

VILLAGE OF LIBERTYVILLE  
BOARD OF TRUSTEES  
January 26, 2015

President Wepler called to order a meeting of the Board of Trustees at 8:10 p.m. in the Village Hall, 118 West Cook. Those present were: President Terry Wepler, Trustees Donna Johnson, Richard Moras, Todd Gaines, Jay Justice, Scott Adams, and Peter Garrity

**ITEMS NOT ON THE AGENDA**

President Wepler asked if anyone had anything to bring before the Board that was not already listed on the agenda.

**OMNIBUS VOTE AGENDA**

President Wepler introduced the Omnibus Vote Agenda and asked if any member wanted an item removed for separate discussion.

OMNIBUS VOTE AGENDA

- A. Minutes of the January 12, 2016 Meeting
- B. Bills for Approval
- C. **ORDINANCE 16-O-03: Approve Site Plan Permit – 815 Lake Street (LLL)**
- D. **ORDINANCE 16-O-04: Approve Height Variation – 815 Lake Street (LLL)**
- E. **ORDINANCE 16-O-05: Approve Front Yard Setback Variation – 544 Dawes Street**
- F. **RESOLUITON 16-R-02: Approve Change Order No. 1 to WWTP Screw Pump Wiring Repairs**
- G. Approve Agreement for Historic Preservation Survey
- H. **ORDINANCE 16-O-06: Authorize Eminent Domain Proceedings for Easement – 911 W. Park**
- I. **ORDINANCE 16-O-07: Authorize Eminent Domain Proceedings for Easement – 915 W. Park**
- J. ARC Reports

Trustee Johnson moved to adopt the items listed on the Omnibus Vote Agenda in a single group pursuant to the omnibus vote procedures of the Libertyville Municipal Code.

Trustee Moras seconded. The Mayor asked for questions and comments. Trustee Justice asked for clarification on the change order for the screw pump wiring. Public Works Director Paul Kendzior explained that with further inspection, the ½ inch diameter motor cables were found to be brittle with cracked insulation.

With nothing further, the motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Gaines, Justice, Adams, and Garrity

NAYS: None



trustees. Although it is possible under this scenario to waive competitive bidding and allow the three current bidders to simply rebid based upon the alternate plans, the Village Attorney and Staff recommended that the plans be modified and advertised for rebidding for qualified bidders. The Parking Commission also reviewed and discussed the bids and agreed with this recommendation. Walker Parking Consultants has indicated that they will not request a fee to prepare the modified drawings and documents.

The Mayor recused himself from discussion and voting as he owns property in the TIF district. He appointed Trustee Johnson as President Pro Tem. She asked for questions and comments.

Director of Community Development John Spoden stated that Staff recommended rejecting the bids and rebidding the project. The Village Attorney stated that the Board could ask the three bidders to rebid the project, open the project for rebidding entirely, or deal directly with one bidder for a negotiated price. The Board would first have to reject the bids and then direct Staff regarding the Board's preference.

Trustee Johnson asked for clarification, and the Village Attorney stated that the Board would reject the plans and then rebid with the new scope. Trustee Moras asked if the bids were rejected, would the Board be comfortable with the revised design suggested by Walker. He noted that the plan sounded good, but he questioned if the result would be satisfactory. Trustee Gaines stated that the plan would have to assure functionality and questioned if the loss of parking spaces would be worth the reduction. Trustee Justice asked how the rebidding would impact the time schedule. Trustee Adams stated that he favored pushing ahead per recommendations of the Parking Commission. He was not concerned with the reduction in spaces and favored rebidding and moving ahead quickly so that delays would not impact Village retailers. Trustee Garrity stated that he favored rejecting the bids, rebidding, and looking at designs for cost savings options and alternatives.

Trustee Johnson agreed that alternate plans should be submitted and the decision deferred for further discussion and study.

Mr. Navarro explained some of the recommended savings, which included flipping the ramp direction, reducing the pre-cast panels, and reducing excavation. He noted that the structure system and appearance would be the same, but there would be a loss of 30-32 parking spaces. The flow of traffic would also be changed. Additionally, with revisions, a smaller crane might be used. He cautioned the Board that the changes might not decrease costs enough.

Mr. Navarro also stated that there were time and schedule concerns that would cause delay. If the project were rebid, the plan could require a hard schedule with bid alternatives for extending time schedules.

Trustee Moras stated that he was comfortable with beginning the process and rebidding based on the outline Mr. Navarro provided. Trustee Johnson reviewed that there would

be a reduction in the number of stalls and the flow of traffic would change. She also reminded the Board that the new plans would be available in two weeks. Trustee Garrity asked if pre-cast panels were still preferred or if there were other options. Mr. Navarro explained that traditionally pre-cast is less, but that the current market for pre-cast is very high. He added that they would have to bid out with an alternative of cast-in-place to see cost comparison, which would severely hamper the schedule.

Trustee Gaines then moved to reject the bids, and Trustee Garrity seconded. With no further discussion, the motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Gaines, Justice, Adams, and Garrity

NAYS: None

Trustee Adams moved to authorize rebidding the project on alternate plans, and Trustee Garrity seconded. Trustee Johnson asked for further discussion. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Gaines, Justice, Adams, and Garrity

NAYS: None

The Mayor noted that new revenue sources would have to be found for downtown maintenance.

**RESOLUTION 16-R-04: Change Order No. 1 to Streetlight Maintenance Contract**

President Wepler explained that the Village Board approved a contract with Geary Electric, Inc. for a Streetlight Maintenance Program in an amount not to exceed \$78,400.00. To date, Staff has approved \$76,516.92 in expenditures, which mostly consist of knockdown replacements and an unusually high number of cable repairs. Additional payments were inadvertently approved for Geary Electric, Inc. for cable fault repairs from the Capital Improvement Fund in the amount of \$10,632.53. Because of this oversight, several invoices are now being held, numerous work orders for bulb replacements, and with three months left in the contract, the approved amount needs to be increased.

Staff requested a Change Order to the Streetlight Maintenance Contract with Geary Electric, Inc. Based on past expenditure history for the winter months and pending invoices and orders in the amount of \$2,678.68, Staff requested \$30,000.00 be added to the contract. Since the current available balance for maintenance is \$1,883.08, the Finance Director will also need to prepare a Budget Amendment at the end of the fiscal year to provide the required additional funds. The Village has been reimbursed \$9,296.72 to date for streetlight knockdowns. Because the reimbursements received by the Village are designated revenues for budgeting purposes, they cannot be deposited back into the budget expenditure for Streetlight Maintenance. Administrative Staff recommended adopting of a resolution and approve for Change Order No. 1 to the Streetlight Maintenance Contract. The Mayor then asked for questions and comments.

Trustee Justice asked if the Village breaks even on the knockdowns, and Assistant Administrator Kelly Amidei explained that with hit-and-runs and cases of no insurance, the Village is reimbursed for about two-thirds of the costs. Police Chief Clint Herdegen stated that they department tries to track down the drivers involved in the knockdowns. The Mayor noted the need to plan ahead for streetlight replacement. Trustee Moras stated that the lifespan has been discussed in Finance meetings.

Trustee Johnson moved to adopt the resolution for change Order No. 1, and Trustee Moras seconded. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Gaines, Justice, Adams, and Garrity

NAYS: None

### **REQUEST USE OF VILLAGE PROPERTY – MSL 2016 Events**

President Weppler introduced a letter from MainStreet Libertyville (MSL) requesting use of various Village properties in the downtown area for community events during calendar year 2016, along with approval to install entryway signage and hang banners in Cook Park for those events. The requests are similar to those in the past with the exception of layout changes to the Car Fun on 21 and Farmers' Market event due to anticipated

construction of the downtown parking garage. Village Staff has worked with MSL and proposed utilizing a portion of Cook Avenue for the Car Fun on 21 events and relocation of vendors for Farmers' Market to Cook Park. Staff has reviewed the requests and recommended Village Board approval subject to the following conditions:

- MSL will provide Village Staff with layout drawings, if requested, of the various events for final approval;
- MSL will contact the Lake County Health Department to obtain necessary permits for food vendors;
- MSL will provide the Village with Certificate of Insurance in the amounts required, and name the Village as an additional insured;
- MSL will sign the attached "Village of Libertyville Special Event Agreement" and return it to the Village Administrator's office;
- MSL will obtain the necessary Local and State liquor licenses for the First Fridays on Main Street and Let's Wine about Winter events;
- MSL will post "Concealed Carry Prohibited" signs to be provided by the Village when determined appropriate and placed in locations as specified by the Libertyville Police Department

Trustee Garrity moved to approve the MSL request subject to the conditions, and Trustee Adams seconded. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Gaines, Justice, Adams, and Garrity

NAYS: None

**APPROVE AGREEMENT FOR AUDIT SERVICES**

President Wepler introduced a proposal from the Village’s current audit firm Lauterbach & Amen, LLP, to provide audit services for the years ending April 30, 2016 through April 30, 2018. Staff has been pleased with the services provided, and based on discussions with local municipalities, the proposal received is competitively priced. In an effort to provide an additional level of independence, Staff requested that Lauterbach & Amen rotate the partner in charge of the audit for the term of the contract. The contract includes costs for the next three years; however, the Village has the right to terminate after any year. The costs are as follows:

Current Audit Fee	\$31,000	Police Compliance Report	TIF Report
Proposed Fees			
April 30, 2016	\$31,000	\$550	\$550
April 30, 2017	\$32,000	\$575	\$560
April 30, 2018	\$33,000	\$575	\$570

Staff presented the proposal to the Finance Committee on January 19, 2016, and the Finance Committee recommended the three-year proposal be presented to the Village Board for approval. The Mayor asked for questions. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Gaines, Justice, Adams, and Garrity  
NAYS: None

**AWARD CONTRACT – Replacement of LSC Golf Range Netting**

The Mayor explained that the protective netting at the Driving Range at the Libertyville Sports Complex (LSC) has been deteriorating for the past several years, and a five-phase plan was created to replace the netting beginning in 2014-2015 continuing through 2018-2019 for approximately \$77,000. Phase 1 took place in 2014-2015 for \$14,000. The 2015-2016 budget allocated \$14,000 for Phase 2. Phase 3 in 2017-2018 calls for \$19,000, and Phases 4 and 5 call for \$30,000 in 2018-2019.

The need for new protective netting for all panels was accelerated due to weather-related damages that occurred on May 8, 2015. An insurance claim was submitted to IRMA, and they determined that five of the 11 panels would be eligible for full or partial reimbursement. After reaching the \$10,000 deductible level, the Village would be eligible to receive approximately \$6,528 from IRMA if those five panels were to be repaired. The Parks & Recreation Committee reviewed the option of replacing all or some of the 11 protective netting panels and directed Staff to seek bids for both options. On Monday, November 16, 2015, five (5) bids were received for replacement of the protective netting panels. At their December 2, 2015 meeting, the Parks & Recreation

Committee determined that it would be cost effective with long range cost savings to the Village to replace all 11 panels at one time. Therefore, the Committee recommended accepting the low bid of \$50,000 to replace all 11 panels at one time. Since \$14,000 was budgeted in 2015-2016 toward netting replacement, the Committee recommended that the \$36,000 in additional funds needed to accept this bid and complete the project come from the proceeds of the Sale of the Bolander Property.

Staff recommended that the Village Board award the protective netting replacement contract to McScot Golf, Inc. in the amount not to exceed \$50,000 for the replacement of 11 panels of protective netting at the Driving Range. The Mayor asked for questions and comments.

Trustee Gaines moved to award the contract to McScot Golf, Inc., and Trustee Garrity seconded. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Gaines, Justice, Adams, and Garrity

NAYS: None

#### **ComEd PRESENTATION – Smart Meter Program**

President Wepler noted that ComEd would be implementing a Smart Electric Meter Program this year in the Village of Libertyville and other North Shore communities. Representatives, who had requested an opportunity to briefly discuss the program at the Village Board meeting, were introduced. Mr. Darren Boundy and Mr. Dave Dougherty addressed the Board. Mr. Boundy told the Board that ComEd reliability engineers were out investigating a downed wire in Libertyville. Mr. Dougherty presented information on the Smart Meter, noting that ComEd would begin installing meters in Libertyville in April and ramp up the plan in September. The Smart Meter will be read remotely and can provide hourly and daily usage. The meters will provide for 1 billion in cost savings to ComEd, and users will collectively save 100 million in annually. Property outages will be quickly addressed, and ComEd will monitor usage more effectively. Residents will be notified of the change with a bill insert, a direct mailing, a phone call one week before implementation, and a door hanger.

Trustee Johnson asked if the main function for the Smart Meter was to gauge usage, and Mr. Dougherty stated that outages and voltage were also important functions. He added that grid reliability is also part of the planned improvements and investments. Trustee Justice asked if the consumer would see a \$3.00 cost increase, and Mr. Dougherty stated that there would be more savings than anticipated, and costs had not gone up by \$3.00. Trustee Garrity asked for clarification of the roll out and completion schedule, and Mr. Dougherty stated that an anticipated completion date was 2017. He further explained that the life expectancy for the Smart Meter is over 15 years, and meters have been installed since 2009. The meters have a warranty and are assembled in Chicago as part of the Jobs Illinois Program. The Mayor thanked the ComEd representatives for attending and providing the information.

**PETITIONS AND COMMUNICATIONS**

President Weppler asked the Board to review the message board request from Marytown and the Starbuck's liquor license request.

He then announced the following:

- The Historic Preservation Commission will meet at 4:00 p.m. on Tuesday, February 2, 2016
- The Parks and Recreation Advisory Commission and Committee will meet at 6:00 p.m. on Tuesday, February 2, 2016
- The Zoning Board of Appeals will meet at 7:00 p.m. on February 8, 2016
- The Water and Sewer Committee will meet at 7:00 p.m. on Tuesday, February 9, 2016
- The Village Board will meet at 8:00 p.m. on Tuesday, February 9, 2016
- The Village Board will meet at 6:00 p.m. in a Committee of the Whole on Tuesday, February 16, 2016 at the Village Hall for Finance Director Candidate interviews

**ADJOURNMENT**

With no further business, Trustee Garrity moved to adjourn at 9:35 p.m., Trustee Adams seconded, and the motion carried on a unanimous voice vote.

Respectfully submitted,



Sally A. Kowal  
Village Clerk