

Item #10:
Village Manager Report



3110 RFD, ILLINOIS 60047-9613
CONFIDENTIAL MEMORANDUM

TO: VILLAGE PRESIDENT RODRIGUEZ AND TRUSTEES
FROM: DAVID A. LOTH SPEICH, VILLAGE MANAGER
DATE: SEPTEMBER 9, 2011
RE: VILLAGE MANAGER REPORT

This report is provided on behalf of the management team for your review and information. If there is an item of particular interest to you, please let us know and we will include it in the next report.

Upcoming Board Meeting – September 13, 2011.

Call To Order: *Pledge Of Allegiance.*

Item: **Visitors' Business: Homeowner Associations:** **Hidden Valley** – Lou Lundstedt.
Mardan Woods – Debbie Netter.

Status: The enclosed invite letters were sent to the Homeowner Association (HOA) Presidents listed above.

Item: **Visitors' Business - Special Event Application:** **Howard Finster Exhibit.**

Status: Green Courte Partners Representative Steve Douglas introduced the Howard Finster Exhibit during the August 16, 2011 Long Grove Community & Business Partners (LGBCP) Board Meeting which Trustee Joanne Weber reported during the August 23, 2011 Board Meeting. Due to the last minute availability of this exhibit, the LGBCP Board will not have an opportunity to formally approve the enclosed Special Event Application until their September 20, 2011 meeting. In addition with the Exhibit opening date of September 15, 2011, Staff informed Steve Douglass that Green Courte could proceed at their own risk with the installation of the requested signage subject to approval by the Village Board during the September 13, 2011 meeting (refer to background information below).

- **Howard Finster Exhibit:** *Motion approving the Howard Finster Exhibit for 220 Robert Parker Coffin Road (Gosswiller School) from September 15, 2011 through January 31, 2012.*

Background.

Sent: Monday, September 05, 2011 10:24 PM
To: Steve Douglass; lothsd@longgrove.net
Subject: Re: Finster Signs

Steve,

Thank you for the detailed special event application. Overall I don't have any concerns with the submittal and will include on the upcoming board agenda for consideration. As we discussed, noting

the short lead time for the event and that the event begins shortly after the board meeting and your desire to have the signage advertising the event ASAP you may install the signage in advance of the approval by the Village Board at your own risk should the board request changes to your submittal. As a suggestion, you may want to consider relocating one of the road signs closer to the intersection and visible to drivers as the stop at the intersection.

Please let me know if you have any questions.

Thanks,
Dave

-----Original message-----

From: Steve Douglass <SteveDouglass@greencourtepartners.com>
To: David Lothspeich <lothsd@longgrove.net>
Cc: "agholis@capital22.com" <agholis@capital22.com>
Sent: Fri, Sep 2, 2011 23:26:53 GMT+00:00
Subject: FW: Finster Signs

David,

Please see the attached conceptual images regarding signs for the Finster exhibit. The sign facing RPC Road is shown the same length as the Confectionery sign – about 10 feet long. The sign facing OMR could be as shown in the first attachment (page down from the first image) or as shown in the second attachment, which is roughly 4 feet wide and 4'-6" tall. The sign facing Apple House Square is shown roughly 5 feet wide by 5'-6" tall. These sizes can obviously be adjusted if necessary. We would surround each sign with a 2" or 3" wide wood molding, to "frame" the sign and to make it appear as a wood sign. We would also like to consider three signs hanging from 4x4 wood posts: one along RPC Road, one along OMR and one visible from the Archer Lot and Archer Road as one approaches Fountain Square. These would be roughly 4 feet wide by 4'-6" tall, in locations shown as A, B and C on the third attachment.

Please let me know your thoughts and recommendations.

Thanks for your assistance,

Steve

Stephen F. Douglass
Managing Director
Green Courte Partners, LLC

Item #1: Ordinance Approving T-Mobile.

Status: The Plan Commission & Zoning Board Of Appeals (PCZBA) recommended denial of the application during their June 7, 2011 meeting. Village Counsel reviewed this recommendation for denial and raised strong concerns regarding potential litigation if the recommendation for denial is approved by the Village Board. During the July 12, 2011 Board Meeting, the Village Board directed Trustee Schmitt and Trustee Marshall and Staff to work with AT&T and the Promontory Ridge Residents to modify the plans to reduce the visual impact of the improvements. In response to these comments, T-Mobile revised the plans as follows: (1) eliminated the proposed building; (2) replaced stockade fence with black coated chain link fence with ivy plantings; (3) modified the landscaping plans to include more natural planting and additional plantings to further screen the ground equipment; (4) offered \$10,000 grant to the Village for the purpose of improving/maintaining the existing trail immediately east of Promontory Ridge

Subdivision; and (5) \$5,000 grant to the Village for the purpose of removal of teasel and maintenance of the Com Ed ROW and adjoining properties. As noted during the August 23, 2011 Board Meeting, T-Mobile requested that the consideration of the approval ordinance be continued until the September 13, 2011 Board Meeting in order to provide them additional time for review. Please refer to the following "Draft Ordinance Modifications" for a summary of T-Mobile's requested changes and Village Counsel's responses. For reference, the redline version of the draft approval ordinance is included with the electronic board packet. Roll-call motion (ordinance) approving An Ordinance Approving A Special Use Permit To T-Mobile To Add Antenna and Equipment To The Existing Com Ed High Tension Electric Tower Located Within The Commonwealth Edison Right Of Way Immediately North Of Illinois Route 22.

Budget Implications:

Does Action Require an Expenditure of Funds:

Yes/No

If Yes, Total Cost:

Village Attorney Fees to attend the public hearings and to prepare draft Special Use Permit ordinance.

If Yes, is this a Budgeted Item:

No, However all costs related to the request are reimbursed through an existing \$5,000 escrow account from the Petitioner.

Draft Ordinance Modifications.

From: victor.filippini@hkllaw.com [mailto:victor.filippini@hkllaw.com]

Sent: Wednesday, September 07, 2011 11:15 AM

To: RICH.NIKCHEVICH@bfkn.com

Cc: David Lothspeich; Betsy.Gates@hkllaw.com

Subject: -Mobile, Long Grove

Dear Rich,

I have reviewed your proposed revisions to the SUP Ordinance for T-Mobile. Based on my review, I have made some further changes to the ordinance, which revised version is attached, along with a blacklined version showing the changes from your proposed draft. Most of the changes are fairly obvious, but some might require elaboration, including:

1. Sections 4(a) and 4(k): The Village wants assurances that Com Ed was aware of the ordinance before entering the lease. Although the Village is willing to accommodate T-Mobile insofar as not requiring Com Ed to sign anything, the Village needs some assurance that the property owner is aware of the terms of the zoning affecting this use on the owner's property. To this point, I have also modified Section 4(k) to make clear that the obligations in the Ordinance are not Com Ed's but T-Mobile's, but I have otherwise modified Section 4(k) because the language you provided was too broad.
2. Section 4(c): The Village has specific standards in its Zoning Code and building codes affecting the construction of PWS towers. This ordinance is not intending to waive those requirements.
3. Section 4(g): The periodic review rights for PWS towers is a standard requirement that the Village has included in its PWS SUP ordinances, and this application does not warrant any exception. (For what it's worth, the Village has not had cause to exercise its review rights during my tenure as Village Attorney.)
4. Section 4(i) and Exhibit C, para. 5: Part of the Village's consideration of the public health, safety, and welfare in granting **any** special use permit (not just PWS SUPs) is the protection of the public fisc. To the extent that the Village incurs costs in granting a SUP or in defending a SUP, that is a harm to the public health, safety, and welfare and needs to be protected against. Hence, these

standard provisions will remain. (I did retain certain changes you suggested regarding the escrow deposit and its possible return.)

I am copying Village Manager Dave Lothspeich on this e-mail, as the attached version is expected to be included in the Board packet. Please feel free to contact me with any questions. Thanks,

Vic

History:

June 14, 2011 Board Meeting. Report of June 7, 2011 Board Meeting continued at the request of the petitioner to the July 12, 2011 Board Meeting.

July 12, 2011 Board Meeting. Village Board direction to prepare the approval ordinance.

July 27, 2011. Review meeting with Trustee Schmitt, Trustee Marshall and Promontory Ridge Representative Michael Morrison and others.

August 23, 2011. T-Mobile approval ordinance continued until the September 13, 2011 Board Meeting at the request of T-Mobile.

September 7, 2011. T-Mobile revised landscape plans and draft approval ordinance emailed to Promontory Ridge Representative Michael Morrison noting that the approval ordinance was on the September 13, 2011 Board Meeting.

Item #2: Village President Rodriguez.

- Status:**
- A. 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. Former Trustee/IL 53 Committee Chair Ted Lazakis will be attending the hearing in Huntley this evening and I will be attending the meeting in Libertyville this evening. Since the Buffalo Grove hearing is on the same date and time as our upcoming Board Meeting, we may need to have a President Pro-tem for the start of our meeting but will need to maintain the minimum quorum of four (4) members.
 - B. Village Board Strategic Planning Goals. To date, Staff has received responses from three (3) of the six (6) Trustees to the August 29, 2011 email "Board Priorities and Trustee Assignments – Responses Requested by September 7". If you have not yet to respond, your response by Monday, September 8th would be greatly appreciated in an effort to have a productive discussion during the September 9th Board Meeting. Direction requested.

Item #3: Village Trustee Barry.

- Status:**
- A. Treasurer Report For August 31, 2011. Roll-call motion (money) approving the Treasurer's Report for August 31, 2011.
 - B. Actual and Budget Comparisons For Period Ending August 31, 2011. For informational purposes only, no motion required.

Item #4: Village Trustee Marshall.

- Status:**
- A. Monthly Building Department Report. Please refer to the enclosed monthly report for details.
 - B. Archer Parking Lot Drainage. Placeholder.

Item #5: Village Trustee Schmitt.

Status: Solid Waste Agency Of Lake County (SWALCO) Board Meeting – August 25, 2011. Please refer to the enclosed meeting materials for details.

Item #6: Village Trustee Underwood.

Status: *Placeholder.*

Item #7: Village Trustee Wachs.

Status: Ravenna West (Autumn Woods) Subdivision Final Pavement Lift. Ravenna West (Autumn Woods) owner Peter Dior (Dior Builders) is requesting amendment to the PUD Subdivision approval ordinance to reduce the minimum number/percentage of lots completed from 75% to 25% (6 of the 24 lots have been completed). In 2009, the Village Board approved a similar amendment to the Ravenna East Subdivision requirements from 75% to 40% complete; the Building Deposit was set at \$5,000; and the Guaranty Bond was increased to 15%.

As an aside, the Village Board should be aware that the Village has been contacted by various prospective purchasers of Ravenna West that are working with Mr. Dior and the bank and at least one of the prospective purchasers has noted their intentions to build homes smaller in size than those existing in Ravenna West since the approval ordinance does not include a minimum home size. If the Village Board is agreeable to considering amending this minimum requirement, the request will be included on the September 27, 2011 Board Meeting Agenda and Staff will prepare the draft approval ordinance for consideration during this meeting. Peter Dior and Representative Rick Piggott will be in attendance to answer questions.

Direction Requested.

Background (Ravenna West).

Lennar Homes is responsible for the final pavement lift in Ravenna East and Dior Builders is responsible for Ravenna West. There is a two inch concrete lip at the curbs with the curb basins that ponds stormwater until the final pavement lift is completed. Due to the housing market slump, the Village Board may wish to re-evaluate the installation of the final pavement lift for Ravenna East and Ravenna West even though 75% of final certificate of occupancies are not issued (82 homes in Ravenna East and 22 homes in Ravenna West) that would warrant the final pavement to be installed. The current homeowners may be interested in having the final pavement completed, since it may be a long time for the housing market rebound. If the Village Board has interest in having the final lift installed in advance of 75% of the final certificate of occupancies being issued, an amendment to the PUD Subdivision ordinance would be necessary. Please note that a similar amendment was subsequently approved amending the Eastgate Subdivision PUD reducing the minimum number of lots from 75% to 40%.

Item #8: Village Trustee Weber.

Status: *Placeholder.*

Item #9: Village Clerk Schultheis.

Status: *Placeholder.*

Item #10: Village Manager Lothspeich.

Status: Placeholder.

Item #11: Village Planner Hogue.

Status: Placeholder.

Item #12: Village Attorney Filippini.

Status: Village Counsel Filippini will be in attendance during the regular meeting.

Item #13: Approval of Board Meeting Minutes.

Status: August 23, 2011 Board Meeting Minutes. Motion approving the August 23, 2011 Board Meeting Minutes.

Item: **Executive Session.**

Status: Roll-call motion to go into Executive Session to discuss: (1) Executive Session Minutes; (2); Litigation; (3) Personnel, and (4) Acquisition & Disposition Of Property. At the beginning of executive session, attendance and the reasons for being in executive session must be announced.

- 1) Executive Session Meeting Minutes.
- 2) Litigation - Nevel.
- 3) Litigation - Guarino's Ranch Disconnection.
- 4) Disposition Of Property – Arlington Heights Road Vacation.
- 5) Disposition Of Property – Old Hicks Soccer Fields Lease.
- 6) Disposition Of Property – Turner Property. The Purchase and Sale Agreement for the Turner Property that has been provided to the Long Grove Park District. The LGPD is expected to consider approval of the Agreement during their September Board Meeting.

At the conclusion of executive session, motion to go back into regular session.

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

Status: August 23, 2011 Executive Session Meeting Minutes. Motion approving the August 23, 2011 Executive Session Board Meeting Minutes (option: but not for public release).

Item: **Action Regarding Disposition Of Property.**

Status: Roll-call Motion (Money) Approving The Sale Of The Turner Property (XXXXX Old McHenry Road) To The Long Grove Park District For The Amount Of \$XXXXXX.

Item: **Adjournment.**

Status: Motion adjourning the meeting. Next Regular Meeting September 27, 2011.