

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
June 28, 2016

President Wepler called to order a meeting of the Board of Trustees at 8:00 p.m. in the Village Hall, 118 West Cook. Those present were: President Terry Wepler, Trustees Donna Johnson, Richard Moras, Jay Justice, Scott Adams, and Peter Garrity. Trustee Todd Gaines was absent.

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.

Kelly Richter, 249 E. Ellis, thanked Public Works and Engineering for their quick response to an issue. She noted that they showed sensitivity and appreciated their quick communication.

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 June 14, 2016 Meeting
- B. Bills for Approval
- C. **ORDINANCE 16-O-55: Vacation of Unimproved Alley – 634 Meadow Lane**
- D. **ORDINANCE 16-O-56: Vacation of Unimproved Alley – 208 E. Austin Avenue**
- E. Ordinance: Vacation of Unimproved Alley – 503 Drake Street (*deferred*)
- F. Request to Install Downtown Banners – Lake County Haven
- G. Approve Raffle License Request – Libertyville Sunrise Rotary Club
- H. Request Use of Village Property – Cook Memorial Library
- I. **RESOLUTION 16-R-23: Approve Dissolution of the Emergency Telephone System Board**
- J. ARC Report

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 Board and public comment.

Trustee Justice asked for clarification of costs associated with the Dog Days Event. He asked if the events would break even and requested a final report after the event. The Mayor stated that Mr. Bill Kaiser is making regular reports as the event approaches. Mr. Bill Kaiser, who is overseeing the Village event, stated that he anticipated a slight profit from the event.

The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

ZBA REPORT: Approve Variation for a Fence – 1215 Winchester Road

President Weppler introduced a ZBA Report for a request from the owner of 832 Sherborne Court and 1215 Winchester Road for a fence variation to allow for enclosure of the property. Members of the ZBA concurred with the request and noted that although the lots are separate, they effectively form a through lot with frontage on two sides. The ZBA recommended approval. The Mayor then asked for questions and comments. Trustee Johnson moved to approve the variation for a fence, and Trustee Adams seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

ZBA REPORT: Approve Variation for Signage – 1010 S. Milwaukee Avenue

President Weppler explained that Napleton Ford requested approval of a sign variation to increase the number of permitted wall signs from one to four to allow for a manufacturer required sign program installation. Members of the ZBA reviewed the request at their meeting of June 13, 2016 and concurred with the request. The Mayor then asked for questions and comments.

Attorney James Babowice and Mr. Kevin Gordon, General Manager, addressed the Board to answer questions. The Board discussed manufacturers' mandates regarding signs. Trustee Moras moved to approve the variation for signage, and Trustee Garrity seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

PLAN COMMISSION REPORT: Approve Site Plan Permit for 1000 E. Park Avenue

President Weppler stated that Liberty Auto City is proposing to construct a 13,700 square foot service building at their site at 1000 E. Park Avenue. The addition will service the Subaru franchise at the facility. The proposal meets to Zoning Code requirements, but approval of a Site Plan Permit by the Village Board of Trustees is necessary. The Plan Commission reviewed the request at their June 13, 2016 meeting and recommended approval, subject to the conditions in the report. The Mayor asked for questions and comments.

Mr. Joe Massarelli and architect Mr. John Schmidbauer were present to answer questions. Trustee Moras moved to approve the Site Plan Permit, and Trustee Justice seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

PLAN COMMISSION REPORT: Approve Special Use Permit for 700 N. First Street

President Wepler explained that at their June 13, 2016 meeting, the Plan Commission heard a request for a Special Use Permit to allow Yoga instruction at 700 N. First Street. The use is currently located at 117 E. Cook Avenue and proposes to relocate to the I-2, East Downtown Transitional District which requires a Special Use Permit for the use. Members of the Plan Commission reviewed the request and recommended approval, subject to providing appropriate parking and that outstanding issues at the site be addressed as listed in the report. The Mayor asked for questions and comments. The petitioner, Kenneth Miller, was available to answer questions.

Trustee Johnson moved to approve the Special Use Permit, and Trustee Justice seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

ORDINANCE 16-O-57: Amend Libertyville Zoning Code re: Parking Requirements for the C-1 District

President Wepler introduced an ordinance to amend Section 10-1.2.d of the Libertyville Zoning Code relating to parking requirements in the C-1 District. The Village Board approved this request at the June 14, 2016 meeting with the understanding that an ordinance would be drafted for approval at the June 28, 2016 meeting. Administrative Staff recommended approval. The Mayor asked for questions and comments.

Ms. Ana Draa, 1020 Ashley Lane, stated that there had not been enough due diligence and suggested more public opinion. The Mayor noted the need for parking, and Trustee Adams stated the impact on parking when retail becomes restaurant. Trustee Moras noted that the Village webpage promotes information and discussion, but the meetings are not well attended. With parking at a deficit for retail, restaurants must pay or provide parking.

Trustee Garrity moved to approve the ordinance, and Trustee Adams seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

ORDINANCE 16-O-58: Approve Amendment to the Final Plan for 851-937 E. Park Avenue – Bridgepoint 94

President Wepler introduced an ordinance to approve an Amendment to the Planned Development Final Plan in order to construct an access drive at the south end of the

property to accommodate the parking lot addition along the west side of the Aldridge Electric property. The Village Board approved the request at the June 14, 2016 meeting with the understanding that an ordinance would be drafted for the Village Board to approve the June 28, 2016 meeting. Administrative Staff recommended approval. The Mayor asked for questions and comments.

Trustee Johnson moved to approve the ordinance, and Trustee Garrity seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

ORDINANCE 16-O-59: Approve Site Plan Permit for 844 E. Rockland Road – DPR Investments, LLC

President Weppler introduced an ordinance to approve a Site Plan Permit for a parking lot expansion at Aldridge Electric at 844 E. Rockland Road. The Village Board approve the request at the June 14, 2016 meeting with the understanding that an ordinance would be drafted for the Village Board to approve at the June 28, 2016 meeting. Administrative Staff recommended approval. The Mayor asked for questions and comments.

Trustee Johnson moved to approve the ordinance, and Trustee Moras seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

ORDINANCE 16-O-60: Amend Chapter 25 of the Municipal Code re: Grease, Oil and Sand Traps

President Weppler noted the need to once again amend Chapter 25 of the Village Municipal Code, Section 25-105 Grease, Oil and Sand Traps. This recommendation amends the current ordinance to further define an inspection program and compliance procedures for any determined violations. This will include an annual inspection, and in the event that a violation is found, an Inspection Report will be issued listing the violations. Immediate action will be required to correct any violations that threaten the health, welfare and safety of the public. For all other violations, a compliance schedule will be developed and monitored through follow-up inspections and correspondence. If a commercial food establishment owner does not fix the violation within the specific time period, closure proceedings may commence. The proposed Ordinance Amendment will apply to the owner's commercial food establishments and not the building (property) owners.

The Ordinance Amendment has been discussed in great detail with Staff from Public Works and Community Development Departments and has been determined to be

necessary to ensure that no grease buildup occurs in the receiving Village sanitary lines. The ordinance was also discussed at the June 14, 2016 Water & Sewer Committee meeting and recommended for approval. The Mayor asked for questions and comments. Trustee Johnson stated that this provided a good enforcement action and moved to approve the Ordinance Amendment. Trustee Moras seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

AWARD BID TO CHICAGOLAND CONSTRUCTION – Riverside Pool Gutter Replacement and Painting

President Weppler stated that in the 2011-2012 Fiscal Year, Village Staff worked with Engineered Building Solutions, LLC to perform an equipment maintenance audit for the Riverside Pool. One of the items identified in need of replacement was the pool perimeter circulation gutter system. Village Staff then retained the services of Williams Aquatics to develop plans and specifications for the replacement of this system. In anticipation of this, \$145,000.00 was budgeted in the Park Improvement Fund to complete this work. Village Staff received two bids for this work on June 16, 2016:

- | | |
|----------------------------|--------------|
| • Chicagoland Construction | \$ 79,618.00 |
| • Shaefges Brothers, Inc. | \$121,900.00 |

Chicagoland Construction was the lowest responsible bidder. Staff received very positive references for this contractor. In addition, Williams Aquatics was also consulted and gave a very positive reference for this contractor. Staff also requested an additional \$8,000.00 be approved as a contingency for any additional work that may be necessary as a result of unforeseen circumstances, and the pool is over 40 years old.

It is anticipated that the work will be conducted after the pool closes in late August in order to have the work completed before the winter weather sets in and in anticipation of the spring 2017 pool season beginning. Administrative Staff recommends awarding the contract to Chicagoland Construction in the amount of \$87,618.00, which includes an \$8,000.00 contingency for any additional work that would result from unforeseen circumstances. The Mayor then asked for questions and comments.

Trustee Johnson asked about the large discrepancy in bid amounts. Public Works Director Kendzior said that he was comfortable with the low bidder. Trustee Moras noted that it was positive that some capital improvement was being completed on the pool.

Trustee Moras moved to award the bid for Riverside Pool gutter replacement and painting to Chicagoland Construction and authorize execution. Trustee Adams seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

AWARD BID TO WALTER & SON WASTE HAULING, LLC – WWTP Primary Digester Cleaning Project

President Wepler explained that the 2016-2017 Fiscal Year Budget allocated \$82,000 for the Primary Digester Cleaning in the Water and Sewer Capital Improvement Fund. Four proposals were received at the bid opening conducted on June 17, 2016 for the Wastewater Treatment Plant (WWTP) Primary Digester Cleaning project. The proposed work involves disposing of the remaining bio-solids and inorganic material at the bottom of the Primary Digester and then cleaning the tank. It has been 17 years since this work was last completed. Bids ranged from a low of \$76,400.00 and a high of \$151,700.00. The low bidder Walter & Son Waste Hauling, LLC was contacted to verify their numbers, understanding of the scope of work, and their capabilities to meet the project requirements. The provided references were contacted and all had positive reports about the qualifications and quality of work performed by Walter & Son Waste Hauling, LLC on their respective projects.

The pricing schedule included in the bidding specifications was structured based on a disposal unit price per gallon plus a lump sum cleaning cost. Village Staff anticipates drawing the 20-foot deep digester down to at least 280,000 gallons (6 ft.), but is optimistically targeting 215,000 gallons (4 ft.). The final cost will be determined on the remaining quantity when the tank is turned over to the contractor. Based on qualifications of the contractor and being the most responsive bidder, Administrative Staff recommended awarding the contract to Walter & Son Waste Hauling, LLC in the not-to-exceed budgeted amount of \$82,000.00 and authorizing execution. The Mayor then asked for questions or comments.

Responding to a question from Trustee Garrity, Director Kendzior clarified the unique work and bid specifications.

Trustee Garrity moved to award the contract to Walter & Son Waste Hauling, LLC and authorize execution, and Trustee Moras seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

APPROVE PURCHASE – Aftermarket Equipment for Public Works Truck (Unit #307)

President Wepler explained that the Fiscal Year 2016-2017 includes \$68,000 in the Fleet Services & Replacement Fund for the purchase of a replacement one-ton utility truck (Unit #307) and outfitting with aftermarket equipment. The purchase of the truck chassis in the amount of \$30,200.00 was approved at the June 14, 2016 Board meeting. Competitive quotes were received for the aftermarket equipment, which includes the truck body, snowplow and the lighting system:

Monroe Truck Equipment, Monroe, WI	\$27,402.00
Sauber Mfg., Virgil, IL	\$34,431.00

Administrative Staff recommended that the purchase of the aftermarket truck equipment be awarded to Monroe Truck Equipment in the amount not to exceed \$27,402.00. The combined cost of the truck chassis and aftermarket equipment equals \$57,602.00, which is less than the \$68,000 budgeted. The Mayor then asked for questions and comments. Trustee Justice moved to waive formal bidding procedures and award the purchase of aftermarket equipment to Monroe Truck Equipment, and Trustee Johnson seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

AUTHORIZE STAFF TO DEVELOP AND DISTRIBUTE RFPs - Stormwater Management Plan

President Wepler reported that during the budget discussions, the creation of a utility funded by a stormwater fee to provide the necessary funding for all maintenance activities and capital improvements to the Village's stormwater management system was discussed. One of the first steps in the creation of a "Stormwater Utility Fund," which would operate similar to the Village's current Water and Sanitary Sewer Utilities, is to prepare a Village-wide Master Stormwater Management Plan that would identify all flooding locations in the Village that cause damage to structures, property and significant inundation of strategic roadways. As part of the development of the Master Plan, the selected consultant would be responsible to identify a proposed flood reduction project for each location to the appropriate protection level, prepare an estimate of total project costs, determine the resulting benefits, and then prioritize each proposed project by the estimated total costs and benefits.

The minimum level of protection for each recommended project would be 10-year frequency rainfall event. It is the intent that the Master Plan would be relevant for the next 20 years, with updates only being needed on a five-year interval. With the completion of the Master Plan, the Village would know the necessary amount of funding that would be required for the design and construction of the proposed flood reduction capital projects. The inclusion of these capital costs along with the identified maintenance and personnel costs for the stormwater management system would then be used to determine the fee amount and structure of the new "Stormwater Utility Fee." The consultant RFP would also include an alternate for a recommendation on an appropriate Stormwater Utility Fee.

After discussion at the May 24, 2016 Streets Committee, and since there is no funding in the current fiscal year budget, the Streets Committee recommended the distribution of the Request for Consultant Proposal on or about January 1, 2017. This would allow for the

selection process to be completed by the end of April 2017. The necessary funding to complete the majority of the Master Plan can then be allocated in the Capital Improvements Fund as part of the discussion process and meetings for the FY 2017-2018 budget. The Mayor asked for questions and comments.

Trustee Johnson moved to authorize Staff to proceed with Request for Proposals, and Trustee Moras seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

AWARD BID – 2016 Sanitary Storm Sewer Cleaning and Televising Project

President Wepler reported that three bids for the 2016 Sanitary-Storm Sewer Cleaning & Televising Project were received and opened on Friday, June 17, 2016. The lowest responsible bidder was Visu-Sewer of Illinois, LLC in the amount of \$99,773.00. The work is performed in advance of the 2017 Pavement Rehabilitation Projects in order to identify any underground sewer lines that need repair prior to the roadway work. The Water and Sewer Capital Improvement Fund has \$100,000 allocated for this work. The final project cost will be based on actual work quantities but will not exceed the awarded amount. Administrative Staff recommended awarding the contract for the 2016 Sanitary-Storm Sewer Cleaning & Televising Project to Visu-Sewer of Illinois, LLC in an amount not-to-exceed \$99,773.00 and to authorize execution by the Village Administrator. The Mayor asked for questions or comments.

Trustee Garrity moved to award the contract to Visu-Sewer of Illinois, LLC, and Trustee Justice seconded. The Mayor asked for further questions or comments. The motion carried on roll call vote as follows:

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

NAYS: None

ABSENT: Trustee Gaines

PETITIONS AND COMMUNICATIONS

President Wepler announced the following:

- Village Hall and all non-emergency offices will be closed on Monday, July 4, 2016 for Independence Day
- The Village Band will perform at 7:30 p.m. on Monday, July 4, 2016, in Butler Lake Park, and a fireworks display will start at 9:30 p.m.
- The Historic Preservation Commission will meet at 4:00 p.m. on Tuesday, July 5, 2016
- The Parks and Recreation Committee and Advisory Commission will meet at 6:00 p.m. on Tuesday, July 5, 2016
- Dog Days of Summer Event will be held in downtown Libertyville Thursday, July 7 through Sunday, July 10, 2016
- The Zoning Board of Appeals will meet at 7:00 p.m. on Monday, July 11, 2016

- The Police Pension Fund will meet at 3:00 p.m. on Tuesday, July 12, 2016
- The Water and Sewer Committee will meet at 7:00 p.m. on Tuesday, July 12, 2016
- The Village board will meet at 8:00 p.m. on Tuesday, July 12, 2016

EXECUTIVE SESSION – Personnel

With the need for the Village Board to meet in Executive Session, Trustee Garrity moved to go into Executive Session at 9:01 p.m. Trustee Johnson seconded, and the motion carried on a unanimous voice vote.

ADJOURNMENT

The Board returned to the regular meeting 9:25 p.m., and with no further business, Trustee Garrity moved to adjourn, Trustee Johnson seconded, and the motion carried on a unanimous voice vote.

Respectfully submitted,

Sally A. Kowal
Village Clerk