

**VILLAGE OF LONG GROVE
MINUTES OF THE VILLAGE BOARD OF LONG GROVE
Tuesday, October 9, 2012 at 7 P.M.
3110 RFD, LONG GROVE, ILLINOIS 60047-9613**

CALL TO ORDER:

At 7:00 P.M. President Rodriguez called the October 9, 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 Counsel Gates

Call To Order: Recitation of the Pledge of Allegiance

Item: Homeowner Associations:

Estates Of Oak Hills - Deb Gammon.

Oak Hills 1 – Joseph Szma.

Towner Subdivision – Roland Holup.

Village Manager Lothspeich said that he was putting together information to answer the questions posed by Oak Hills and Towner Subdivision HOA's. – **No action was taken.**

Item: Visitors' Business: 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 of each month to report on any activities/issues in Long Grove. – Sheriff Parisi noted that the area has been relatively quiet, except for a daytime burglary in Ravinia. – **No action was taken.**

Item: Visitors' Business: Special Event Application: Caribou Temporary Signage.

Caribou Coffee submitted the enclosed Special Event Application for temporary signage advertising that they are "Coming Soon" and to announce their "Grand Opening". – Glenn Johnson, District Manager of Caribou Coffee, said that the Long Grove Caribou is planning to open some time between November 26-30, 2012. – **Trustee Schmitt moved to Approve the Caribou Coffee "Coming Soon" & "Grand Opening" Temporary Signage for a period not to exceed 90 days; seconded by Trustee Marshall.**

VOICE VOTE:

(Motion carried 5 – 0, Trustee Barry absent)

Widening of Aptakisic – Briarcrest resident requested information on the widening of Aptakisic. Village Manager Lothspeich said that the County was surveying for drainage, right-of-way, and attempting to come up with a plan. He added that when ready to discuss the plan, the County would include the Fire District, the Village, affected residents and the Park District in their suggestions. He said that the construction would be slated to begin in 2016 according to LakeDOT. – **No action was taken.**

Trustee Barry arrives at 7:16 PM.

ITEMS FROM THE AUDIENCE:

Item #1: Report Of The September 19, 2012 Conservancy Scenic Corridor Committee Meeting.

The CSCC considered and *recommended approval* of the following item during their meeting.

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- A. **CSCC 12-03** – The Addition Of Prairie Grass And Wildflowers In A Conservancy District For Property Located At 1360 Gettysburg Road In *Bridgewater Farms*, Moellenkamp. – **Trustee Schmitt moved to Approve Application CSCC 12-03 as recommended by the Conservancy Scenic Corridor Committee; seconded by Trustee Weber.**

VOICE VOTE:

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

- B. **Committee Size** – The CSCC also discussed and requested that the size of their Committee be reduced from Seven (7) members to Five (5) members. During the past five years the Committee has only had six members once and has consisted of five members for the past few years. The reduction in the size of the Committee will make it easier for there to be a quorum (currently four (4) members are necessary, if the reduction were approved the minimum quorum would be reduced to three (3) members), etc. – President Rodriguez said that there was a request to reduce the committee from 7 to 5 to better achieve a quorum; and also add a secretary who could then be a potential recruit.

Trustee Wachs moved to Direct Counsel to prepare an Ordinance amending the Village Code reducing membership of the Conservancy Scenic Corridor Committee from seven to five; and have a designated secretary; seconded by Trustee Weber.

ROLL CALL VOTE:

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

(Motion carried 6-0)

Item #2: Ordinance Amending Minimum Yard Setback Requirements For CCE.

As reported during the September 11, 2012 Board 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) recommending: (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. – There were questions regarding grandfathering new additions to what is currently being grandfathered. Village Counsel Gates said that the Ordinance could be made to spell out that there would be no extension beyond the building line; but the consensus of the Board was to keep the Ordinance uncomplicated. Trustees weighed the risks of the lawful non-conformities. – **Trustee Marshall moved to approving An Ordinance Amending The Minimum Yard And Setback Requirements For A Portion Of The R-2 District Under The Long Grove Zoning Code & Zoning Map For Country Club Estates Subdivision; seconded by Trustee Wachs.**

ROLL CALL VOTE:

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

(Motion carried 6-0)

Item #3: Ord. Amending Village Code Eliminating Village Permits For Septic Fields.

As directed during the September 11, 2012 Board Meeting, Village Counsel prepared the draft ordinance amending the Village Code eliminating the requirement for a Village Building Permit. **Trustee Wachs moved to Approve An Ordinance Amending Title 8 of The Village Code Re: Private Sewer Disposal Systems; 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: Resolution Re: Blue Ribbon Advisory Council Report IL Route 53 Extension.

Discussion regarding additions to document. – Trustee Wachs moved to Approve a Resolution RE: Blue Ribbon Advisory Council Report IL Route 53 Extension with additions; seconded by Trustee Marshall.

ROLL CALL VOTE:

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

Item #5: Village President Rodriguez.

A. *Aptakistic Road Widening.* – Discussed earlier in ITEMS FROM THE AUDIENCE – **No action taken.**

B. *Sanitary Sewer Connection* – Village Manager Lothspeich said that residents must come to the Board for approval to connect to sanitary sewer. Trustee Marshall said that there should not be a need for hardship to connect to sanitary sewer. Trustee Barry said that the Village was nearly built-out and half of the residents were already on sanitary sewer. He added that the original intention was meant to keep density issues in check. – **The direction of the Board was direct Counsel to put together an Ordinance to remove the need for hardship to connect to the sewer system**

C. *Village Impact Fees.* A prospective developer for the South 15 property has indicated that they cannot proceed with the project due to the high impact fees. Staff discussed our fees with Village Attorney Filippini who noted that Long Grove's impact fee ordinance and fees are very similar to many of their other clients and this is the first concern raised by developers about the amount of the fees. Staff is relaying the developers concerns so that the Village Board is aware of their concerns and can discuss whether or not to amend/reduce the impact fees. If the Village Board believes that this concern should be investigated further, Staff recommends the appointment of an ad-hoc committee consisting of Trustee Barry (finance) and Trustee Marshall (development) for further report during the next Board Meeting – **The direction of the Board was that the burden of the impact fees should be on developer to pay the impact fees.**

D. *Village-owned Archer Lots Real Estate Proposals.* For initial discussion under Executive Session "Disposition Of Property". – **For Executive Session**

Item #6: Village Trustee Barry.

A. *Treasurer Report For September 30, 2012.* Trustee Schmitt moved to Approve The Treasurer's Report for September 30, 2012; seconded by Trustee Underwood.

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 September 30, 2012.* For informational purposes only, no motion required.

C. *Pathway Committee Meeting* - September 21, 2012. – Trustee Barry said that the Pathways map was tweaked so that it could be put on the Village website. Trustees discussed that it should have its own tab on the website so that it could be easily found. – **No action was taken.**

Item #7: Village Trustee Marshall.

Monthly Building Department Report. – Trustee Marshall said that Building Superintendent Romanello was doing a great job with permits. He also said that permits were rising – there were four new houses in September and permits for remodeling. – **No action was taken.**

Dry Weather Fire – Trustee Marshall said that a log pile caught on fire because of the drought. He said that an ember from a pit fire set the backyard woodpile ablaze. He said that residents should be warned that the wood around their homes might be as dry as kindle. – **No action was taken.**

Item #8: Village Trustee Schmitt.

Bridge – Trustee Schmitt said that the *Bridge* would be out on October 12. She said that there would be more human interest stories. Trustee Weber said that there should be a few lines about the fires in the *Bridge* – **No action was taken.**

Item #9: Village Trustee Underwood.

Mosquito Abatement/West Nile Virus Update. Trustee Underwood said that the mosquito season was dying down. She said that the issue was not completely over until the first hard frost. – **No action was taken.**

Item #10: Village Trustee Wachs.

Discussion Of Financing Options For The Funding Of Roadway Maintenance & Improvement

The street paving program expenses for all existing public streets is estimated to require an average funding level of \$2.0M annually with the Village projected to have an average of \$800K annually, leaving an funding gap of \$1.2M annually.

Options:

- Do Nothing Different.
- Further Reduce Other Expenses.
- Reduce Length Of Public Road.
- Increase Funding.
 - New Commercial Development (*Sales Tax*)
 - Special Service Area(s)
 - Road Property Tax

If the Village Board determines that the "best" option is to consider levying a Village Roadway Property Tax an average of \$450 per residential property would fund this gap. If the Village Board is interested in pursuing the Roadway Property Tax, the last day for local governing boards to adopt a resolution or ordinance to allow binding public questions (referenda) to appear on the April 9, 2013 ballot is January 22, 2013. – Trustee Wachs said that the issue was the million dollar-plus gap for financing of road rejuvenation.

He went through details of the total costs and the total revenues available. He said that there was a \$1.2 million dollar gap. He reviewed the option that the Board and the residents had available. There was discussion of private and public roads.

The recommendation was for the referendum to have a tax for a limited time period (10 years) until revenues increase. It was noted that the sunset on the taxes meant that it could not automatically be extended; there would have to be another referendum to continue beyond the years recommended. It was noted that the referendum would ensure that streets are repaired with equal maintenance, not just worst case maintenance. Trustee Underwood noted that nearly 80% of the roads are already private so there had to be consideration for subdivisions that might be paying for their own roads and then paying for public roads. Trustee Wachs replied that the roads in question were 2/3 thoroughfare roads and 1/3 non thoroughfare public roads. Trustee Weber said that there was also a concern for hardship, as some families were on fixed incomes. President Rodriguez reminded the Board that there was too much deferred maintenance, and that most roads needed repair. She said that the Board should be considering a 10-year rejuvenation solution. The consensus of the Board was to acknowledge the enormous amount of work and information in the report submitted by Trustee Wachs.

HOA President Yaeger said that the Board should be considering solutions for the next 50 years and that he believed that all roads needed to be the collective responsibility of the Village.

The Board acknowledged the it wanted to educate and get input and feedback from residents. There will be two town hall meetings to discuss road financing options and public/private issues of Village roads. Trustee Weber asked when tax money would be available revenue if the referendum passed. Village Manager said that it would probably be available in 2014.

President Rodriguez added that the goal was to right the ship and repair infrastructure and maintain it long term.

Village Manager Lothspeich said that once the residents had been educated regarding the proposed referendum, the Village could not promote it further, by law. – **Direction of the Board was to set up Town Hall Meetings regarding a possible referendum.**

Item #11: Village Trustee Weber.

A. Long Grove Business & Community Partners Board Meeting – September 18, 2012. Trustee Weber represented the Village during the LGBCP Board. Trustee Weber said that the Downtown did well in the Apple Festival. She said that the high school football players donut eating contest was a big hit. There was a complaint regarding garbage left at the Kildeer parking lot, but the LGBCP cleaned it up.– **No action was taken.**

B. Wind Sculptures – Trustee Schmitt questioned the amount of wind sculptures that were on certain downtown properties. She believed that there should be an ordinance to limit the amount of sculptures. Other Trustees believed that it was not an issue. Village Manager Lothspeich said that there might need to be a way to distinguish what is acceptable. The majority consensus was not to amend the code at this time. – **No action was taken.**

C. Fire Code – There were questions regarding the fire code and its enforcement. The consensus was

to put it on the agenda. – **No action was taken.**

D. Village Web Site - Update. Creative Spectacles provided their recommendations on October 2nd and Trustee Weber, Trustee Wachs. – **Nothing to report.**

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Item #12: Village Clerk Schultheis.

Open Meetings Act Training. – Village Clerk Schultheis reminded the Board that they are required to take the OMA training, and provide a copy of completion to be kept in a folder in the Village Hall – **No action was taken.**

Petitions for Candidacy – Village Clerk Schultheis told the Board and Audience that the five expiring terms were Trustee Marshall, Trustee Weber, Trustee Schmitt, Village President Rodriguez and Village Clerk Schultheis. The petitions for all of those positions are available in the Village Hall. Anyone filing for office must do so from December 17-24, 2012 at the Village Hall. If there are any questions, filers may call the County Clerk's Office, the Village Hall or Village Clerk Schultheis. This information will also be made available on our website and at the Village Hall. – **No action was taken.**

Item #13: Village Manager Lothspeich.

Nothing to report. No action was taken.

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Item #14: Village Planner Hogue.

Not Present

Item #15: Village Attorney Gates.

Nothing to report. No action was taken

Item #16: Approval of Board Meeting Minutes.

September 11, 2012 Board Meeting Minutes. – Trustee Schmitt moved to approve the September 11, 2012 Board Minutes, as amended; second by Trustee Underwood.

VOICE VOTE:

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

Item: Executive Session.

At 10:11 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 Underwood.

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.

September 11, 2012 Executive Session Meeting Minutes. – Trustee Underwood moved to approve the Executive Session Minutes, but not for Public Release; seconded by Trustee Barry.

VOICE VOTE:

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

Item: Adjournment.

At 10:47 PM, Trustee Barry moved to Adjourn; seconded by Trustee Underwood.

VOICE VOTE:

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