

**MINUTES OF THE VILLAGE BOARD OF LONG GROVE**  
**Tuesday, November 13, 2012 at 7 P.M.**  
**3110 RFD, LONG GROVE, ILLINOIS 60047-9613**

**CALL TO ORDER:**

At 7:02 P.M. President Rodriguez called the November 13, 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

**Call To Order: Recitation of the Pledge of Allegiance**

**A moment of silence for the victims of Hurricane Sandy.**

*Introduction & Welcome Of Newly Appointed LGBCP Director Bryauna Bieneman.* – President Rodriguez introduced the LGBCP Director. Director Bieneman said that she is going to be “bridging disconnects.” LGBCP President Perkal said that she was happy to have Director Bieneman on board. The Village Board also welcomed her. – **No action was taken.**

**Item: Homeowner Associations:**

**Briarcrest** – Geoff Wilson. – HOA President Wilson said that he has been working with the Park District to do a study on the Briarcrest Pond. Several invasive species have been identified. Community well – He said that they are upgrading the equipment. He said that some residents are asking if there are any possibilities of tapping into Lake Michigan water. There were no immediate concerns – it was more of a long term issue. There was a fear in the subdivision that someday a water main might be replaced. President Rodriguez said that Resident Ed Acuna had also contacted her about Lake Michigan water. HOA President Wilson said that he would put together a subcommittee to study the water issue. HOA President Wilson said that he was curious about the widening of Aptakisic Road. Village Manager Lothspeich said that currently the County had engineers surveying, and that there would be a meeting with the affected residents before any action was taken. – **No action was taken.**

**Bridgewater Farms** – Sophia Hanson. – **No one was present. No action was taken.**

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

**Item: Lake County Sheriff** – The Deputy had nothing to report. – **No action was taken.**

**There were no items from the audience.**

**ACTION ITEMS:****Item #1: Referral Of Text Amendments To PCZBA.**

As discussed during the October 9, 2012 Board Meeting, in recognition of various continued concerns with the signage limitations, outdoor sales and outdoor dining various amendments to the Village Code are suggested for consideration by the Plan Commission & Zoning Board Of Appeals. **Trustee Marshall moved to refer Amendments To Village Code Re: (1) Downtown Signage; (2) Outdoor Sales and (3) Outdoor Dining to the Plan Commission & Zoning Board Of Appeals; seconded by Trustee Wachs.**

**VOICE VOTE:**

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

**Item #2: Ordinance Amending Village Code Reducing Number Of Members Of CSCC.**

As directed during the October 9, 2012 Board Meeting, Village Counsel prepared the draft ordinance which would amend the Village Code reducing the CSCC membership from Seven (7) members to Five (5) members and establishes the non-voting position of CSCC Secretary. The reduction in the size of the Committee will make it easier for there to be a quorum (reduced from four (4) to three (3) members). – **Trustee Schmitt moved to Approve an Ordinance Amending Sections 2-5-1 and 2-5-2 of the Long**

**Grove Village Code Concerning The Conservancy/Scenic Corridor Wasment Committee; seconded by Trustee Weber.**

**ROLL CALL VOTE:**

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

**Motion carried 6 – 0**

**Item #3: Ordinance Amending Code Modifying Requirements For Sanitary Sewer Connection.**

As directed during the October 9, 2012 Board Meeting, Village Counsel prepared the draft ordinance which would amend the Village Code modifying (reducing) the requirements for connections to sanitary sewer. As drafted, the amendment would eliminate the following requirements for connection: (1) Sanitary Sewer Used Only When Necessary; (2) Standards (Commercial and Residential Uses); and (3) Easements. – Trustee Barry explained that the code was originally meant to limit density, but that it had outlived its usefulness. He added that the Village had evolved, and so, for environmental reasons it behooves Long Grove to have sanitary sewer. Trustee Marshall noticed a timing issue in the last paragraph that needed to be amended.

Resident George Yaeger suggested a green option, but it was noted by the Staff that a green option might be a suggestion for the future but did not apply to this Ordinance, as the County had restrictions on options like gray water. – **Trustee Weber moved to Approve an Ordinance Amending Section 8-3-2 of the Long Grove Village Code regarding Sanitary Sewer Connections, as amended to strike “prior to being” as part of the issuance of the permit; seconded by Trustee Underwood.**

**ROLL CALL VOTE:**

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

**Motion carried 6 – 0**

**Item #4: Village President Rodriguez.**

**A.IL Route 53 Extension - Update.** The Tollway Authority has determined to move forward with evaluating the IL 53/120 project, including: (1) developing a corridor land use plan and (2) engineering details. Lake County and the Chicago Metropolitan Agency for Planning (CMAP) have secured assistance through CMAP's Local Technical Assistance (LTA) program (CMAP did not select the Village of Long Grove's LTA application). Work on the corridor plan is anticipated to begin mid-2013. The Tollway is in the process of selecting a consultant to develop the detailed engineering with work expected to being in 2013. – President Rodriguez said that there was not much of an update. She added that since the election, there were changes in the state. She said that there was discussion that the tolls may change p[rice at certain times of day to manage the flow of the traffic called “congestion pricing.” –**No action was taken.**

**B. Old McHenry Road & RPC Road Intersection - Stakeholder Meeting #2 - Oct. 18, 2012.** Village President Rodriguez, Village Trustee Wachs and Staff participating in the second Stakeholder meeting with the Lake County Division of Transportation on October 18, 2012 (the first meeting was held on July 9, 2012). – President Rodriguez said that she is excited about the cooperation and input that County has been taking and giving. – **No action was taken.**

**Item #5: Village Trustee Barry.**

**A.Treasurer Report For October 31, 2012.** – **Trustee Barry moved to Approve the Treasurer’s Report for October 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**

Trustee Barry said that the Village is in the black, but added that the road paving bill had not yet been processed. Trustee Weber noticed that the Administrative Assistant was being asked to put expenses on her own charge card to be reimbursed. She suggested that the Administrative Assistant either be offered an advance or a Village credit card. The consensus was that Administrative Assistant Shlagman should be asked it were a burden to carry the expenses on her card until they were reimbursed. If it were burdensome the Staff should consider an advance. – **No action was taken.**

**B.Liability Insurance Proposal.** The Village has purchased liability insurance through the Illinois Municipal League Risk Management Agency (IML) since 2003. The 2003 premium was \$19,437 and has increased over the past nine years to \$33,672 last year. The Village Budgeted \$36,000 for the current year and the actual cost from IML recently came in at \$38,955. In response to past concerns with dissatisfaction with how IML had treated litigation claims, e.g. filing claims against the Village, and the number of years that the Village had been with IML, Staff met with Insurance Broker representatives from Arthur J. Gallagher & Co. (Gallagher) in September to inquire about other possible insurance carriers. Gallagher went to market and obtained several quotes with the recommended carrier BRIT Insurance and other insurer's with

coverage equal to or better than currently provided for IML for a total annual premium of \$30,553 (\$8,402 less or 27% less than IML). Due to the timing of receiving the proposal, this item is not a board agenda and therefore no formal action can be taken. If the Village Board is agreeable with changing liability insurance carriers, this item will be included on the November 27, 2012 Board Agenda for consideration. Also the payment to IML that is included in the October 31, 2012 Treasurer Report will not be paid in anticipation of approval of the proposal from Gallagher. – Trustee Barry said that current coverage has been opaque, and that IMLRML has fought the Village on claims. It was Noted that BRIT had some substantial advantages, and was recommended by Gallagher. The consensus was to check with the Village Counsel to make certain that BRIT had a good track record, and then have it put on the next agenda. – **No action was taken.**

**C. Actual and Budget Comparisons For Period Ending October 31, 2012.** For informational purposes only, no motion required.

**D. Village Impact Fees - Discussion.** As discussed during the October 9, 2012 Board Meeting, a prospective developer for the South 15 property indicated that they cannot proceed with the project due to the high impact fees. Staff discussed Long Grove's 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 relayed 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. – Trustee Barry said that 74% of the Village tax bill comes from District 96 and District 125 taxes. He noted that our fees are the same as other villages. He believed that the fees should stay the same. Village Manager Lothspeich said that he would have a fee comparison with other municipalities by the next meeting. President Rodriguez said that the Village would send a letter to District 96 asking why their impact fees were so high. The Consensus was not to change the impact fees. – **No action was taken.**

**Item #6: Village Trustee Marshall.**

**A. Downtown Fire Alarm Requirements & Installation Deadline.** In September 2009 the Village Board adopted the new Fire Code and postponed the requirement for the installation of an automatic fire alarm and detection system (System) in the Historic Downtown until January 1, 2011. In July 2010 the Village Board approved an ordinance modifying the installation requirements and extending the original January 2011 deadline to January 2013. – Trustee Wachs proposed extending the code deadline for five years; adding that some sort of alarm system must be in place by March 1, 2013. Village Manager Lothspeich said that the longer timeframe gave businesses an opportunity to put in an alarm system without enduring hardship. The Direction of the Board was to ask for a code amendment in the next agenda.- **No action was taken.**

**B. Special Use Permit For Archer Outlots For 7,000 Sq. Ft. Buildings.** As directed during the October 23, 2012 Board Meeting, the PCZBA will be considering the request for Special Use Permits to permit the construction of 7,000 sq. ft. buildings on the Archer Outlots. The PCZBA will be considering this request during their December 4, 2012 for possible consideration by the Village Board during the December 11, 2012 Meeting. – **No action was taken.**

**C. Monthly Building Department Report – October 2012.** – Trustee Marshall said that there were three more permits for single family homes. There are fifteen for the year – **No action was taken.**

**D. Historical Society Waiver Of Building Permit Fee & Bond.** Historical Society Member Bob Borg has requested waiver of the roofing permit fees (\$270) for the re-roofing of the Historical Society Ruth Barn. The Historical Society provides other cost saving benefits to the Village and Staff does not have concerns waiving the fees. – Village Manager Lothspeich said that the Historical Society wants to re-roof and wants the \$270 permit fee waived. The Consensus of the Board was to waive the permit fee – **No action was taken.**

**Item #7: Village Trustee Schmitt.**

**Solid Waste Agency Of Lake County (SWALCO) Board Meeting – October 25, 2012.** –

Trustee Schmitt requested direction regarding the optional reimbursement to Hawthorn Woods for their participation in the recycling drive. Of the \$699 that was given to Long Grove, Trustee Schmitt said that a generous portion to Hawthorn Woods would be \$200. The consensus of the Board was to allot that portion. – **No action was taken.**

**Proposed Annual Membership Fee Increase.** During the October 25, 2012 meeting, the SWALCO Board discussed the option of increasing the annual Operations and Maintenance (O&M) Fee from \$1.00 to \$1.25 per household per year. If approved this fee increase would increase Long Grove's

annual fee from \$2,600 to \$3,000. The SWALCO Board has been notified of the request for a vote on increasing the fee during their November 29, 2012 Board Meeting with the increased fee not being invoiced until May 2013 so the increase will not affect this current fiscal year budget (ending April 30, 2013). – Trustee Schmitt said that it is worth the while of the Village to remain SWALCO members. She noted that the Village has taken in \$12,000 worth of recycling money so far. The direction of the Board was to remain in SWALCO . It was noted that this will not effect the current budget and that the Village has fewer homes than SWALCO claims (when adjusted, it should ultimately negate most or all of the budget increase) – **No action was taken.**

**Item #8: Village Trustee Underwood.**

Historical Society – Trustee Underwood said that the Society would like to put some displays in the windows downtown depicting antique winter scenes. The Board looked on that plan favorably – **No action was taken.**

**Item #9: Village Trustee Wachs.**

A. Herons Landing Lake Michigan Water - Update. Staff participated in a in Lake County

Public Works construction status meeting on November 2, 2012. Lake County reported that the watermain installation was complete and all homes were connected as of October 16, 2012. Lake County reviewed the project costs with the Herons Landing HOA Representatives and Staff and noted that the final costs are projected to remain within the total project contributions of \$3,024,774.20 and that there is anticipated to be a minor rebate back to the homeowners that chose to pre-pay. – The HOA President of Herons Landing was in the audience and said that the last connection was made on October 16, 2012. He said that residents and Project Manager were pleased, in general. And, that the landscaping would be added in the Spring.

He also said that the contractor videoed roads for damage. He said that roads would be repaired and possibly widened. – **No action was taken.**

B. Continued Discussion Of Financing Options For The Funding Of Roadway Maintenance & Improvements. Village President Rodriguez received the enclosed October 24, 2012 letter from Resident Allen Roiter offering input and suggestions on possible measures to reduce the road paving funding gap. It should be noted that the establishment of a municipal "Real Estate Transfer Tax" is limited to Home-rule municipalities. As a Non-Home-rule municipality, the Village of Long Grove cannot impose a Real Estate Transfer Tax without successfully going out referendum to become a Home-rule community. The "Vehicle Purchase Tax" presumably is presumably a sales tax which revenues go to the community that the vehicle sale took place at as a point of sale and not to the community where the vehicle is registered or housed. A village-wide SSA tax does not necessarily have any more negatives than a village-wide real estate tax. The examples referenced appear to relate to individual subdivisions in the Round Lake Communities that have SSA's imposed for water/sewer for those subdivisions and not the entire municipality. – Trustee Wachs said that the Village would extend the timeframe for the referendum. He noted that the referendum would be the only way to garner the money so that it needed to be understood, discussed and worded properly. Trustee Weber noted that there were so many layers to every option. She wanted to know if vehicle sticker options was a viable way to bring in revenue for roads. Trustee Wachs replied that it was not enforceable.

It was also noted that there needed to be a policy in place regarding public and private roads, because there was no way to simply take control of private roads without the permission of the residents. It was noted that more information and combination of options might be needed. President Rodriguez said that the Village needed to listen to the residents.

Resident – Noted that Shiloh and Country Club Estates had roadwork done, but that Village Office was unable to give her information about it when she called the main number.

Resident – Arlington Heights Road has many retired residents. He said that the residents would not be able to withstand the financial impact of a tax increase for road maintenance. He said that while residents in his subdivision were paying for the 2 ½ acre lots that were once standard, homes in PUD lots were able to pay taxes on much smaller lot sizes. He felt as though a tax would force residents in his neighborhood to incur a penalty to take care of everyone else's roads.

Village Manager Lothspeich, when asked, said that the estimated tax increase would be about \$474 dollars per resident if the tax were just to cover existing public roads; or \$1600 per resident if it were to cover maintenance of all roads.

Trustee Wachs believed that making all roads public would give the Village a monumental task and force the Village to hire personnel to handle the roads and maintenance.

Trustee Weber suggested that after the meeting, the Village should send an HOA blast to get as many ideas as possible at a public meeting. Trustee Underwood noted that some HOA's do not want roads to be made public. They want to maintain control of their own roads.

Resident – People on private roads feel safer against predators and criminals coming into their subdivisions.

**No action was taken.**

**Item #10: Village Trustee Weber.**

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Long Grove Business & Community Partners Board Meeting – October 16, 2012 & October 31, 2012.

Trustee Weber represented the Village during the October 16th LGBCP Board Meeting and Staff represented the Village during the October 31, 2012 LGBCP Board Meeting. – Trustee Weber thanked Tobin Fraley, Tobin Fraley and Capital 22 for the decorated Christmas tree for the lighting ceremony. She said that the event was well-attended. Trustee Schmitt said that there would be banners going up to advertise Santa's workshop in the Downtown area. – **No action was taken.**

**Item #11: Village Clerk Schultheis.**

**Nothing to report. No action was taken.**

**Item #12: Village Manager Lothspeich.**

**Nothing to report. No action was taken.**

**Item #13: Village Planner Hogue.**

**Not Present**

**Item #14: Village Attorney Filippini.**

Village Counsel Filippini will not be in attendance during the regular meeting.

**Item #15: Approval of Board Meeting Minutes.**

October 9, 2012 Board Meeting Minutes. Trustee Barry moved to Approve the October 23, 2012 Village Board Minutes; seconded by Trustee Weber.

**VOICE VOTE:**

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

**Item: Executive Session.**

**At 9:34 PM; Trustee Barry moved to go into Executive Session to discuss (1) Executive Session Board 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.**

October 9, 2012 Executive Session Meeting Minutes. – Trustee Weber moved to Approve the October 23, 2012 Executive Session Minutes, but not for Public Release; seconded by Trustee Barry.

**VOICE VOTE:**

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

Greencourte LLC– Discussion regarding foreclosure. It was noted that the Village owns the parking rights no matter who the new owner of the property is. It was also noted that the Downtown is not a PUD, so the Village should be able to have some say in what type of tenants are in the Downtown – **No action was taken**

**Item: Adjournment.**

**At 10:26 PM, Trustee Marshall moved to Adjourn; seconded by Trustee Barry.**

**VOICE VOTE:**

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