

VILLAGE OF LAKE ZURICH  
Village Board of Trustees Regular Meeting

Monday, August 05, 2019

1. CALL TO ORDER

2. ROLL CALL

Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Mary Beth Euker, Trustee Janice Gannon, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT

(This is an opportunity for residents to comment briefly on matters included on the agenda and otherwise of interest to the Board of Trustees.)

5. PRESIDENT'S REPORT / COMMUNITY UPDATE

(This is an opportunity for the Mayor to report on matters of interest to the Village.)

6. CONSENT AGENDA

(These titles will be read by the Village Clerk and approved by a single Roll Call Vote. Any item may be pulled from the Consent Agenda for discussion by any member of the Board).

A. Approval Of Minutes Of The Village Board Meeting, July 15, 2019

B. Approval Of Semi-Monthly Warrant Register Dated August 5, 2019 Totaling \$1,835,696.74

C. Ordinance Amending Title 3 Of Chapter 3 Of The Village Of Lake Zurich Municipal Code To Amend The Number Of Authorized Liquor Licenses For 7-Eleven At 1150 South Old Rand Road (Assign Ord. #2019-08-319)

Summary: The 7-Eleven previously located at 1150 South Old Rand Road was permanently closed in early July 2019. This location was in possession of a Class C – Convenience Store liquor license from the Village. Licenses not in active use are to be revoked and the total number of license issued shall be reduced by one.

D. Agreement With Berger Excavating Contractors, Inc. For Thorndale Lift Station Relocation In The Amount Not-To-Exceed \$642,786

Summary: The Fiscal Year 2019 budget includes \$400,000 in the Water and Sewer Fund for the Thorndale lift station replacement with an additional funding of \$250,000 available in the Water & Sewer Fund from the deferment of Route 12 water main improvements. The Thorndale lift station has been in operation since the 1980's and has reached the end of its service life. The old lift station will be decommissioned and a new lift station will be constructed on the Village-owned parcel of Chestnut Corners Park to the immediate northwest. A competitive bid opening on July 24, 2019 resulted in five bids, with the lowest responsible bid from Berger Excavating of Wauconda.

E. Agreement With Chicagoland Paving For Parking Lot Rebuild At Paulus Park In The Amount Not-To-Exceed \$1,007,048.30

Summary: The Fiscal Year 2019 budget includes \$679,000 in the Capital Projects Fund and \$243,138 from the Special Recreation Association for parking lot rehabilitation with ADA improvements at Paulus Park, Zurites Park, and the bird observatory on Lions Drive. However, due to engineering pavement testing at Paulus, it is determined that a more aggressive parking lot rehabilitation project is needed that includes stormwater drainage improvements.

With a significant increase in costs related to the Paulus parking lot, Staff is recommending rehabilitation of the Zurites Park lot and the bird observatory walking path be deferred until a future budget year in order to allocate more resources to Paulus. This project includes 13,000 square yards of asphalt pavement parking lot, access drives, and all asphalt walking paths inside Paulus Park, as well as stormwater drainage and grading improvements.

A competitive bid opening on July 17, 2019 resulted in three bids, with the lowest responsible bid received from Chicagoland Paving of Lake Zurich.

7. OLD BUSINESS - NONE AT THIS TIME.

(This agenda item includes matters for action by the Board of Trustees.)

8. NEW BUSINESS

(This agenda item includes matters coming to the Board of Trustees for discussion and possible action.)

A. Resolution For Open Space And Land Acquisition Development Grant Program Authorization For Paulus Park Improvements With \$400,000 Matching Commitment And Presentation From Hitchcock Design Group (Trustee Weider)

**Summary:** The Village has contracted with Hitchcock Design Group to redesign plans for Paulus Park improvements and to submit an application with the Illinois Department of National Resources for OSLAD grant funding. OSLAD helps communities acquire open space and improve recreational assets. If approved by the State, this year's application would require a dollar-for-dollar matching financial commitment from the Village of at least \$400,000, which would be funded through next year's 2020 budget.

This year's OSLAD application will focus on the extension of trails to the north side of Paulus Park, installation of a fishing pier, shoreline restoration on the south side of Paulus Park, a non-motorized boat launch, replacement of the existing stage, additional picnic shelters with storage, interactive play features for children, as well as landscaping, electrical upgrades, and remediation of stormwater drainage issues in the park.

Steve Konters from Hitchcock Design Group will present an overview of the proposed park improvements and the grant application process.

**Recommended Action:** A motion to approve a Resolution for the Open Space and Land Acquisition Development Grant Program for Paulus Park Improvements with \$400,000 Matching Commitment.

**B. Ordinance Approving A Special Use Permit For Performance Space For Outdoor Live Entertainment At Sunset Pavilion At Breezewald Park, 125 North Old Rand Road (Assign Ord. #2019-08-320) (Trustee Beaudoin)**

**Summary:** The operator of Sunset Pavilion at 125 North Old Rand Road is seeking a Special Use Permit to allow for outdoor live entertainment, specifically music, scheduled on certain days of the month during hours of operation of the beer garden at the pavilion. This request would be restricted by the Village's established noise regulations, which prohibits the use of amplifiers and loudspeakers on Sunday's or between the hours of 8:00 pm and 9:00 am any other day of the week.

Sunset Pavilion has confirmed its intention is to add to the ambiance of the environment and experience that they are currently offering to guests and not bring in loud music that would disrupt the surrounding neighborhood. The outdoor live entertainment would be limited to no more than two amplifiers with a maximum of two performers at any given time. The Planning and Zoning Commission held a public hearing on July 17, 2019 to consider this request and voted 4-0 in favor of recommending approval of the Special Use Permit to allow for the outdoor live entertainment.

**Recommended Action:** A motion to approved Ordinance #2019-08-320 Approving a Special Use Permit for Performance Space for Outdoor Live Entertainment at Sunset Pavilion at Breezewald Park, 125 North Old Rand Road.

**C. Courtesy Update On Proposed Residential Subdivision By Taylor Morrison At The Hummel Property On The Southside Of Honey Lake Road (Trustee Beaudoin)**

**Summary:** Taylor Morrison of Illinois is proposing development of a portion of the 37-acre property on the south side of Honey Lake Road with a new residential subdivision to be known as Pine Ridge. This courtesy review is intended to serve as an update on the developer's plans for the property at 24909 West Signal Hill Road currently located in unincorporated Lake County.

In November 2018, Taylor Morrison first approached the Village with the intention of a new 40-lot single-family residential subdivision. Based on the implications of the 40-lot development on stormwater management and wetlands on properties surrounding this property, the Village advised Taylor Morrison that it could not recommend approval of that proposed development, should they decide to proceed with their petition.

Taylor Morrison is now proposing a redesigned plan to develop the northerly 5 acres of the property. The developer has submitted a revised concept to construct 22 duplex homes on 11-multiple-family lots. This proposal has a greatly reduced footprint that essentially proposes residential development only along the south side of Honey Lake Road and no longer requires significant infrastructure upgrades, thereby minimizing the impacts on the property's wetlands or its storm water management functions.

Recommended Action: The developer and staff seek to understand the Village Board's preferences towards the proposed annexation of the property to Lake Zurich and the revised configuration of the development.

#### D. Discussion On The Potential Of Recreational Cannabis Businesses (Mayor Poynton)

Summary: On June 25, 2019, Governor Pritzker signed into law the Cannabis Regulation and Tax Act, making Illinois the 11th state in the nation to legalize recreational cannabis sale and use for adults 21 and older effective January 1, 2020. The State of Illinois is allowing municipalities to decide whether to prohibit recreational cannabis businesses from locating in their communities, or to allow these type of uses subject to local zoning restrictions.

In addition to granting or restricting the authority of adult-use recreational dispensaries, municipalities have the option of authorizing on-site consumption of cannabis, as well as the co-location of craft growers, infusers, and cultivation centers.

There are a number of zoning regulations Lake Zurich could impose on recreational dispensaries, such as restricting the zoning districts they may operate in, restricting the hours of operation, regulating the proximity to other land uses, or imposing a cap on the number of recreational dispensaries allowed. The State also allows the application of an extra 3% local sales tax, which could generate a dedicated revenue source for parks, storm water improvements or other service and infrastructure needs.

Recommended Action: This is only an initial discussion on the future of recreational cannabis businesses in Lake Zurich and no final decisions will be made at this time. Village staff will eventually need direction from the Board on whether to prepare ordinances prohibiting recreational dispensaries, amending the zoning code to accommodate them, or establishing other parameters for these uses.

#### 9. TRUSTEE REPORTS

(This is an opportunity for Trustees to report on matters of interest to the Board of Trustees.)

#### 10. VILLAGE MANAGER'S REPORT

(This is an opportunity for the Village Manager to report on matters of interest to the Board of Trustees.)

#### 11. ATTORNEY'S REPORT

(This is an opportunity for the Village Attorney to report on legal matters of interest to the Board of Trustees.)

12. DEPARTMENT HEAD REPORTS

(This is an opportunity for department heads to report on matters of interest to the Board of Trustees.)

13. ADJOURNMENT

The Village of Lake Zurich is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at 847.438.5141 (TDD 847.438.2349) promptly to allow the Village to make reasonable accommodations for those individuals.