

VILLAGE OF LONG GROVE
3110 RFD, ILLINOIS 60047-9613
MINUTES OF THE VILLAGE BOARD OF LONG GROVE
Tuesday, November 9, 2010 at 7 P.M.
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CALL TO ORDER:

At 7:03 P.M. President Rodriguez called the November 9, 2010 Village Board Meeting to Order.

OFFICIALS IN ATTENDANCE:

Village President: Rodriguez
Trustees: Acuna, Barry, Marshall, Schmitt, Wachs
Absent: Weber
Village Clerk: Schultheis
Also Present: Village Manager Lothspeich and Village Counsels Filippini and Gates

Homeowner Associations:

Briarcrest – Geoff Wilson. – **No one was present. No action was taken.**

Bridgewater Farms – Sophia Hanson – Village Clerk Schultheis relayed a message from HOA President Hanson regarding recent coyote attacks in the subdivision, including one attack in which a pet dog was bitten. President Rodriguez said that these coyote attacks seem to take place at this time of year every year. She also suggested that an article be put in the Bridge regarding coyotes. – **No action was taken.**

Bridlewood - Joel Polakoff. – **No one was present. No action was taken.**

Christmas Trees For Sale on Towner Green – Timothy Almy of Timmy's Sandwiches & Ice Cream requested permission to be able to display and sell decorated Christmas Trees on Towner Green. He explained that there would only be 25 trees and that they would be decorated. He said that this would not be set up as a Christmas tree lot. Village Manager Lothspeich discussed the limitations on getting a permit for outdoor sales. Village Counsel Filippini said that the Board could opt to not to enforce the limit of three days as required by the Ordinance as an experiment to determine whether or not to change certain parameters of the Ordinance, as long as the primary use was decoration and that any sales were incidental. Trustees wanted to also add that this experiment could be terminated upon written notice and that the reason it was even allowed is because it is of value to the community and improves the Village. The trees would be up by November 20 and down after Christmas. – **No action was taken.**

THERE WERE NO OTHER ITEMS FROM THE AUDIENCE**ACTION ITEMS:****Item #1: Ordinance Proposing Establishment Of SSA For Herons Landing Lake Michigan Water.**

During the January 12, 2010 Meeting, the Village Board Resolution 2010-R-01 "A Resolution Expressing Village Of Long Grove Support Of Lake County Public Works Department's Delivery Of Water Service To Heron's Landing Subdivision Via The Central Lake County Joint Action Water

Agency Water System." - **CONTINUED at the request of Herons Landing**

Item #2: Resolution Further Reducing & Releasing The Letter Of Credit For Ravenna East.

In 2004, the Village Board approved Ordinance #2004-O-23 "An Ordinance Amending And Restating The Previous Grant Of A Special Use Permit And Approval Of A Preliminary Planned Unit Development Plat And Approving A Final Planned Unit Development Plat For Concord Homes' Ravenna Development." As a condition for approval, the developer posted the Letters Of Credit (LOC's) in the amount of \$5,408,070.21 to assure completion of all required improvements. The developer completed all of the required improvements and the LOC's were released except for the landscaping which required an additional one-year maintenance period. The one-year landscape maintenance period has been met and the developer has requested the full release of the remaining landscaping LOC. The Village Engineer inspected the property and recommends the full release of the \$16,762.95 landscaping LOC. – **Trustee Schmitt moved to Approve a Resolution Further Reducing and Releasing the Letter of Credit for Ravenna East from \$16,762.95 to \$0.00 (zero) Letter of Credit for Concord at Ravenna, LLC (Lennar Homes); seconded by Trustee Acuna.**

ROLL CALL VOTE:

Acuna – aye; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – absent

(Motion carried 5 – 0; one absent)

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

The Village Board approved A Resolution Approving Agreement With Canadian National Railroad Re: Mitigation during the July 13, 2010 Board Meeting. Canadian National Railroad executed agreement on August 26, 2010. The Agreement with CN provides for \$200,000 funding to the Village; the Village and CN approves the landscaping plan; the HOA/Property Owner installs the landscaping and provides invoices for reimbursement by the Village. The Village Board discussed funding the projects based upon their share of the total lineal feet of properties in Long Grove that are immediately adjacent to the CN tracks. Although CN must review and approve the plans, it is the Village's decision on how the funds are distributed. The only two built subdivisions in Long Grove that abut the rail line are Indian Creek Club and Eleanora Estates. In rough terms Indian Creek Club has approximately 2,800 lineal feet of frontage while Eleanora Estates has approximately 1,400 lineal feet of property line abutting the CN Railroad. Indian Creek Club is eligible for \$133,333.32 (66.666%) and Eleanora Estates is eligible for the remaining \$66,666.68 (33.333%) if they submit a plan that is approved within the 3 year time limit. If Eleanora Estates fails to use all of these funds, Indian Creek Club would be eligible for either further reimbursement of their installed landscaping or for additional landscaping. Please note that in order to offset any Village expenses incurred for the review of: the CN Agreement, landscaping plans and the review and preparation of the approval documents the enclosed resolution includes a provision that allows the Village to utilize up to 0.5% or \$10,000 of the CN funding to offset these expenses to administer the program. – **Trustee Barry moved to Approve a Resolution Approving Indian Creek Club Subdivision Landscape Plans for Grand Trunk Corporation (CN Railroad) Mitigation Funding; seconded by Trustee Schmitt.**

ROLL CALL VOTE:

Acuna – aye; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – absent

(Motion carried 5 – 0; one absent)

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Item #4: Resolution Approving Proposal From Aqua Illinois For IL 83 Water System Operator.

During the January 12, 2010 Meeting, the Village Board approved the following Resolutions approving proposals for Village Engineer ESI for: (1) Bidding & Construction Engineering For IL 83 Water System; and (2) The IL 83 SSA Water System Operator. With the construction of the IL 83 SSA Water System nearing completion, the selection of the Water Operator is required. ESI published notice and sent Request For Proposals to numerous certified water system operators and received proposals from (1) Aqua Illinois and (2) Manhard Engineering. – **CONTINUED** There was discussion but no resolution regarding timing issues and lack of information. Village Counsel Filippini reminded the Board that certain types of service activities that did not support a formal bidding process. Several Trustees shared a concern regarding how the process and the lack of time to make a decision.

At 7:35 PM, Briarcrest HOA President Wilson entered the meeting. – He discussed the water system that Briarcrest uses. He also mentioned that the fish in the Briarcrest pond were dying. He wanted to know to who at the Park District he could contact.

There was also discussion regarding a conservancy burn, since someone had built an extensive structure near the conservancy – Village Manager Lothspeich mentioned that a special mowed firebreak could be allowed.

HOA President Wilson asked about the widening of Route 22. Village Manager Lothspeich said that said that there was expected to be another public meeting regarding the project in the next few months – **No action was taken.**

Item #5: Resolution Awarding Snow/Ice Removal For Archer Road & Archer Sidewalks.

The existing snow/ice removal contact with A.R.T. Fleet includes separate pricing for the maintenance of the Municipal Lots (Archer, Stemple and Village Hall). With the modifications to Archer Lot and the creation of the new Archer Road and sidewalks, Staff met with A.R.T. last year to review the preferred snow/ice removal methods to limit the impact on the Archer Lot and Road brick pavers, granite bands, curbs, landscaping, bioswales, etc. The Village awarded the one year contract to The Acres Group last year. Proposals were again requested this year with the proposal from The Acres Group being the least expensive and recommended proposal. This is the final season of the snow/ice removal contract with A.R.T. Fleet and bids for the upcoming contract

years will include options for the Village-wide contract and the Municipal Lots to be bid as a single contract and separately in order to obtain the best overall pricing with the preference of having a single contractor for all snow/ice removal throughout the Village. – Resident Vernadine Martlock said that the snow removal service demolished certain areas in Stempel Lot last year; but President Rodriguez clarified that the snow removal service under discussion was the one specifically hired to Handle Archer Lot. It was noted that The Acres Group had done a wonderful job. Village Manager Lothspeich stated that the company which had handled the snow plowing that Vernadine Martlock was discussing was a different company. Village Manager Lothspeich said that he would follow up on Vernadine Martlock’s request to have reflectors put up as guides for snow removal and that snow removers should not push the snow into the posts.

It was also noted that the Building Department would assist in monitoring snow removal.

Trustee Acuna moved to a Resolution Waiving Bids & Awarding a One Year Contract with the Acres Group for the 2010/11 Winter Season Snow/Ice Removal for the Municipal Archer Road & Archer Sidewalks; seconded by Trustee Marshall.

ROLL CALL VOTE:

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

Item #6: Resolution Approving B&F For Building Plan Review & Inspectional Services.

The Village occasionally used *B & F Technical Code Services, Inc* in the past on an as needed basis when the number and/or complexity of building permit applications overwhelmed the Building Department staff. With the unanticipated retirement of the Village Superintendent, B&F was contracted on an interim 30-day basis to cover building permit plan reviews and inspectional services in order to provide time to evaluate the quality of their services. Staff has been very pleased with the professional level of service provided by B&F and recommends their selection as the Village’s Building Department plan review and inspectional services contractor. – **Trustee Schmitt moved to Approve Waiving Bids and Approving a Service Agreement with B & F Technical Code Services, Inc. for Building Permit Plan Review & Inspectional Services with an amendment stating that any contract have a clause that it can be terminated with one year notice; seconded by Trustee Marshall.**

ROLL CALL VOTE:

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

Item #7: Ordinance Amending Building Permit Fee Schedule & Fees.

As directed during the October 26, 2010 Board Meeting, Village Counsel prepared a draft ordinance amending the Village Code Re Building Permit Fees and Expiration Dates that amends the Village Code as follows:

- Allows for an additional 6 month extension for a maximum of 30 months with the additional fees being charged 10% of the original permit cost for every month beyond 24 months and modifies the Building Permit Fees accordingly;
- Modifies the calculation of Building Permit fees from cubic feet to square feet for uniformity with the Zoning Code provisions (note: the conversion ratio is being evaluated and will be provided in advance of the board meeting); and
- Modifies several Building Permit fee amounts to cover increased Village expenses related to the contracting of plan review and building permit inspectional services with B&F Inspectional Services.

Trustee Acuna moved to Approve an Ordinance subject to Amendments to Special Conditions Determined by Staff regarding the Building Permit Schedule and Fees; seconded by Trustee Schmitt.

ROLL CALL VOTE:

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

Item #8: Village President Rodriguez.

Nothing to report. No action was taken.

Item #9: Village Trustee Acuna.

A. Treasurer Report For October 31, 2010. Trustee Acuna moved to Approve the October 31, 2010 Treasurer's Report; seconded by Trustee Barry.

ROLL CALL VOTE:

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

B. Actual and Budget Comparisons For Period Ending October 31, 2010. For informational purposes only, no motion required.

Item #10: Village Trustee Barry.

Mosquito Abatement – Trustee Barry said that there will be a meeting with Clarke Mosquito Control regarding the way the abatement program will be handled in 2011.- **No action was taken.**

Controlled Burns – Trustee Barry said that this was the woodland burn season and that prairie burn would be in the Spring. He added that mowing firebreaks was permissible. It was also noted that the EPA will require residents to be on a list if they want to be able to do a conservancy burn. Village Manager Lothspeich said that every December residents needed to apply to be on that list – it was suggested as this is a departure from the past, homeowners would need to be notified of this change. – **No action was taken.**

Item #11: Village Trustee Marshall.

Sunset Grove Final Landscaping – Trustee Marshall said that the project has been given the green light to proceed. He also discussed the issue of the well drilling noise pollution. Trustee Marshall said that there are only three weeks left of drilling, and the suggestion to muffle the sound with construction blankets would cost \$2500 and might not be effective. The consensus was that the blankets were not worth the money. – **No action was taken.**

Item #12: Village Trustee Schmitt.

Park District – Trustee Schmitt said that she would be attending the next meeting. – **No action was taken.**

Recycling – Trustee Schmitt noted that third quarter recycling had produced 230 tons, rebating the Village \$1725. There was discussion regarding Village-wide switch to the larger bin to increase recycling – **No action was taken.**

Item #13: Village Trustee Wachs.

Well Drilling – Trustee Wachs said that the well drilling is moving along and would be done by December – **No action was taken.**

Ordinance Relief – Trustee Wachs mentioned that shop owner Bob Stoll had asked whether or not he could get relief from sprinkler requirements for a possible customer that would live above an antique store in town. Village Manager Lothspeich said that he would follow up with the Fire Marshall. – **No action was taken.**

Item #14: Village Trustee Weber.

Absent.

Item #15: Village Clerk Schultheis.

Nothing to report. No action was taken.

Item #16: Village Manager Lothspeich.

Nothing to report. No action was taken.

Item #17: Village Planner Hogue.

Absent

Country Club Estates required setbacks- Speaking for Village Planner Hogue, Village Manager Lothspeich detailed why there were 30 foot setbacks in Country Club Estates in an R2, pre-PUD subdivision. He said that there was a great deal of confusion and room for different interpretations. Village Planner Hogue recommended taking the least restrictive approach as long as the setbacks were not decreased. Country Club HOA President Yaeger was resistant to any changes that impinged upon what was stated on the plat. Village Manager Lothspeich said that the Village needed to memorialize a standard interpretation – **No**

action was taken.

Golf Course – Because the Golf Course is part of the subdivision, no changes can be made to the golf course unless it is approved by all of the neighbors. Village Counsel Filippini received direction to look into Country Club setback issues and overall restrictions regarding the golf course. – **No action was taken.**

Item #18: Village Attorney Filippini.

Nothing to report. No action was taken.

Item #19: Approval of Board Meeting Minutes.

October 26, 2010 Board Meeting Minutes. – Trustee Schmitt moved to Approve the October 26, 2010 Village Board Minutes; seconded by Trustee Barry.

VOICE VOTE

All ayes, no nays (Motion carried 5 – 0; Trustee Weber absent).

Item: Executive Session.

At 8:54 PM, 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 Barry.

ROLL CALL VOTE:

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

Item: Other Business.

October 26, 2010 Executive Session Meeting Minutes. Trustee Schmitt moved to Approve the October 26, 2010 Executive Session Minutes as amended but not for Public Release; seconded by Trustee Barry.

VOICE VOTE

All ayes, no nays (Motion carried 5 – 0; Trustee Weber absent).

Fire Department Permit Waiver – Village Manager Lothspeich discussed Fire Chief Turpel's request to waive fire department permit fees. The general consensus of the Board was to reconsider waiving the fees – **No action was taken.**

Item: Adjournment.

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

VOICE VOTE

All ayes, no nays (Motion carried 5 – 0; Trustee Weber absent).

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