



MINUTES OF THE VILLAGE BOARD OF LONG GROVE
Tuesday, June 24, 2014 at 7:00 P.M.
3110 OLD MCHENRY ROAD, LONG GROVE, ILLINOIS 60047-9613

CALL TO ORDER:

At 7:05 P.M., Village President Underwood called the June 24, 2014 Village Board Meeting to Order.

OFFICIALS IN ATTENDANCE:

Village President:	Underwood
Trustees Present:	Lyman, Marshall, Yaeger, Wachs
Trustees Absent:	Barry, Borys
Village Manager:	Lothspeich
Village Clerk:	Locker-Scheer
Village Planner:	Not present
Also Present:	Village Attorney Filippini
Special Guests:	Jordan Glazov and team from the Long Grove Senior Care, Developed by Gart Partners, LLC out of Northbrook, Illinois, represented by Attorney Matt Norton

Call To Order: Recitation of the Pledge of Allegiance

VISITOR'S BUSINESS

Homeowner Associations:

The Fairfield Village and Lakes of Long Grove HOAs were invited to attend but were not in attendance.

Item: Visitors' Business: Special Event & Temporary Signage Applications:

Discussion: The Long Grove Business and Community Partners (LGBCP) Board approved the following Special Events & Temporary Signage during their June 17, 2014 Board Meeting, conditioned upon further review and approval by the LGBCP Events Committee:

- o Harley Days (new event): July 19
- o Long Grove Lions Vintage Days: October 10-11 Note: Since meetings, this event was cancelled

Although the applications for the following events were provided to the LGBCP in May, the LGBCP Board did not consider the following Special Events and temporary signage during their June 17, 2014 Board Meeting:

- o Rotary-Heritage Run/Walk: September 6
- o European Autoschau: October 4
- o Irish Days: August 30 - September 1 Note: No application submitted to date.

Trustee Lyman moved to approve the Special Event applications and Temporary Signage for:

- Harley Days: July 19
- PNC Bank Grand Opening: July 26
- Irish Days: August 30 – September 1
- Rotary-Heritage Run/Walk: September 6
- European Autoschau: October 4 contingent upon completed application.

; seconded by Trustee Wachs.

VOICE VOTE:

All ayes, no nays (Motion carried 4 – 0, 2 absent trustees)

Trustee Wachs moved to approve the Special Event Application and waiver of the Raffle License bond and \$25 application fee requirements for the Long Grove Rotary Heritage Run on September 6, 2014; seconded by Trustee Wachs.

ROLL CALL VOTE:

Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Wachs; Trustee Lyman - aye.
(Motion carried 4 – 0; 2 absent trustees).

Lake County Sheriff's Report

Update: A seatbelt check will be conducted during the next week. Power lines currently down on North Krueger with traffic being redirected.

Public Discussion: Karen Schmidt, Mardan Woods: Questioned whether questions can be asked about tree line.

Item #1: Report Of The May 19, 2014 Architectural Commission Meeting.

Discussion: The Architectural Commission (AC) approved the following during their May 19, 2014 Meeting. Village President Underwood asked the Board of Trustees whether or not there were any questions about the proposed changes. At this meeting, no vote will be taken.

- A. General Signage for “Mill Pond Shops”, 215-250 Robert Parker Coffin Road.
- B. Signage, Landscaping, Lighting, Site Plan & Building Elevations For A Senior Living Center With Memory Care And Assisted Living Facilities within The Fairfield Village Subdivision PUD, Harbor Retirement Associates, 1190 Old McHenry Road.

Item #2: Ordinance Approving Amendments To Fairfield Village PUD For Senior Living Center.

Discussion: On June 3, 2014 the Plan Commission & ZBA (PCZBA) recommended preliminary PUD approval of the request conditioned upon further detail about: (1) engineering and (2) the Verizon PWS antenna. The request is as follows:

Request For An Amendment To The Previously Approved Special Use Permit And Planned Unit Development Approval Known As The Fairfield Village Planned Unit Development And With The R-2 PUD District And/Or Additional Relief Necessary And/Or Appropriate Under The Zoning Code Including But Not Limited To Building Height, And Parking To Provide For A Senior Living Center With Memory Care And Assisted Living Facilities On The Property And Temporary Relocation Of The Existing T-Mobile Wireless Antenna Currently Located In The Existing Building To The Northwest Corner Of The Site Until March 2015 For Property Located At 1190 Old McHenry Road, Harbor Retirement Associates.

The Architectural Commission (AC) approved the plans during their June 16, 2014 Meeting. As directed during the June 10, 2014 Village Board Meeting, Village Counsel Filippini prepared a draft approval ordinance reflecting the reviews by the PCZBA and AC. Changes in wording regarding the “approximate” number of employees specified and additional recommendations identified by Village Attorney Filippini.

Trustee Lyman moved an ordinance amending The Fairfield Village Planned Unit Development, approving a preliminary Planned Unit Development Plat, and granting other relief for The Harborchase Senior Care Facility located at 1190 Old McHenry Road with the changes outlined; seconded by Trustee Marshall.

ROLL CALL VOTE:

Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Wachs; Trustee Lyman - aye.
(Motion carried 4 – 0; 2 absent trustees).

Item #3: Continued Request for Partial Waiver of Tree Replacement Requirements.

Discussion: During the June 10, 2014 meeting, the Village Board considered the request by applicant Jordan Glazov of Long Grove Senior Care for the partial waiver of the tree replacement for protected trees requirements for their planned senior care center on the Alberts' property (located at the SW corner of Old Hicks and IL Route 53). According to the Mr. Glazov, a partial waiver of the tree requirements is necessary in order for the project to remain financially viable since they would be required to plant replacement trees in other locations in the Village OR pay a fee in lieu of \$150 per caliper inch of trees that cannot be replanted on their property. During the June 10th meeting, it was the Village Board's consensus that they were not in favor of waiving the tree replacement requirements. Because there was a misunderstanding about the date of that meeting, Mr. Glazov and team presented at this meeting. A correction was made that the submitted request for waiver was for all trees with a rating of 3 or less and not a rating of 2 or less, which the Board had based their June 10th decision on.

Attorney Matt Norton opened the discussion and introduced the team. Then, Jordan Glazov provided a presentation about the senior center plans (2 story assisted living building with 60 units – 1 and 2 bedroom plus a 1 story memory care facility with 40 units) and answered questions. When complete, the building will be surrounded by 50 feet of dense habitat. Trees are classified as 0-5 (1=dead, 2=poor, 3=fair, 4=good, 5=perfect). Presentation included a series of pictures describing the trees on property, including a tree map of the property with overlay of plans. The following points were addressed during the question and answer period: The plan is to keep the peripheral trees in natural state. There are drainage plans and renderings that they had on hand that will be submitted to planning commission. Ash are not included in numbers, are not protected and these are considered to be in a state of decay. Discussion about mitigation fees and usage. They notified their landscape architect to replant protected species. Their plan includes evergreens along the frontage. Audience discussion: Entrance area would be 35 foot entranceway with 90 feet wide clearing and IDOT requirements of 18 feet from roadway intersection. Concerns about the number of trees that will be removed and request to work with the landscape architects. Concern about leaving the brush as is, agreement to clear the brush and add trees/foliage in more manicured area. Traffic study question arose, but non-tree discussion held to July meeting. Do not anticipate more than 5% of residents being drivers and planning shift changes at off hours. Direction from last meeting was “no” that Long Grove would not waive their fees. Now, looking at waiving of fees for higher threshold. Board would like to hear the Planning Commission's decision on this matter.

Item #4: Ordinance Approving Rear Yard Setback Variation For 1509 Sumter Drive.

Discussion: on June 3, 2014 the Plan Commission & ZBA (PCZBA) had approved and recommended this change:

- Request For Variation Of The Rear Yard Set-Back Requirement (North Side) From The Required 40 Feet Down To 8 Feet Within The R-2 District For The Construction Of A Deck & Retaining Wall And To Allow The Pre-Existing Pool To Remain For Property At 1509 Sumter Drive, Peradotti.

Trustee Yaeger moved to grant a rear yard variation for a deck and retaining wall at 1509 Sumter Drive; seconded by Trustee Marshall.

ROLL CALL VOTE:

**Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Wachs; Trustee Lyman - aye.
(Motion carried 4 – 0; 2 absent trustees).**

Item #5: Ordinance approving Amendments to Zoning Code Re: Permitted & Special Uses Downtown.

Discussion: Previously, the Village Board agreed to postpone approval of this ordinance until this meeting in order to provide the LGBCP Economic Development Committee (June 9) and the LGBCP Board (June 17) an opportunity to review and make recommendations to the Village Board. The LGBCP completed their review and provided "LGBCP EcoDevo Response Re B-1 District Allowable Uses" and "LGBCP Review of Detailed Permitted Uses". Village Counsel Filippini modified the draft amending ordinance to include most of the recommendations and listed several suggestions that were not included. Attorney Filippini reviewed the proposed zoning regulations. Trustee Wachs suggested and board agreed to have the wording regarding the “percentage of off-site sales” to be reviewed so that Internet sales be allowable option for businesses. The label and number should be expanded in the liquor area for better understanding of use.

Trustee Lyman moved to approve an Ordinance approving amendments to the Zoning Code regarding uses in the Downtown B-1 Historic Zoning District including the revisions discussed per the June 23 LGBCP memo; seconded by Trustee Yaeger.

ROLL CALL VOTE:

**Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Wachs; Trustee Lyman - aye.
(Motion carried 4 – 0; 2 absent trustees).**

Board agreement to put the use of medical marijuana on agenda for next meeting.

Item #6: Ordinance Approving Lease Of Village Owned Soccer Fields To Ela Soccer.

Discussion: On May 27, 2014, the Village Board approved Ordinance 2014-O-10 "An Ordinance Approving a Lease For The Village Owned Soccer Field Property To Ela Soccer Club". As noted during the May 13, 2014 Board Meeting, the Illinois Municipal Code does not specify the procedures for approving a lease of 12 years. Accordingly, the approval ordinance and lease included language referencing the requirements for leases of 20 or more years under 65 ILCS 5/11-76-1, but does not specify the vote required for approving the lease. Ela Soccer Club (ESC) requested that they have the procedures followed for a lease of 20 years or more since it provides a clear statutory process and they have risk associated with making improvements to the property with the current lease because of the additional provision stating that the agreement is void if determined that it was improperly approved. ESC is concerned that any investment it makes in the parking area pavement. Village Manager Lothspeich provided insight into the lighting provisions and approval process needed.

Item #7: Resolution Waiving Bids Approving Amendments & Extension To Contract With Clarke.

Discussion: Mosquito abatement has been in a holding pattern since 2010. As directed during the June 10, 2014 Village Board Meeting, Clarke provided proposals to amend and extend the existing contract for 2014 to expand the testing and treatment to pre-2010 levels at an additional cost not to exceed \$15,944 and to extend the existing contract for 2015-2017 for an amount not to exceed \$34,200 in year 2015. The maximum percentage increase of the Recommended Contract is set for 2016 at 0%, 2017 at 2%, and 2018 the consumer price index (CPI) or 5%, or whichever is less. In 2009, the contract amount was \$31,026. Trustee Wachs expressed concern that there is an impact to budget with these additional fees. Discussion about the budget amendments and when this should be addressed. Their contract specifies details of services, including the number of square feet covered.

Trustee Lyman moved to approve a Resolution Waiving Bids and Amending the Existing Contract For 2014 and Approval of a Three Year Contract extension to Clarke Mosquito Control for \$34,200.00 in 2015 through 2017; seconded by Trustee Marshall.

ROLL CALL VOTE:

**Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Wachs; Trustee Lyman - aye.
(Motion carried 4 – 0; 2 absent trustees).**

Item #8: Report On Infrastructure Projects & Reviews.

Discussion: Outside peer reviews of the various suggestions from the public are on-going. Proposals and updates on the following for consideration during the upcoming Board Meeting:

- A. Oakwood Road Bridge Replacement. IDOT accepted the bids and confirmed their additional payment toward 80% of the excess project costs. A pre-construction meeting is scheduled on July 1, 2014 and the Village will be sending notices to the affected residents, school districts and emergency responders next week.
- B. Public & Private Drainage. This was the first discussion with the current seated Board. Village President Underwood would like to see a policy come out of this discussion so that it would be easier for staff and residence to understand how these issues are handled. The primary subdivisions with well-documented problems are Country Club Estates (CCE) & Lakes of Long Grove, where the cause of the flooding is on private property. Trustee Yaeger reviewed what the Village is aware of to share with the public: storm sewers, public easements. Village President Underwood expressed the need to have a policy of guidelines of what is handled by the Village in consideration for all residents of the Village. Should include wording about ownership of issue once the Village takes implicit action. Concerns from audience that the Army Corps of Engineers is putting together plans for all of Lake County and that the Board needs to look at this from a larger perspective. Discussion that the Board has been acting as specified in previous Trustee Acuna's write-up. Per Village Manager Lothspeich, current limits of responsibility or issues within public right-of-way. He had discussed this with representative from Hawthorn Woods where they are considering the same issue. Issue: Public storm sewer causing problems to public property. Where there are private facilities, the Board has the right to require the private owner to fix. Village should also have guidelines about providing information to private owners about the known issues associated with property and guidelines for enforcing the fix

for issues. Trustee Yaeger shared an article about cases introduced by insurance company on Chicago-area cities for not preparing residents for flooding and provided example from Prospect Heights. Question for Board regarding policy: What is the degree of the involvement that the Village wants regarding flooding. Per Village Manager Lothspeich, the NPDES is required to annually monitor storm sewers and water quality. They follow the process when there are drainage concerns. Village Manager Lothspeich wants some closure on whether or not the Village will be taking action or not so that movement occurs regarding the issue. Would like specifics/topics documented by staff for discussion at the next meeting. Board asked the Village staff to review issues from administrative/technical standpoint. Goal is to discuss the results in committees which have representation of Trustees and resident volunteers.

- C. Village Infrastructure Reviews - Membership & Meeting Dates. Staff is preparing a list of suggested Residents for invitation to participate and suggested dates for meetings which will be emailed to the trustees by the staff. Need facts in place for these discussions, which is when Gewalt Hamilton has results in July. Staff needs to firm the deliverable dates for planning of meetings. Possible joint Board meeting and Infrastructure review meeting during August meetings. Other public meetings are on Tuesdays. First meeting to committees should be presentation by Gewalt Hamilton. Trustees not in attendance – July 27: Marshall, August: 12: Lyman, August 26: Yaeger. Anticipate a lot of public interest in the Gewalt Hamilton findings and may send out notification about the meeting. Staff will gather the list of volunteers that will be involved on these committees and notify them about the meeting schedule. Recommend that the first Infrastructure meeting be held on Monday, August 18th, at 7:00 p.m.

Item #9: Village President Underwood.

Administration & Legislation

- A. *IL Route 53 Extension Finance Committee - Midterm Report. Update:* Next meeting is June 30th (the week of the 4th of July). Village Manager Lothspeich will be attending.

Item #10: Village Trustee Barry.

Finance / Pathways

Not present.

Item #11: Village Trustee Borys.

Environmental and Communications

Discussion: Mosquito Abatement/West Nile Virus Update.

Not present.

Item #12: Village Trustee Lyman.

Economic Development

LGBCP Board & Downtown Board & Economic Development Committee Meetings - Report. Results of the Strawberry Festival are not yet available. Food Network's "Foodfest Nation" series will be featuring an episode on Long Grove's Strawberry Festival. Village President Underwood was a judge in the competition. All Long Grove restaurants participated and came together and presented their items. The Food Network's recording staff was very complimentary of the Long Grove participants.

Item #13: Village Trustee Marshall

No report.

Item #14: Village Trustee Wachs.

IL Route 53 & Old Hicks Road Intersection Improvements

Update: Report provided to Trustees about what is being covered by the Township. They hired a new person to handle the management of the tasks due to the volume now that Long Grove is covered.

Item #15: Village Trustee Yaeger

Security and Sustainability

SWALCO – *Discussion:* Recycle Bank had a conversation with Trustee Yaeger and Sherry Shlagman. Ela Township and Gurnee just signed up. Trustee Yaeger recommends waiting to find out these communities experience and evaluate again at that time. Will investigate whether SWALCO would be interested in participating in a booth at a future festival.

Item #16: Village Clerk Locker-Scheer

No report.

Item #17: Village Manager Lothspeich

No report.

Item #18: Village Planner Hogue

Not present.

Item #19: Village Attorney Filippini

No report.

Item #20: Approval of Board Meeting Minutes

May 27, 2014 Board Meeting Minutes – Amendments provided by Village President Underwood.

Trustee Marshall moved to approve the amended June 11, 2014 Board Meeting Minutes; seconded by Trustee Lyman.

VOICE VOTE:

All ayes, no nays (Motion carried 4 – 0, 2 absent trustees)

Executive Session

At 10:24 P.M., 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 Lyman.

ROLL CALL VOTE:

Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Wachs; Trustee Lyman - aye.
(Motion carried 4 – 0; 2 absent trustees).

Approval of Regular and Executive Board Meeting Minutes.

June 11, 2014 Executive Board Meeting Minutes – No discussion.

Trustee Lyman moved to approve the amended June 11, 2014 Executive Board Meeting Minutes; seconded by Trustee Wachs.

VOICE VOTE:

All ayes, no nays (Motion carried 4 – 0, 2 absent)

Adjournment.

At 11:09 P.M., Trustee Marshall moved to adjourn the meeting; seconded by Trustee Wachs.

VOICE VOTE:

All ayes, no nays (Motion carried 5 – 0, 1 absentee)