters to the 4-5 companies that were already in the bidding process; seconded by Trustee Barry.**

ROLL CALL VOTE:

**Barry – aye; Marshall – abstain; Schmitt – aye; Underwood – aye; Wachs – aye; Weber – aye.
(Motion carried 5– 0, one abstention)**

Item #8: Resolution Re: Blue Ribbon Advisory Council Report IL Route 53 Extension.

President Rodriguez thanked Trustees Underwood and Wachs for writing the Long Grove objectives for the Extension of Route 53, highlighting all of the legitimate and environmental concerns.

Trustee Barry noted that the Extension of 53 was a Trojan Horse for mass development in the center of Lake County and the degradation of the rural nature. President Rodriguez said that Lake County feels that it is losing business and needs this road extension.

Trustee Schmitt mentioned the water issues that will arise from building the extension.

Trustee Weber agrees, and suggested some alternate wording for the resolution.

Trustee Wachs wanted the water issue in the resolution to be more specific. And, Trustee Weber suggested that the IEPA water guidelines that the Village was being forced to accept should also be incorporated into the Blue Ribbon guidelines. Consensus was that the new language should be added as well as wording that says the Village is not responsible for water testing.

Trustee Schmitt noted that the Blue Ribbon's unprecedented effort to improve the caliber of the road extension was referenced in papers as far away as New York.

President Rodriguez suggested that phone calls to representatives would make a difference.

CONTINUED

Item #9: Village President Rodriguez.

A. IL Route 45 Improvements. – Village Manager Lothspeich noted that there are ongoing public meetings with IDOT. He said that the planned improvements would only impact the northernmost Long Grove properties.

B. Old McHenry Road Improvements. The second SIG meeting is tentatively scheduled for late October. – President Rodriguez said that the County has been very generous and cooperative.

C. Integrys Energy Services:

- i. Village Electricity Aggregation Program - Update.
- ii. Natural Gas Opt In Program Proposal.

Village Manager Lothspeich said that Integrys is discussing a natural gas program. He said that the Village would continue to research. HOA President Yaeger said that the Village should make residents aware that they should not just assume everything from Integrys was pre-approved by the Village.

D. Village Board Strategic Goals - Status Report. – No report

E. Village-owned Archer Lots Real Estate Proposal. For initial discussion under Executive Session "Disposition Of Property"

No action was taken.

Item #10: Village Trustee Barry.

A. Treasurer Report For August 31, 2012. Trustee Schmitt moved to Approve the

Treasurers Report for August 31, 2012; seconded by Trustee Marshall.

ROLL CALL VOTE:

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

(Motion carried 6 – 0)

B.Actual and Budget Comparisons For Period Ending August 31, 2012. For informational purposes only, no motion required.

C.Pathway Committee Meeting - August 17, 2012. – Trustee Barry said that the pathway map was reviewed. He said that he was trying to get the ESI Village map tweaked so that it could go on the website with our trails. – **No action was taken.**

Item #11: Village Trustee Marshall.

A.Monthly Building Department Report. Trustee Marshall said that there were 40 permits in August. He said that it produced \$21,659 in revenue. It was noted that The Village paid \$10,000 to BNF to do the inspections. – **No action was taken.**

B.Building Permit Bonds For Existing Bonded Projects. The Village requires bonds for all construction permits. The bond amounts range from \$500, \$1,500 and \$3,000 (limited to new homes and pools). The bonds are required to insure the completion of the project and to insure the completion of the project within 18 months. The question was raised whether the bond for an existing project could be carried over to a new project, by the same contractor on the same property. Staff has concerns that by allowing bonds to be carried over from one project to another the purposes for collecting the bonds will be diminished (completion of the job and timely completion of the job) and the tracking and administering of the bonds would become more problematic. For these reasons, Staff does not support allowing the carryover of bonds. – **The direction of the Board was that it was too difficult to keep track of multi-project permits, so that the current procedure should remain.**

C.Building Permit Fees - Septic Fields. Lake County Public Health requires permits for new and modifications to existing septic fields. The Village currently requires permits but does not inspect the work. Staff supports eliminating requiring Village permits for septic fields. – **the direction from the Board was that the Village should eliminate the permits for the septic fields as they were inspected by the County not the Village.**

D.Parking Meters- Trustee Marshall discussed other Villages that have parking meters that give hybrid cars 90 minutes of free parking. They would be voluntary meters with no tickets issued, creating a donation format. Some trustees felt that this might have a negative impact on the downtown shops and restaurants. – **No action.**

Item #12: Village Trustee Schmitt.

Solid Waste Agency Of Lake County (SWALCO) Board Meeting – August 23, 2012. Trustee Schmitt noted that the meeting went well and that the Village had recycled a great deal, but that price per ton had been decreased due to demand.

Conserve Lake County – Trustee Schmitt said that she got certified; and that the Park District might be interested in partnering with the Village to teach residents about land conservation, **Adlai Stevenson Center on Democracy** – In Libertyville. Trustee Schmitt said that on Sunday, September 23rd there would be a meeting on water in the 21st century and the future of water supplies.

No action was taken.

Item #13: Village Trustee Underwood.

Mosquito Abatement/West Nile Virus Update. Trustee Underwood said that there was a larvacide on August 13 and September 6. She said that thus far there have been 66 deaths this year from West Niles disease. – **No action was taken.**

Item #14: Village Trustee Wachs.

Town Hall Meeting – Trustee Wachs said that infrastructure was put on the Town Hall Meeting, and that there should be an update in the first October meeting. He added that the Village was obligated to discuss it and to get it on the ballot as a referendum by March, 2013. – **No action was taken.**

Item #15: Village Trustee Weber.

Long Grove Business & Community Partners Merchant Meeting – August 13, 2012. Trustee Weber, Village President Rodriguez and Staff represented the Village during the LGBCP Merchant Meeting. – Trustee Weber said that the final numbers from the World Tour event were modest. She said The Heritage Run had its largest ever turnout. She said the Apple Fest would

include street performers, and have more of a street carnival atmosphere. When she added that there would be balloons, Resident Vernadine Martlock said that balloons were harmful to wildlife and that they would need to be eliminated or limited.

Trustee Weber said that the 2013 Events calendar would be out by the October meeting.

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 Attorney Filippini.

Not Present.

Item #20: Approval of Board Meeting Minutes.

August 14, 2012 Board Meeting Minutes. Trustee Weber moved to Approve the August 14, 2012 Board Minutes, as amended; seconded by Trustee Schmitt.

VOICE VOTE:

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

Item: Executive Session.

At 9:31 PM, Trustee Marshall moved to go into Executive Session to discuss (1) Executive Session Minutes; (2) Litigation and (3) 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 – Approval Of Executive Session Meeting Minutes.

July 24, 2012 Executive Session Meeting Minutes. – Trustee Schmitt moved to Approve the July 24, 2012 Executive Session Minutes, but not for public release; seconded by Trustee Weber.

VOICE VOTE:

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

August 14, 2012 Executive Session Meeting Minutes. – Trustee Schmitt moved to Approve the August 14, 2012 Executive Session Minutes, but not for Public Release; seconded by Trustee Weber.

VOICE VOTE:

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

Item: Adjournment.

At 10:37PM; Trustee Weber moved to Adjourn; seconded by Trustee Underwood.

VOICE VOTE:

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