

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
March 13, 2018

President Weppler called to order a meeting of the Board of Trustees at 8:00 p.m. in the Village Hall, 118 West Cook Avenue, Libertyville, IL. Those present were: President Terry Weppler, Trustees Donna Johnson, Richard Moras, Jay Justice, Scott Adams, Peter Garrity, and Patrick Carey.

ITEMS NOT ON THE AGENDA

President Weppler asked if anyone had an item to bring before the Village Board that was not already listed on the Omnibus Vote Agenda. No items were brought forth.

OMNIBUS VOTE AGENDA

President Wepper introduced the Omnibus Vote Agenda and asked if there were any items to be removed for separate discussion. There were none.

Omnibus Vote Agenda

- A. Minutes of the February 27, 2018 Village Board Meeting
- B. Bills for Approval
- C. **RESOLUTION NO. 18-R-36:** A Resolution to Approve a Raffle License for the Libertyville Junior Women's Club
- D. **RESOLUTION NO. 18-R-37:** A Resolution to Approve a Raffle License for the Friends of Troop 71
- E. **RESOLUTION NO. 18-R-38:** A Resolution to Approve the American Public Works Association Re-accreditation Agreement
- F. **RESOLUTION NO. 18-R-39:** A Resolution to Approve an Electric Purchase Contract with Dynegy Energy Services, LLC
- G. **RESOLUTION NO. 18-R-40:** A Resolution to Approve a Professional Services Agreement with Gewalt Hamilton Associates, Inc. for Construction Management Services for the 2018 Underground Improvement Project
- H. Approval of a Recommendation to Appoint the Sustain Libertyville Commission Chairperson to the Metropolitan Mayor's Caucus Environment Committee
- I. **RESOLUTION NO. 18-R-41:** A Resolution to Waive Competitive Bidding and Award a Contract to H & H Electric Company for Streetlight Maintenance
- 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. President Weppler asked for further Board or public comment and there were none. The motion carried on roll call vote as follows:

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

RESOLUTION NO. 18-R-42: A Resolution Authorizing the Execution of an Amendment to Exclusive Listing Agreement with CBRE, Inc. for the Sales of the Golf Learning Center and Family Entertainment Center (deferred from February 27, 2018)

President Wepler introduced this resolution to approve a one-year extension to the exclusive listing agreement with CBRE, Inc. to allow CBRE to list, market and assist in the negotiation of the sale of the Golf Learning Center (GLC) and the Family Entertainment Center (FEC).

A Village team interviewed a number of potential brokerage firms and determined that CBRE has extensive experience with the local retail, office and industrial markets, and therefore meets the qualifications necessary for the listing services. Staff supported approval of the proposed extension. President Wepler asked for questions and comments from the Board and the public and there were none.

Trustee Johnson moved to approve the resolution authorizing the execution of an amendment to the exclusive listing agreement with CBRE, Inc. Trustee Adams seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

NAYS: None

RESOLUTION NO. 18-R-43: A Resolution to Award a Contract for the 2018 Underground Improvements Project

President Wepler stated the 2018 Underground Improvements project involves the replacement of deteriorating watermain segments along Dymond Road, Second Avenue, and within the Cambridge Plaza development. The project will also include sanitary and storm sewer removal and replacement work along Dymond Road and Second Avenue with several "point repairs" in other select locations. The project included a bid alternate for zinc coated watermain pipe as opposed to the standard bituminous coated pipe.

Fourteen (14) competitive contractor bids were received and opened on Wednesday, February 14, 2018 for the project. The lowest three (3) bids received for the base bid work were as follows:

Copenhaver Construction	\$1,539,378.08
ALamp Concrete	\$1,584,531.75
Glenbrook Excavating	\$1,647,047.00

The Engineer's Estimate was \$1,662,317.50 for the base bid work. The qualified low bid contractor was Copenhaver Construction, Inc. out of Gilberts, Illinois in the amount of \$1,539,378.08. The bid alternate could not be pursued due to the higher than anticipated costs received and lack of available additional budgeted funds.

Upon review of available funding between Fiscal Year 2017/18 and 2018/19 Budgets, the project scope was slightly reduced. This included minimizing the linear footage of watermain installation within the Cambridge Plaza development, which resulted in a proposed adjusted contract amount of \$1,391,409.83 with Copenhaver Construction.

Construction for the project will span two Fiscal Years (FY). The anticipated start date is early April and the contract completion date will be the end of this June. There is \$390,000.00 remaining and available in the FY 2017/18 Budget in the Water and Sewer Capital Improvement Fund (Account #20-2024-6-772) for the watermain replacement work to be completed prior to May 1, 2018. The proposed draft 2017/18 budget includes \$920,000 for watermain replacement work, and \$46,000 for sanitary replacement work, and \$36,000 for the storm sewer replacement work.

Staff recommended approval of the Resolution to award the contract to Copenhaver Construction, Inc. for the 2018 Underground Improvements project in the amount of \$1,391,409.83 and authorize execution of the contract. President Wepler then asked for questions and comments.

Trustee Justice asked if the low bidder provided referrals. Public Works Director Paul Kendzior stated there were some concerns with the low bidder, but Gewalt Hamilton will oversee and monitor the project.

Trustee Johnson moved to approve the resolution to award the contract for the 2018 Underground Improvements Project to Copenhaver Construction, and Trustee Justice seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

RESOLUTION NO. 18-R-44: Consideration of Separation of Employment and Resolution Approving a Settlement Agreement with Christopher Clark

President Wepler explained this resolution would approve a settlement agreement and release between the Village of Libertyville and Village Administrator Christopher Clark. The proposed agreement provides for Mr. Clark's resignation as Village Administrator effective March 13, 2018. In addition to releases between the parties, the agreement

provides Mr. Clark with six months of severance payments totaling \$85,000, less applicable deductions. It also provides for Village payment of dental and health insurance premiums for Mr. Clark and his dependents, through September 30, 2018, subject to deductions from the severance payments equal to the normal employee's portion of insurance premiums.

President Wepler recommended approval of the Resolution to approve a Settlement Agreement with Christopher Clark. He then asked for questions and comments.

Ms. Lisa Roti, 1212 Victory Drive, asked if there would be any information available regarding the employment separation. President Wepler explained there would be no formal statement.

Trustee Johnson moved to approve the resolution to approve a settlement agreement with Christopher Clark. Trustee Adams seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

NAYS: None

RESOLUTION NO. 18-R-45: A Resolution Approving a Memorandum of Understanding for Interim Village Administrator Services

President Wepler explained that due to a vacancy created in the Village Administrator position effective March 13, 2018, the need for an Interim Village Administrator exists. President Wepler recommended Deputy Village Administrator Kelly Amidei to serve as the Interim Village Administrator effective March 14, 2018. The Memorandum of Understanding outlines the duties and terms of this temporary appointment.

Village Clerk Kowal recommended approval of the Resolution to approve a Memorandum of Understanding with Kelly Amidei for Interim Village Administrator Services. President Wepler then asked for questions or comments and there were none.

Trustee Carey moved to approve the resolution approving a Memorandum of Understanding for Interim Village Administrator. Trustee Johnson seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

NAYS: None

RESOLUTION NO. 18-R-46: A Resolution Approving a Deputy Clerk

President Wepler explained that due to a vacancy created in the Village Administrator position effective March 13, 2018, the need for a Deputy Clerk exists. Village Clerk Kowal has authority to appoint a Deputy Village Clerk as outlined in Section 2-93 of the Libertyville Municipal Code and administer the Oath of Office.

Village Clerk Kowal recommended approval of the Resolution to appoint Kelly Amidei as the Deputy Village Clerk.

Trustee Justice moved to approve the resolution approving the Deputy Clerk. Trustee Garrity seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

NAYS: None

RESOLUTION NO. 18-R-47: A Resolution Approving a Deputy Liquor Commissioner

President Wepler noted that due to a vacancy created in the Village Administrator position effective March 13, 2018, the need for a Deputy Liquor Commissioner exists. Liquor Commissioner Wepler has authority to appoint a Deputy Liquor Commissioner as outlined in Section 4-3 of the Libertyville Municipal Code.

President Wepler recommended approval of the Resolution to appoint Kelly Amidei as the Deputy Liquor Commissioner. He then asked for questions and comments and there was none.

Trustee Carey moved to approve the resolution approving a Deputy Liquor Commissioner. Trustee Garrity seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

NAYS: None

PETITIONS AND COMMUNICATIONS

President Wepler explained that the delay that has resulted in the closing of Rockland Road and removal of the truss support beams on the Rockland Road bridge, are a result of the inaction on the part of IDOT. The Village has done everything required and was asked to wait for 30 days for the State Historic Preservation Office to comment on the project. The 30 days are now up, and IDOT still wants to meet with the Historical Preservation office. President Wepler noted his frustration and stated that the delay is dangerous and unreasonable. The Village has contracted for the removal, and the

company cannot continue to wait for the work to begin. He has asked IDOT for immediate action and has sent a letter to legislators and decision makers for prompt action. President Wepler stated that he, along with residents, are frustrated with the delay.

President Wepler announced the following:

- The Libertyville Leader Summit will be held at 7:00 p.m. on Wednesday, March 14, 2018
- The Parks Master Plan Community Workshop will be held at 7:00 p.m. on Thursday, March 15, 2018 at the Crawford House at Butler Lake Park
- The Historic Preservation Commission will meet at 5:00 p.m. on Monday, March 19, 2018
- The Appearance Review Commission will meet at 7:00 p.m. on Monday, March 19, 2018
- The Plan Commission/ZBA will NOT meet at 7:00 p.m. on Monday, March 19, 2018
- The Parks and Recreation Committee will meet at 6:30 p.m. on Tuesday, March 27, 2018

- The Economic Development Commission will meet at 7:30 on Wednesday, March 21, 2018
- The Sustain Libertyville Commission will meet at 4:00 p.m. on Wednesday, March 21, 2018
- The Libertyville Arts Commission will NOT meet at 2:00 p.m. on Monday, March 26, 2018 2:00 p.m. on Monday, March 26, 2018
- The Bicycle Advisory Commission will meet at 6:00 p.m. on Tuesday, March 27, 2018
- The Streets Committee will NOT meet at 7:00 p.m. on Tuesday, March 27, 2018
- The Village Board will meet at 8:00 p.m. on Tuesday, March 27, 2018

EXECUTIVE SESSION

President Wepler noted the need to meet in Executive Session for discussion of the following:

- A. Closed Meeting Minutes: Review [5 ILCS 120/2(c)(21)]
- B. Personnel: Appointment, employment, compensation, discipline, performance or dismissal of specific employees [5 ILCS 120/2(c)(1)]
- C. Real Estate: Setting Price for Sale/Lease [5 ILCS 120/2(c)(6)]

Trustee Johnson moved to go into Executive Session at 8:20 p.m., and Trustee Garrity seconded. The motion carried on a unanimous voice vote.

ADJOURNMENT

With no further business to come before Village Board, Trustee Carey moved to adjourn at 9:24 p.m., and Trustee Garrity seconded. The motion carried on a unanimous voice vote.

Respectfully submitted,

by Kelly A. Anidei, Deputy Village Clerk

Sally A. Kowal
Village Clerk