Item #17:
Village Board Meeting Minutes
August 24, 2010

MINUTES OF THE VILLAGE BOARD OF LONG GROVE
Tuesday, August 24, 2010 at 7 P.M.
3110 RFD, LONG GROVE, ILLINOIS 60047-9613

CALL TO ORDER:
At 7:00 P.M. President Rodriguez called the August 24, 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 Superintendent Block, Village Manager Lothspeich, Village Planner Hogue, Village Counsels Filippini and Gates.

Homeowner Associations:
Burr Oak/Oak Hills – Cathleen Faerber. – **No one was present. NO action was taken**
Orchards Of Long Grove – Joe Gallo. – HOA President Gallo discussed the storm water issue with Lot #7. Village Manager Lothspeich said that Lake County Department of Transportation had allowed the permit. – **No action was taken.**
Rte 22. Expansion – At the request of the subdivision presidents present, Village Manager Lothspeich discussed the expansion plans for the widening of Rte. 22. He said that the plan was to expand Rte. 22 five years out. He added that the position of the Village was to direct IDOT to restrict access to Right of Ways. He added that the intersection of Rte. 22 and Old McHenry would be most impacted.– **No action was taken.**
Royal Melbourne – Andy Maggio. – **No action was taken.**
Stonehaven – Brian Kluever. – HOA President Kluever said that the retention wall IDOT was planning looked very industrial. Village Manager Lothspeich asked that any comments be sent to him to be forwarded to IDOT. – **No action was taken.**
Lake Michigan water – HOA President Kluever requested an update on the Lake Michigan water access. President Rodriguez discussed the fact that the Village is leaving open its options to take water, but that access was cost prohibitive. Village Manager Lothspeich noted that if the Village were to have access even for a few residents that might be enough to retain our future rights to access; and that is why the Village wanted to maintain all its options. – **No action was taken.**
Willowbrook Woods – Mark Challenger. – **No one was present. No action was taken.**

THERE WERE NO ITEMS FROM THE AUDIENCE

Item: Special Event Application – Rotary Heritage Run 5K.
The Long Grove Business & Community Partners recommended approval of the following special event application contingent upon receipt of complete applications (certificate of

insurance, site plan, etc.) during their August 17, 2010 meeting:
Rotary Heritage Run/Walk. – **Trustee Schmitt moved to Approve the Long Grove Rotary 5K Heritage Run/Walk on September 11, 2010; seconded by Trustee Barry.**
VOICE VOTE:
All ayes, No nays (Motion carried 5 – 0; Trustee Weber absent).

ACTION ITEMS:
Item #1: Report Of The August 3, 2010 Plan Commission & Zoning Board Of Appeals Meeting.
The Plan Commission & Zoning Board Of Appeals considered the following request during their meeting.

- PUBLIC HEARING –Special Use Permit And/Or Additional Relief Necessary And/Or Appropriate Under The Zoning Code Including Modification Of The Existing PUD As Required To Allow A Wireless Telecommunications Facility And Related Equipment To Be Located Within The Existing Structure At 1190 Old McHenry Road And Within The R-2 PUD District Submitted By Mr. Mark Layne On Behalf Of T-Mobile Central LLC. – Village Planner Hogue discussed the meeting. Her said that no one from the public was at the public meeting. He also said that the requirements were that the antenna be at least 500 feet from a residence – he had measured the distance at 501 feet. Village Counsel Filippini suggested a waiver so that the petitioner would have to prove that the distance met the 500 foot minimum. The reason that the distance was needed was aesthetic and for safety. Responding to a question from the Board, Village Counsel Filippini said that the US Congress and the World Health Organization had said that cell towers posed no health threat.

Trustee Wachs moved to Direct Counsel to Prepare an Ordinance Regarding Allowance for a Wireless Telecommunications Facility and Related Equipment to be Located Within the Existing Structure at 1190 Old McHenry Road and Within the R-2 PUD District; 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 #2: Report Of The August 17, 2010 Architectural Commission Meeting.
The Architectural Commission (AC) granted approval of all the following items during their meeting.

A. Window Treatments For The *CVS Pharmacy Building*, 4186 Route 83 Within The Sunset Grove Development And Zoned HR-1 PUD District, By Sure Light Signs. – Tabled.
B. Signage For *The Long Grove Performing Arts Academy*, 344 Old McHenry Road, Within The B-1 Historic District, Signs Now On Behalf Of Sara Pardo. - Approved
C. Modification Of Plans For "Building B"; 4196 Route 83 And Within The *Sunset Grove Development*, Including The Site Plan, Signage, Elevations, Landscaping Plans And Zoned HR-1 PUD District, Submitted By Mr. Kurt Wandrey, Lakewood Real Estate Solutions LLC . – Village Planner Hogue said that there was no further public hearing. There was discussion regarding lighting and backlighting.

Item #3: Ordinance Amending Zoning Code Regarding Lots Size In HR District.
As directed by the Village Board during the June 22, 2010 Meeting, Village Counsel prepared the draft ordinance amending the Zoning Code regarding minimum lot sizes in the HR District to accommodate the Arbor Grove Planned Unit Development. – Before motions were requested, Village Counsel Filippini explained the relation between the following amendments and modifications. He noted that the petitioner was requesting to have 36 months for occupancy instead of 30 months; Tenancy at 50%; that the Ordinances would allow permitted changes such as fast food, drive-thru restaurants and auto dealerships; and Convenience store hours that could begin at 5AM instead of 6 AM –
Trustee Wachs moved to Approve an Ordinance Amending Section 5-4-10 of the Long Grove Zoning Code Regarding Lot Size In the HR Highway Retail District; seconded by Trustee Schmitt.
ROLL CALL VOTE:
Acuna – nay; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – absent (Motion carried 4 – 1; one absent).

Item #4: Ordinance Amending Zoning Code To Rezone Geimer From R-2 To HR District.
As directed by the Village Board during the June 22, 2010 Meeting, Village Counsel prepared the draft ordinance amending the Zoning Code to rezone the Geimer property from R-2 Residential To HR Highway Retail District. – **Trustee Schmitt moved to Approve an Ordinance Amending the Long Grove Zoning Code to Rezone the Property Located at 2727 Route 53 from the R-2 Single-Family Residence Zoning District to the HR Highway Retail District; seconded Trustee Wachs.**
ROLL CALL VOTE:
Acuna – nay; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – absent (Motion carried 4 – 1; one absent).

Item #5: Ordinance Approving SUP For Modifying Geimer PUD Re: Arbor Grove PUD.
As directed by the Village Board during the June 22, 2010 Meeting, Village Counsel prepared the ordinance approving the Arbor Grove Preliminary Planned Unit Development. Staff will provide recommendations on these two remaining items during the Board Meeting.-
The general consensus amongst those Trustees that approve of the development was that the 50% tenancy and the increase to 36 months for occupancy would be acceptable. There was discussion regarding the fast food and drive thru element; but Village Counsel Filippini explained that the Ordinance did not create the right to any entity, only the right of the developer to ask. There was discussion as to what constituted a fast food restaurant, and also what would be included in an auto dealership. * The Consensus of the Board was to disallow drive-thrus, and to follow the format used when setting up the Menards.
A basic overview of what will be on the Ordinance included some of the following highlights: 36 months occupancy; 50% tenancy; Auto dealerships for (primarily) new cars – no service for oil and auto as a stand-alone, only for ancillary purposes; 5AM opening for convenience stores; auto dealerships would not exceed 5 acres.
Trustee Schmitt believed that the PUD was premature, as there were no set plans that had been brought before the Board. Other Board members thought that it would be impractical to market a property without the developers having any idea of what would be allowed .
Trustee Wachs moved to Approve an Ordinance Granting a Special Use Permit for a Planned Unit Development and Approving a Preliminary Planned Unit Development Plat

for the Property located at 2727 Route 53; seconded by Trustee Marshall.
ROLL CALL VOTE:
Acuna – nay; Barry – aye; Marshall – aye; Schmitt – nay; Wachs – aye; Weber – absent Rodriguez - aye
(Motion carried 4 -2; one absent, President Rodriguez exercised right to Vote on the Motion)

Item #6: Resolution Reducing LOC From $3,778,077.83 To $3,751,959.33 For Sunset Grove.
This will be the fourth reduction in the amount of the Letter Of Credit (LOC) for Sunset Grove.
Trustee Schmitt moved to Approve a Resolution Further Reducing (4th) The Letter of Credit for Sunset Grove from $3,778,077.83 to $3,751,959.33 for Sunset Grove, LLC; 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 #7: Village President Rodriguez.
A. Convention & Visitors Bureau – President Rodriguez attended a meeting, and the guest speaker was the new Executive Director of the Tollway. The first priority of the tollway is to extend Rte 53. President Rodriguez said that there is a great political will to build this extension. She said that the Village should concentrate on promoting the extension of Rte. 120. – **No action was taken.**
B.Old McHenry & Robert Parker Coffin Intersection Modern Roundabout – *Update*. Lake County Division Of Transportation concluded that the proposed modern roundabout would be an acceptable improvement. Staff responded that the Village had not made a decision regarding which improvement (no change, signals, modern roundabout) was preferred and suggested that the Village make a recommendation before proceeding further in case the modern roundabout concept was not supported by the Village. – President Rodriguez said that the Village needs to consider that some of the right of ways at the intersection of Old McHenry Road and Robert Parker Coffin are inside the buildings. While the consensus of the Board is to keep the stop signs; traffic lights would be a better alternative than a modern roundabout. There was concern that a roundabout might interfere with the historic look of the Downtown. It was also wondered how pedestrians might be affected, especially during festivals. Park District President Lee Bassett noted that roundabouts do work in New England, but that because traffic in the roundabout has the right of way, this might create complicated traffic patterns. For instance, during rush hour, traffic might get clogged up at the Bridge. President Rodriguez reminded the Board that because this was a County Road, they would be able to make the final choice; however, they had asked for the Village's preferences. Village Manager Lothspeich said that the Village would tell the County that the preference of the Village was not to have any change via a letter written by Staff - **No action was taken.**
C IL Route 22 Widening – West Of IL 83 – *Update*. – President Rodriguez asked if there were any suggestions from the Board. Trustee Barry said that he would like to see a walking path from Old McHenry to North Krueger. – **No action was taken.**
D. . Pathway Money – President Rodriguez said that Representative Sullivan said that the Village was awarded Pathway money. She wanted to know how the Board wanted to disperse that money. One option was to use the money to reimburse the Village for previously built paths. Trustee Acuna suggested that the Village reimburse itself for paths built, and then make certain to document that the money was earmarked for paths. Trustee Barry would rather see more paths

built. President Rodriguez said that the Village could leave open the possibility to reimburse itself. The money to be received is $250,000. Village Manager Lothspeich said that the issue would be presented to the Board in the form of a Resolution at the next meeting. – **NO action was taken.**

Item #8: Village Trustee Acuna.
A. *Treasurer Report For July 31, 2010.* – **Trustee Marshall moved to Approve the Treasurer's Report of July 31, 2010; seconded by Trustee Wachs.**
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 July 31, 2010.* For informational purposes only, no motion required. – **No action was taken**

Item #9: Village Trustee Barry.
A. *Pathways* – Trustee Barry said that there was to be a meeting on the following Friday. He said that the Committee is proceeding with its volunteer efforts. On September 18, 2010, the volunteers will work to level off a path from 9 AM – Noon. – **No action was taken.**
B.*Mosquito Abatement/West Nile Virus Update.* – Trustee Barry said that a larvacide had been applied a week ago, but he believed that the application may have been late. The flood water mosquitoes should be dying out in a few weeks. Trustee Barry said that the oppressive number of mosquitoes this summer were, in part, due to the fact that this was the hottest, wettest summer through July on record. – **No action was taken.**

Item #10: Village Trustee Marshall.
Long Grove Business & Community Partners Board Meeting – August 17, 2010. Trustee Marshall and Staff represented the Village during the LGBCP Meeting and will provide a brief verbal report during the upcoming Village Board Meeting. – Trustee Marshall said that the new Marketing Director has a lot of green initiatives, and that the vote for her was unanimous. – **No action was taken.**
Last Concert for the Arts and Music Council 2010 Concert Season– Trustee Marshall said that the Arts and Music Council was hoping for attendance from the Board members. – **No action was taken.**

Item #11: Village Trustee Schmitt.
Park District – Trustee Schmitt said that the Park District wanted her to reiterate to the Board that the decision to reject the lease for the athletic fields was because of the issue of funding. – **No action was taken.**
Drop Box – Trustee Schmitt said that the Library Drop Box has been ordered, and would be installed by October 1, adjacent to the Red Oaks Barn. – **No action was taken.**
Recycling – Trustee Schmitt said that there will be an electronic recycling event on September 25th. It will be held from 8:30 AM - -11:30 AM, but the venue has not been decided yet – **No action was taken.**
SWALCO – Trustee Schmitt said that the recycling effort has garnered $2355 for the Second Quarter to add to the $2250 from the First Quarter. Trustee Schmitt said that SWALCO hopes that by the year 2020, 60% of all curbside trash will be recyclable. – **No action was taken.**
Athletic Fields – Trustee Schmitt said that Grove United had a positive conversation with the Village regarding the fields. She said that talks will continue. – **No action was taken.**

Item #12: Village Trustee Wachs.
Nothing to report. No action was taken.

Item #13: Village Trustee Weber.
Absent.

Item #14: Village Clerk Schultheis.
Nothing to report. No action was taken.

Item #15: Village Manager Lothspeich.
Daffodil Program – Village Manager Lothspeich said that he and Trustee Acuna had been discussing the costs of the daffodil program. He said that the cost is $3000. The consensus of the Board was to keep the program but cut it in half. – **No action was taken.**

Item #16: Village Superintendent Block.
Projects and Permits – Superintendent Block discussed the breakdown of revenue from permit fees. He said that the revenue has declined from last month. – **No action was taken.**

Superintendent Block said that he would be on vacation from September 9 – 19, 2010.

Item #17: Village Planner Hogue.
Nothing to report. No action was taken.

Item #18: Village Attorney Filippini.
Statue – Village Counsel Filippini said that Village might want to consider accepting ownership of a statue in front of the Mill Pond Shops. He said that the statue was inspired by the tsunami. President Rodriguez said that the theme of the statue is "Even in Time of Adversity, There is Hope." The statue is considered valuable. The consensus of the Board was to accept ownership of the statue. – **No action was taken.**

Item #19: Approval of Board Meeting Minutes.
July 27, 2010 Board Meeting Minutes. – **Trustee Acuna moved to Approve the July 27, 2010 Board Minutes, as amended; seconded by Trustee Wachs.**
VOICE VOTE:
All ayes, no nays. (Motion carried 5 – 0; Trustee Weber absent).

Item: Executive Session.
At 9:10 P.M., Trustee Barry 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 Schmitt.
ROLL CALL VOTE:
Acuna – aye; Barry – aye; Marshall – aye; Schmitt – aye; Wachs – aye; Weber – absent (Motion carried 5 – 0; one absent)

1) Disposition – Sunset Foods.
2) Litigation - Guarino's Ranch Disconnection.

3) Litigation – Hillcrest Country Club.
4) Litigation – Double G's.
5) Litigation – Ballybunion/Oman's.
6) Litigation – Nevel.
7) Personnel – Employee Review.

Item: Adjournment.
At 11:30 P.M., Trustee Barry moved to Adjourn; seconded by Trustee Acuna.
VOICE VOTE:
All ayes, no nays. (Motion carried 5 – 0; Trustee Weber absent).

<u>VOICE VOTE:</u>
All ayes, no nays (Motion carried 5 – 0, Trustee Weber absent).

Respectfully Submitted,
Karen Schultheis, Village Clerk