



**MINUTES OF THE VILLAGE BOARD OF LONG GROVE
Tuesday, October 27, 2015 at 7:00 P.M.
3110 OLD MCHENRY ROAD, LONG GROVE, ILLINOIS 60047-9613**

CALL TO ORDER:

At 7:03 P.M., Village President Underwood called the October 27, 2015 Village Board Meeting to Order.

OFFICIALS IN ATTENDANCE:

Village President:	Underwood
Trustees Present:	Borys (through 8:00 pm), Jacob, Lyman, Marshall, Sarlitto, Yaeger
Trustees Absent:	Borys (left just after 8:00 to meet son who is serving our Country and arriving in Chicago this evening while on leave)
Village Manager:	Lothspeich
Village Clerk:	Locker-Scheer
Village Attorney:	Filippini
Village Planner:	<i>Not in attendance</i>
Village Engineer:	<i>Not in attendance</i>

Call To Order: Recitation of the Pledge of Allegiance

VISITOR'S BUSINESS

Homeowner Associations:

Bennington – JoAnn Rosenberg. *Discussion:* Street sign disappeared 3 days after installed. Village President Underwood said that this will be looked into and replaced.

The following homeowner associations were invited to the meeting but did not have a representative in attendance: **Long Grove Knolls.**

Lake County Sheriff's Report

Not in attendance.

Public discussion

Royal Melbourne resident Mrs. Dorn has had an issue with approval of the driveway. Original inspector deceased. Received confirmation of driveway being approved. Staff will follow up.

Request for Item #4.5 regarding Highway 53 extension to be moved up on the agenda. Village President Underwood shared that this was planned based on number of attendees at meeting to discuss this item.

Item #4.5 Consideration of a Resolution opposing Route 53 and amending Village budget in opposition (*Res. #2015-R-36*).

Discussion: Letter received earlier today from Aaron Lawlor regarding the last special meeting to discuss Highway 53 extension. The content of the letter was read by the Village Clerk, being

Dear President Underwood and Village Trustees:

I understand that the Village Board will be discussing the proposed IL Route 53 project at your board meeting tonight. I request that the Village Clerk read this letter into the record at your public meeting. I attended the recent informational meeting on this subject to observe. As the organizers of the event, you know that I was not invited to present. Nonetheless, I was happy to discuss the Route 53/120 project and respond to questions. I used this opportunity in an attempt to correct the false and/or misleading information that was shared in the official presentation. I was dismayed at the inaccurate information that was passed off as "fact." For example, it was incorrectly stated that incremental tax growth on current businesses and residences would be diverted from schools and other taxing districts to the new road. The truth is that the proposed "Value Capture" funding option described in the Route 53/120 Finance Committee's March 2015 Report would capture 25% of the increase in real estate assessed value on new non-residential development in the corridor and those revenues would be dedicated to the Environmental Restoration and Stewardship Fund that would be controlled by local elected officials and key stakeholders. Taxing bodies would continue to base their budgets and levies on the assessed value of all existing residential and commercial property, all new residential growth and 75% of new commercial growth. Additionally, the Value Capture funding option would need to be approved by the Illinois Legislature and this action should prioritize all TIF districts that currently exist, or are created prior to the implementation of the Value Capture funding mechanism. Many questions that have been raised regarding environmental impacts, the final alignment and location of the interchanges would be studied by an Environmental Impact Statement (EIS) process. An EIS would have a robust public input and outreach component. It is also required to consider a "no build" scenario, in addition to the proposed alignment options. Unquestionably, there are deeply rooted opinions on this project. I respect differences of opinion and am always willing to engage in a conversation. As county and local leaders, we have had successful partnerships in the areas of law enforcement services, shared services, stormwater management, and much more. I look forward to continuing to work with you and hope that we can recognize that the inaccurate information and the manner in which it was presented is not fair to our residents. I encourage your residents to read the IL Route 53/120 reports for themselves. This information can be found at www.ILRoute53.org.

Sincerely,
Aaron Lawlor
Lake County Board Chairman

Discussion around the Board of Trustees ensued. Trustee Borys provided rebuttal on the content of the letter, including the numbers coming from online report pulled the day of the presentation.

Village President Underwood served on the Environmental Restoration & Stewardship Fund working group; no toll income can legally be used for this fund. Presentations from that meeting will be posted on the Village website. There is a corridor in Long Grove that is in TIF area. Trustee Lyman recommended that there is a possibility of identifying TIF districts throughout the Village to protect Long Grove. Shared concern of passing an opposition to Hwy 53 and not having a seat at the table for discussions with the Tollway. This would not impact any existing TIF. Trustee Sarlitto summarized the results of the resident survey. Alternative if 53 is not expanded is expansion of Route 83 and Highway 45. Trustee Yaeger thanked everyone that has presented at the recent Highway 53 meetings and commended their efforts to provide additional information to residents, impact of Long Grove on being informed on cost, environmental considerations and capabilities of a Village the size of Long Grove to impact 53. Trustee Marshall shared that early on he was in favor of Highway 53. He has learned more about the road and

wants to learn more about the issues, e.g., impact on wetland, possibility of rerouting the highway to go down Route 12, doesn't want to waste political capital, and he wants to be involved in discussions going forward. Trustee Lyman suggested that this not be voted on at this meeting. In the presentation by the survey representative, there was a 3% margin of error, so basically there is a 50/50 split on behalf of our residents. Disagreement by the board on argument of political capital. Village President Underwood shared her experience being on the Board and discussions with IDOT, with many decisions being delayed based on Highway 53, e.g., adding lights at Old Hicks and Mardan, Route 22 widening in front of Royal Melbourne— all impacted by decision whether or not Highway 53 will go through. Stressed the importance of Long Grove being able to work with IDOT and the Statue, e.g., Old McHenry County work had been pushed back to 2019, but the Village requested that it be completed earlier.

Public comment:

- Marsha Marshall – delighted that people are listening. Feels that the results would be very different if the survey was taken now after more information has been shared. Interested in meeting with Aaron Lawlor.
- Michelle Wilson – Supports Trustee Sarlitto and interested in standing with Hawthorn Woods. Not interested in Lake County being an extension of Cook County.
- Hawthorn Woods does not have a stand against Highway 53.
- Mr. Kopecky - Concerned about how much Long Grove has spent on fighting this and what this would cost if we oppose this.
- Tony Dean – Principal reason to vote no was because of lack of consensus. What have we received from sitting at the table? Village President Underwood responded that involvement has provided us the opportunity to have communications with Governor Rauner and Lake County.
- Resident - Desire for people to be protected and concerns about costs per household. Want to have all people have opportunity to speak for everyone.
- Resident – Recommends making a motion and vote on it. Interested in supporting the 53%. Concerns about 45 miles per hour – put in traffic signals.
- Marcia Forsythe – Because of the controversy, why can't we continue to be involved until we know more answers?
- Andy Sexon – Questions how this can be voted on when there are still a lot of open questions.

There was a previous resolution but it has never been approved. In 2012, following the design of the BRAC environmental standards, there was another appeal.

Survey says: *Residents were split when considering if the Village should support or oppose the extension of Route 53 as proposed, with 47% supporting it and 53% opposing it. However, residents were clear that the Village should participate in the planning of the Route 53 extension, with 91% saying the Village should participate.*

Trustee Sarlitto moved to reaffirm the Village of Long Grove's opposition to Highway 53; seconded by Trustee Borys.

ROLL CALL VOTE:

**Trustee Jacob - aye; Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Borys- aye; Trustee Lyman - nay; Trustee Sarlitto - aye.
(Motion carried 5 – 1).**

Item #1: Report of the Architectural Commission (AC) Meeting - October 19, 2015.

- A. Secondary signage for Dunkin' Donuts (formerly PNC Bank), Long Grove Commons, 3980 IL Route 22.

Discussion: Architectural Commission approved. No further discussion.

Item #2: Consideration of a request from Menard's to amend PUD to allow for expansion of existing detached warehouse enclosure.

Discussion: Menards is requesting the ability to expand detached warehouse enclosure. Board agreed that this is a minor amendment.

Trustee Jacob moved to direct Village Counsel to prepare an ordinance approving a minor amendment to the Menards planned unit development ordinance to allow for expansion of the existing detached warehouse for consideration during the upcoming November 11, 2015 Village Board Meeting; seconded by Trustee Marshall.

ROLL CALL VOTE:

Trustee Jacob - aye; Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Lyman - aye; Trustee Sarlitto - aye.

(Motion carried 5 – 0; 1 absent trustee).

Item #3: Consideration of an Ordinance amending the Village Code establishing the current number of Liquor Licenses adding a new Class "O" Taproom Liquor License for Finch's Beer Company, LLC at the former Geimer Nursery Property located at 2727 II Route 53. (*Ord.#2015-O-25*).

Discussion: This is for a proposed tap room. Attendee Andy Sexon expressed concern about traffic on Old 53 and impact on road because of location; and that considerations about traffic need to be taken into consideration before this is put in place. Trustees Yaeger and Jacob consider this as an opportunity to have a business and revitalize that area.

Trustee Lyman moved to approve an Ordinance amending the Village Code regarding liquor licenses; seconded by Trustee Jacob.

ROLL CALL VOTE:

Trustee Jacob - aye; Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Lyman; Trustee Sarlitto - aye.

(Motion carried 5 – 0, 1 absent Trustee).

Item #4: Presentation, discussion and acceptance of the Village of Long Grove Financial Statements and report on internal controls for fiscal year beginning May 1, 2014 and ending April 30, 2015 as prepared by Baker Tilly Virchow, Krause LLP.

Discussion: Two partners from our auditing firm, Baker Tilly Virchow, Krause LLP, came from Madison, Wisconsin to review financial results of the Village's audit, conducted the third week of August, 2015. This is still a draft. TIF audit also completed and issued in draft. Graphs included, which were reviewed by auditors. Board questions about TIF projections and other points in report.

Trustee Lyman moved to accept the Fiscal Year 2014-2015 Financial Statements and report on internal controls as prepared by Baker Tilley Virchow, Krause LLP; seconded by Trustee Sarlitto.

VOICE VOTE:

(Motion carried 5 – 0, 1 absent Trustee).

Item #5: Village President Underwood.

Administration & Legislation

A. IL Route 53 Update - Report of Oct. 20, 2015 Informational Mtg. & Upcoming final Land Use

Mtg. Nov. 5, 2015 (have had 12 to 15 meetings). Asking Land Use Committee to approve Land Use report to be given to the Tollway Board to make decision on going forward with the road. Village President Underwood looked to the Board for guidance on stand on this committee. Trustee Sarlitto shared opposition to the way the wording is now and would vote against. Trustee Lyman feels that Long Grove should abstain from vote. Trustee Jacob would vote against. Trustee Yaeger would vote against. Trustee Marshall would vote against. Village President Underwood shared that the Committee is comprised of a number of stakeholders and wants to have agreement from committee to move this to Tollway Board.

- B.** Video Gaming - *Expires December 9, 2015. Discussion of Next Steps.* Options: Make permanent and refer back to PCBZA or PCBZA for public hearing or Allow this to lapse or Remove temporary and have legal draw up amendment changing or Extend again. Trustee Jacob shared the income to businesses and the Village; reviewed other communities that are similar that do not have video gaming. Review of the survey results. Since July, the Village has not received any monies from the State of Illinois. February 2014, this was initially denied. In April 2014, there was additional discussion and it was instituted as a 6 month trial. Delays in machines; extended the temporary and wanted input into the zoning. Trustee Lyman shared that this has made a financial positive impact in a town where we will have road construction impacting the businesses; there have not been any incidents or complaints since this has been put in on a temporary basis; it is a legal activity in the State of Illinois. Trustee Marshall has visited the businesses and seen how they are discreetly placed. Trustee Sarlitto understands that there is a business dependency but does not want it to continue.

Public comment:

Resident: Doesn't see any issues or impacts on residents as there aren't billboards to encourage,

John Kopecky: There should have been a question as to whether or not people knew that it was already in place. You can go into restaurants, Village Tavern or Chatterbox, and not even be aware of the video gaming existing.

Resident: This should be considered "entertainment". Not receiving busloads of people; have gained business from this; has become a significant source of revenue for improvements.

Marcia Forsythe: Concerns about the wording used in the survey. The questions should have asked whether or not it has existed for a year.

Resident of Mardan Woods: Concerned about need for ideas to get people back in the Village and getting people back into the Village and restaurants.

Lisa: Concerned about slippery slope of giving in originally and need to consider residents.

Susan: Regular patron of Village Tavern and all that they give to the Village. Recommends that an accommodation be provided and it is not a bother to have the gaming.

Attorney Filippini shared that there is a gaming licensing approach and a liquor licensing approach; could have a freeze on further establishments and provide ability to control count. Currently have four establishments with video gaming. Question as to whether this provides additional revenue impact to other establishments. Village Tavern response is that there are people having lunch and then walk around town. Mr. Kopecky had people come in after winning at Village Tavern and won, then purchased hats at store. Woman said "This is my lucky day, now this is your lucky day". Ryan Messner, Chair of the LGBCP, said that to remove this will be a burden on the businesses.

Direction by the Board to refer to the PCBZA. This will be on the next agenda.

Item #6: Village Trustee Borys.

Finance

Not in attendance during this discussion.

Item #7: Village Trustee Jacob.

Roads, Bridges & Pathways

Discussion: Cuba Road is closed through the middle of November. Diamond Lake Road will not be completed until the middle of November as well.

Gewalt-Hamilton Associates Re: Phase I Engineering for Robert Parker Coffin Road Bridge

Discussion: Came under budget for the roads (approximately \$122K plus \$10K). Village Bridge discussion moved to next meeting, as this is going to be rebid before the next meeting. Federal process discouraging local boards from making decisions. Options: covered or not covered, which will be presented to the public.

Item #8: Village Trustee Lyman.

Economic Development & Economic Concerns.

LGBCP Board & Downtown Board & Economic Development Committee Meetings

No report:

Item #9: Village Trustee Marshall.

Building, Water & Sewer

Proposed SSA for Public Water Extension into Downtown

Monthly Building Department Report

Discussion: SSA for public water. Trustee Lyman introduced Ryan Messner, who presented what the Village has provided. Property owner meetings have been conducted concerning pulling water to the downtown area. Average cost determined for businesses. Property owners have spent over \$1M in miscellaneous improvements in downtown area. SSA in place; spending \$495K in continually branding Long Grove. Concerns about financial impact of the road construction; can't get new businesses to come in because of this coming. Looking at a deeper well for the Village. Most Villages provide infrastructure to downtown businesses. Wauconda is now building because they put in water to downtown area. Harbor Chase could fund this water extension. Town needs the infrastructure. Overall, the businesses are for the water/infrastructure. Want to have the TIF support. Residents want the downtown fixed, as shown in the resident survey. Report will be made available to Board for review.

Trustee Lyman asked what is needed to get a bond in place. Attorney Filippini shared that we would be paying a premium interest because it would be a more risky bond. General obligation bond would need a referendum, pushing this out to the April election for a decision. General fund and / or taxpayer dollars should supplement a TIF. If timed with Old McHenry Road, there aren't as many options.

Estimated costs: One RA = \$7000 - \$15000 connection fee plus \$460 for SSA, not including water costs \$2000 annually. For Village Tavern: Cost is \$50K - \$60K without water expense.

Use: Flush toilets and wash hands plus firefighting purposes.

See this as an investment in the town. Infrastructure is needed and will not always be an antique village. Request for water schedule of costs for review at future meeting. Businesses do not want to pay for the water; only the connection fees.

Most water and sewer systems are backed by water and sewer bonds, funded by connection fees. If within a certain distance, it would be a requirement to connect (not an option). Typically 2 years after available, parties have to connect. To date, Long Grove has looked at a TIF and SSA combination. Majority of businesses are willing to connect; not all are able to assume the expenses. Need to review the funding options. Businesses all want water but want to wait until the funds can be received through TIF or alternative means.

Question about RE allocations and how they are distributed. There are inconsistencies in the RE allocation. Original calendar was based on completing by end of the year to proceed with an SSA to have revenue beginning in 2016. If delayed, wouldn't have revenue until 2017. Nothing precludes continued discussion. Board discussion about putting this water discussion on hold until status is known about Harbor Chase and construction of Old McHenry Road.

Based on the SSA timeline, the businesses are concerned about having to have legal action to fight based on timeline. They had already hired an attorney to begin the protest process. Attorney Filippini shared that there isn't an SSA. If valid protest is filed, there is a two year moratorium on having another SSA related to water, there are other implications.

Board agreed to put it on the next agenda to have an amendment to discontinue the SSA process.

Item #10: Village Trustee Sarlitto.

Planning & Zoning

Comprehensive Plan Consultant Selection - Update.

Discussion: November 10th there will be a recommendation. Attended the "Those Who Excel Awards" banquet in Springfield. Recommend showcasing this in Long Grove. Working through bringing in an art gallery in Long Grove.

Item #11: Village Trustee Yaeger.

Security, Sustainability, & Communications

Online Civic Engagement - Open Town Hall, Peak Democracy, Inc.

Discussion: Village Manager Lothspeich was able to attend a conference of municipality managers. During this conference, he learned about a company that provides surveys and resulting geographic analysis. Prospect Heights is having residents review Comprehensive Plans, which has results go into Planning Commission packet for review and consideration. Makes things more inclusive. Have to register for the system. Planning to tailor to comprehensive plan. Cost: \$5,000 per year. Board agreed to proceed.

The Bridge was ready to go and then received a late request for a flyer for a local facility. Discussion about the content to include in this publication. Village Attorney Lothspeich shared that there are three principals: (1) constitutional first amendment, (2) public purpose doctrine (State of Illinois), and (3) editorial comment. Need to be mindful of principals of decisions. We can charge for advertising in a separate section. Question: Does it change the character of the publication?

SWALCO Meeting: Trustee Yaeger attended the electronic recycling event held by SWALCO. New location: Cuba Township (Cuba Road near Public Works building). Village of Long Grove is a member of SWALCO and we all benefit by providing to them.

Item #12: Village Clerk Locker-Scheer.

Discussion: No report.

Item #13: Village Manager Lothspeich.

Discussion: No report.

Item #14: Village Planner Hogue.

Not in attendance.

Item #15: Village Engineer Shrake.

Not in attendance.

Item #16: Village Counsel Filippini.

Discussion: No report.

Item #17: Approval of Board Meeting Minutes

October 14, 2015 Board Meeting Minutes – Amendments provided by Trustee Jacob.

Trustee Sarlitto moved to approve the October 14, 2015 Board Meeting Minutes as amended; seconded by Trustee Jacob.

VOICE VOTE:

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

Executive Session

At 11:11 PM., Trustee Sarlitto moved to go into Executive Session to discuss (1) Executive Session Meeting Minutes; (2) Acquisition and Disposition of Property; and (3) Litigation; seconded by Trustee Marshall.

ROLL CALL VOTE:

**Trustee Jacob - aye; Trustee Yaeger – aye; Trustee Marshall – aye; Trustee Borys- aye; Trustee Lyman; Trustee Sarlitto - aye.
(Motion carried 5 – 0, 1 absent Trustee).**

Approval of Executive Board Meeting Minutes.

September 29, 2015 Executive Meeting Minutes – No discussion.

Trustee Jacob moved to approve the September 29, 2015 Executive Board Meeting Minutes; seconded by Trustee Marshall.

VOICE VOTE:

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

Adjournment.

At 11:40 P.M., Trustee Jacob moved to adjourn the meeting; seconded by Trustee Sarlitto.