



VILLAGE OF LINCOLNSHIRE

MINUTES COMMITTEE OF THE WHOLE MEETING January 8, 2024

Present:

~~Mayor Brandt~~
Trustee Kelly
Trustee Pantelis
Trustee Wright
Village Attorney Mack
Village Treasurer/Finance Director Rossi
~~Public Works Director Woodbury~~

Utilities Superintendent Geib

Trustee Grujanac
Trustee Mitchell
Trustee Raizin
~~Village Clerk Mastandrea~~
Village Manager Burke
Chief of Police Leonas

Assistant Village Manager/Community & Economic Development Director Roesler
Management Analyst McLaughlin

1.0 ROLL CALL

Temporary Chair Mitchell called the meeting to order at 7:26 p.m., and Village Manager Burke called the roll.

2.0 ITEMS OF GENERAL BUSINESS

2.1 Planning, Zoning, and Land Use

2.11 Consideration of Amendments to the Lincolnshire Marketplace Declaration of Covenants, Conditions, and Restrictions and Reciprocal Easements and Planned Unit Development Ordinance (Lincolnshire Marketplace – Northeast Corner of Milwaukee Avenue & Half Day Road)

Assistant Village Manager/Community & Economic Development (CED) Director Roesler provided a summary of the proposed amendments. This request came about when the Fresh Market property was sold in December 2022. Shortly after the property was sold, staff met with the new property owner who explained his desire to use the property for a small grocery store as well as a sit-down restaurant and banquet facility. The latter two uses are currently prohibited within the Lincolnshire Marketplace PUD. Staff worked in the winter and spring of 2023 to develop proposed amendments to the declarations as well as the Planned Unit Development Ordinance governing the Lincolnshire Marketplace to allow the new owner to execute on this new business model. The reason why the Board has not seen this proposal until now is the declarations require all parties, subject to the agreement, to sign off on those changes. Staff met with the new owner of the former Fresh Market property, Mr. Patel, and the owner of the Culvers property, Mr. EJ Stern in July 2023. However, due to one of the parties misplacing the signed agreement, staff could not bring this to the board until receipt of all parties' approval of the proposed amendments. All parties are supportive of the proposed changes.

The information in the packet is intended to clear things up and streamline things for current and future property owners because the village currently owns three of the properties. The purpose of the amendments is to promote development and marketability across the center. The number one question staff receives weekly is about what is going on with the former Fresh Market property. Through this process, staff is trying to allow Mr. Patel to open his business as quickly as possible.

Assistant Village Manager/CED Director Roesler provided a presentation regarding the proposed amendments which included the purpose of the amendments, a site overview of the property, and proposed changes.

Trustee Mitchell asked if each property received a vote or if the vote was based on the property size. Assistant Village Manager/CED Director Roesler stated the votes are based on the number of property owners not size and would require three out of the five owners to vote favorably on the proposed changes.

Assistant Village Manager/CED Director Roesler continued his presentation with background and purpose, previous amendments, and proposed amendments.

Trustee Mitchell asked if there would still be a list of prohibited uses for the site. Assistant Village Manager/CED Director Roesler noted there would still be a list of prohibited uses based on internal staff conversations and conversations with the other property owners and market demands. Trustee Grujanac asked if any of the uses that were previously unacceptable are now acceptable. Assistant Village Manager/CED Director Roesler reviewed a list of currently prohibited uses and proposed permitted uses.

Assistant Village Manager/CED Director Roesler continued his presentation with the next steps in consideration of the proposed amendments.

A discussion of common area maintenance followed. Trustee Raizin asked if neither of the owners wanted to oversee the common area maintenance, would the Village have to take on this responsibility? Assistant Village Manager/CED Director Roesler stated that only if there is dissatisfaction between the property owners would the Village take a role in common area maintenance.

A further conversation regarding who would manage the common area maintenance followed. Assistant Village Manager/CED Director Roesler noted there would have to be a property owner within the marketplace acting as the managing owner who would be required to have a managing agent or a property maintenance company to oversee the professional management of all those services.

Trustee Mitchell noted surprise at the length of time this is taking and asked Assistant Village Manager/CED Director Roesler to explain why

that is. Assistant Village Manager/CED Director Roesler stated the property sold in December 2022. Staff met with Mr. Patel in January of 2023 to understand his vision for the property. At that time, staff shared the idea of needing to amend the declarations and the PUD Ordinance. Staff process took approximately two months to prepare the proposed changes. After the drafting of the amendments occurred, it took time to get Mr. Patel and Mr. Stern in the same room. The draft amendments of the declarations were finalized in March/April of last year. In terms of the permit application process for the grocery store use and the banquet facility and sit-down restaurant, staff received the initial application in August 2023. Comments were provided within approximately one month. The property owner has been aware of the plan review comments since the end of September, and staff is awaiting a resubmittal. Assistant Village Manager/CED Director Roesler noted staff have done as much as possible to facilitate the process for Mr. Patel to help him achieve his goals for the site. However, the owner has had an impact on timing due to the timing of responding to the permit requirements and permit process as a whole.

Village Manager Burke noted another timing issue was the Culver's property ownership putting their sign up without having all property owners sign off. Staff did not want to present to the Board without knowing all property owners agreed with these changes.

Village Manager Burke noted there is no action required tonight unless there are questions. This item will proceed with the scheduling of a Public Hearing for the February 12 Committee of the Whole meeting.

Trustee Grujanac asked if the Board could get the list of permitted and not permitted uses, to which staff responded they could.

2.12 Consideration of a Professional Services Agreement with the Long Grove Fire Protection District for Fire Protection Plan Review and Inspection Services (Village of Lincolnshire)

Assistant Village Manager/Community & Economic Development (CED) Director Roesler provided a summary of a Professional Services Agreement with the Long Grove Fire Protection District for fire protection plan review and inspection services which essentially mirrors the same terms as the Lincolnshire-Riverwoods Fire Protection District.

Trustee Mitchell asked if the Village is covered by only those two fire districts. Assistant Village Manager/CED Director Roesler confirmed the Village is covered by only the Lincolnshire-Riverwoods Fire Protection District and the Long Grove Fire Protection District.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board meeting.

2.2 Finance and Administration

2.21 Consideration of a Resolution Approving Closed Session Meeting Minutes and Authorizing the Village Clerk to Make

Certain Closed Session Meeting Minutes Available to the Public for Inspection – Second Review – 2023 and Authorizing the Destruction of Certain Audio Recordings of Closed Session Minutes (Village of Lincolnshire)

Village Manager Burke provided a summary of the twice-annual Resolution approving closed session meeting minutes and authorizing the Village Clerk to make certain closed session meeting minutes available to the public for inspection – second review – 2023 and authorizing the destruction of certain audio recordings of closed session minutes.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board meeting.

2.22 Receipt of Report and Discussion of 2024 Special Event Calendar/Planning (Village of Lincolnshire)

Management Analyst McLaughlin provided a report of the proposed 2024 Special Event Calendar and planning.

Trustee Kelly noted he received feedback from citizens wanting to get involved last year after Red, White, & Boom! and asked where we can direct individuals who want to get involved in the planning process or provide feedback.

Village Manager Burke stated Management Analyst McLaughlin is the lead staff person they can call, and staff can figure out ways to engage more volunteers. Staff is looking for volunteers for all our events and is interested in any feedback they have regarding the events. Staff will include volunteer information in the spring newsletter.

Trustee Raizin noted concern with the way the S'mores were handled at Boo Bash as possibly being a hazard.

Trustee Wright suggested the future Lincolnshire Lights be more diverse than just a tree; to have it be multiple celebrations of winter.

Trustee Mitchell suggested reaching out to the community with a survey asking what they would like related to the events. Management Analyst McLaughlin noted a survey was released after Boo Bash and Lincolnshire Lights last year. The results are included in the packet.

Trustee Mitchell noted there has been discussion regarding Red, White, & BOOM! being held at North Park and asked if staff considered doing more events other than the canoe race at Spring Lake.

Management Analyst McLaughlin stated staff would be happy to research some of the suggested areas. As far as right now, staff will stay on course for what has been planned. Village Manager Burke stated the Special Event Committee and Public Works staff, would recommend staying the course with the event at North Park, given the amount of parking, and facilities available at North Park, and the space

to be able to host the larger crowd.

2.3 Public Works

2.31 Approval of a Professional Service Agreement with RJN Group Inc. for Construction Engineering Services for the 2024 Old Mill Commons Lift Station Rehabilitation, at a cost not to exceed \$60,550 (Village of Lincolnshire)

Utilities Superintendent Geib provided a summary of the proposed Professional Service Agreement with RJN Group, Inc. for Construction Engineering Services for the 2024 Old Mill Commons Lift Station Rehabilitation, at a cost not to exceed \$60,550.

Trustee Raizin asked for clarification under the budget impact section of the memorandum where the narrative states “By the end of 2024, the village will have successfully conducted televising and smoke testing on every sanitary sewer line within its limits, and then this step will start to evaluate the remaining unlined sanitary sewers.” Trustee Raizin noted she was curious what are the remaining unlined sewers since it already stated they are completed.

Utilities Superintendent Geib noted this will be explained under the next item on the agenda.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board meeting.

2.32 Approval of a Professional Service Contract with RJN Group, Inc. for Design Engineering Services at a Cost not to Exceed \$90,900.00 (Village of Lincolnshire)

Utilities Superintendent Geib provided a summary of the proposed Professional Service Contract with RJN Group, Inc. for Design Engineering Services at a cost not to Exceed \$90,900.00 noting this is part of the Lake County Public Works Capacity Management Operations and Maintenance Program (CMOM). Utilities Superintendent Geib noted that because Lincolnshire’s sanitary waste goes to Lake County’s treatment plant, the CMOM is designed to ensure Lincolnshire is appropriately maintaining the sewers. Each year 10% of the system is selected for televising and smoke testing which also includes manhole inspections. With regards to the question previously asked by Trustee Raizin, when it states we have completed all the televising in town, that means the Village has recorded a video capture of and evaluated all the sanitary lines. This does not mean all sanitary lines have been lined. This is the evaluation portion of what we do annually, and it is an obligation the Village must carry out for Lake County.

Village Manager Burke noted the evaluation process helps staff prioritize the lining of the sanitary sewer. At the end of the proposed project under consideration, Lincolnshire will have the full community data gathered documenting sewer lines. The physical lining project or the prioritization of the lining will keep coming in future years.

Trustee Mitchell asked if this is an annual event. Utilities Superintendent Geib stated this is an annual event that was established in about 2013. Superintendent Geib noted the Village took an aggressive approach to sewer monitoring and lining at that time and the annual expenditure for this type of work was formally implemented as part of an annual operating expense in 2016. Lincolnshire has been able to get through every sewer in town in just under 10 years, which is outstanding. Superintendent Geib noted it puts the Village in good shape and next year we can start evaluating and lining more of our gravity sewers to put us in even better shape.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board meeting.

2.33 Approval of Award of a Contract with Hoerr Construction at a Cost not to Exceed \$329,925.66 for the 2024 Sanitary Lining Project (Village of Lincolnshire)

Utilities Superintendent Geib provided a summary of award of a Contract with Hoerr Construction at a cost not to exceed \$329,925.66 for the 2024 Sanitary Lining Project.

Trustee Mitchell asked how disruptive of a project is this; does it involve road closures and a lot of digging? Utilities Superintendent Geib noted this is a non-invasive type of repair. He noted lining work has come a long way in terms of execution with new technology. There will be simple lane closures to access a manhole during the work. It is the best practice currently to line sewers without replacement, and is half the cost of replacement, versus digging up 20 feet into the ground and replacing roads and parking lots.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board meeting.

2.4 Public Safety

2.5 Parks and Recreation

2.51 Approval of a Supplemental Professional Service Contract Engineering Resource Associates for Design Engineering Services for the Spring Lake Park Bridge Replacement at a Cost not to Exceed \$64,599 (Village of Lincolnshire)

Utilities Superintendent Geib provided a summary of the proposed Supplemental Professional Service Contract Engineering Resource Associates for Design Engineering Services for the Spring Lake Park Bridge Replacement at a Cost not to Exceed \$64,599.

Trustee Mitchell asked if the proposed agreement covers the construction where the approved engineering firm oversees the construction to ensure the project is built according to engineer specifications. Utilities Superintendent Geib stated Phase Two engineering will help us finish the plans and specifications and package up the bid. The recommended contract also includes construction observation services. Once the project goes out to bid and a contractor

is found, staff will bring the full project's construction contract back to the Board for consideration and approval.

Trustee Grujanac suggested communicating about this project in the next newsletter noting how many residents walk the path around Spring Lake.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board meeting.

2.6 Judiciary and Personnel

3.0 UNFINISHED BUSINESS

3.1 Amendments to the Lincolnshire Marketplace Declaration of Covenants, Conditions, and Restrictions and Reciprocal Easements and Planned Unit Development Ordinance (Lincolnshire Marketplace – Northeast Corner of Milwaukee Avenue & Half Day Road)

Trustee Wright suggested when considering approved uses and non-approved uses, staff consider this is the center of town and the surrounding properties. Village Manager Burke asked if the Board just wanted the underlying zoning of the adjacent properties. Trustee Wright stated just what is permitted so the Board can have the perspective of possibly avoiding duplication.

4.0 NEW BUSINESS

5.0 EXECUTIVE SESSION

6.0 ADJOURNMENT

Trustee Grujanac moved, and Trustee Pantelis seconded the motion to adjourn. The voice vote was unanimous, and Temporary Chair Mitchell declared the meeting adjourned at 8:19 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk