

VILLAGE OF LIBERTYVILLE  
BOARD OF TRUSTEES  
September 10, 2019

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.

**Proclamation**

President Weppler presented a proclamation to the First Presbyterian Church of Libertyville celebrating their 150<sup>th</sup> anniversary.

**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 agenda. There were no items.

**OMNIBUS VOTE AGENDA**

President Weppler 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 August 27, 2019 Village Board Meeting
- B. Bills for Approval
- C. **RESOLUTION NO. 19-R-154:** A Resolution Appointing a Member to the Bicycle Advisory Commission
- D. **RESOLUTION NO. 19-R-155:** A Resolution to Approve a Special Event – Pumpkin Fest
- E. **RESOLUTION NO. 19-R-156:** A Resolution to Award a Contract to 8 Blocks Maintenance Co. LLC, dba SlidePros for the Adler Pool Fiberglass Refurbishment Project
- F. **RESOLUTION NO. 19-R-157:** A Resolution to Award a Contract to Pecover Decorating Services, Inc. for the Adler Pool Zero Depth Pool Painting Project
- G. **ORDINANCE NO. 19-O-71:** An Ordinance Amending Text of the Libertyville Zoning Code – Authorized Variations for Lot Coverage
- H. **ORDINANCE NO. 19-O-72:** An Ordinance Granting a Variation for Lot Coverage (ZBA 19-23) – 433 E. Sunnyside Avenue

Trustee Johnson moved to adopt the items, including the amendment, 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. Trustee Garrity inquired about the single quote for the

pool slide project. Director of Public Works Kendzior explained that the vendor was utilized for a prior project. The motion carried on roll call vote as follows:

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

NAYS: None

**RESOLUTION NO. 19-R-158: A Collective Bargaining Agreement with the Libertyville Professional Fire Fighters Association Local 3892**The current Collective Bargaining Agreement expired on April 30, 2019. Since this date, the Firefighters have been operating under the expired agreement. The new agreement, if approved, will be retroactive to May 1, 2019 and will expire on April 30, 2023.

Trustee Johnson moved to approve the resolution approving the collective bargaining agreement with the Libertyville Professional Fire Fighters Association Local 3892. Trustee Adams seconded. President Wepler asked for further Board or public comment and there was none. President Wepler thanked the staff and union representatives for working together to finalize the agreement. The motion carried on roll call vote as follows:

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

NAYS: None

**ORDINANCE NO. 19-O-73: An Ordinance to Waive Competitive Bidding and Approve a Contract with TGF Enterprises, Inc. for the Annual Central Business District Brick Paver Replacement Project**

The Fiscal Year 2019/20 Annual Budget provides \$40,000 in the Project Fund for the replacement of failed and deteriorated brick pavers and the correction of trip hazards and drainage issues located in sidewalks and cross-walks at various locations within the central business district (CBD). Staff solicited proposals for a daily 10-hour combined labor (3-person crew) and material rate from three local experienced brick paver installation firms who have successfully performed similar work for the Village in the past. This competitive proposal process was chosen over a legal advertisement soliciting bids because of the highly specialized work, the need for the contractor's attention to detail and the sensitive location of the work being within the CBD. The Village will supply the brick pavers in order to match the color and style of the existing brick pavers. The selected contractor will supply all the base and joint aggregate and sand. The proposal rates received are summarized in the table below.

Firm	Daily Rate
TGF Enterprises, Inc.	\$3,390.28
Lester's Material Service, Inc.	\$3,490.00
Buhrman Design Group, Inc.	\$3,930.00

Since the project was not advertised for competitive bids in a local newspaper, staff recommended waiving the competitive bidding process and entering into a contract with TGF Enterprises, Inc. in the amount of \$40,000, which equals the available budgeted funds. This will allow us to complete as much brick paver replacement work that is possible within the budget.

Staff recommended approval of the Ordinance to waive the competitive bidding process and enter into a contract with TGF Enterprises, Inc. in the amount not to exceed the available budgeted funds of \$40,000 for the annual central business district replacement project and authorized the execution by the Village Administrator.

Trustee Garrity moved to approve the ordinance to waive competitive bidding and approve a contract with TGF Enterprises, Inc. for the annual central business district paver replacement project. Trustee Moras seconded. President Weppler 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. 19-R-159: A Resolution to Approve a Construction Contract for the Charles Brown Reservoir Restoration & Pump Replacement Project**

The Charles Brown Reservoir, which serves as the outfall for the Highlands Subdivision that consists of Ames Street, Burdick Street, Carter Street, Dawes Street, Drake Street, Crane Boulevard and Rockland Road (a 550 acre tributary area), drains to the Seavey Ditch by a pump station. The reservoir currently provides approximately 74 acre-feet of detention.

The Village retained the firm of Christopher B. Burke Engineering, Ltd. (CBBEL) to prepare final engineering drawings and specifications to restore bottom and side slopes of the reservoir with wetland and native plantings to enhance low flow drainage and prevent the build-up of silt in the storm sewer segments that discharge into the basin, which reduces their conveyance capacity. The detention volume will be increased to 84 acre-feet. The project includes the replacement of the three high-flow pumps and one low-flow pump, all of which have reached the end of their useful service life.

The Village solicited for competitive contractor bids on August 1, 2019. The bid opening was held on August 29, 2019 where six bids were received. The bid alternate included

SCADA (remote telemetry and monitoring) for the replacement pump station. It was recommended to proceed with the bid alternate due to its importance to operations and low incremental cost. A summary of the bids is listed below:

<b>Contractor</b>	<b>Base Bid Price</b>	<b>Alternate Bid Price</b>
EarthWerks	\$1,646,455.00	\$1,682,455.00
Campanella & Sons	\$1,946,254.80	\$1,990,604.40
DiMeo Brothers	\$2,084,095.00	\$1,916,595.00
V3 Construction Group	\$2,189,560.00	\$2,225,560.00
Copenhaver Construction	\$2,259,340.00	\$2,301,340.00
Martam Construction	\$2,770,747.00	\$2,739,517.00

The lowest responsive bidder, EarthWerks, is a very experienced grading contractor and it is the recommendation of staff and CBBEL to award the contract to this firm. The FY 2019/20 Budget includes sufficient funding in the Stormwater for the proposed construction of the project. Staff will reallocate \$200,000 previously denoted for catchbasin cleaning and sewer line cleaning/televising to stay within the overall Fund budget. In addition, the Village will receive a \$135,000 IEPA 319 Grant for the project, which is reimbursable.

Staff recommended approval of the resolution to award the construction contract to EarthWerks for the Charles Brown Reservoir Restoration & Pump Replacement project to in the amount of \$1,682,455.00, which included the bid alternate, and authorized execution by the Village Administrator.

Trustee Carey moved to approve a resolution to approve a construction contract for the Charles Brown reservoir restoration & pump replacement project. Trustee Johnson seconded. President Wepler asked for further Board or public comment. Trustee Johnson thanked staff for taking advantage of the grant opportunity. The motion carried on roll call vote as follows:

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

NAYS: None

**RESOLUTION NO. 19-R-160: A Resolution to Approve a Professional Services Agreement for Construction Engineering Services for the Charles Brown Reservoir Restoration & Pump Replacement Project**

The Charles Brown Reservoir, which serves as the outfall for the Highlands Subdivision that consists of Ames Street, Burdick Street, Carter Street, Dawes Street, Drake Street, Crane Boulevard and Rockland Road (a 550 acre tributary area), drains to the Seavey Ditch by a pump station. The reservoir provides approximately 74 acre-feet of detention.

The Village retained the firm of Christopher B. Burke Engineering, Ltd. (CBBEL) to prepare final engineering drawings and specifications to restore bottom and side slopes of the reservoir with wetland and native plantings to enhance low flow drainage and prevent the build-up of silt in the storm sewer segments that discharge into the basin, which reduces conveyance capacity. The detention volume for the reservoir will also be increased to 84 acre-feet. The project will include the replacement of the three high-flow pumps and one low-flow pump, all of which have reached the end of their useful service life.

The Village opened competitive contractor bids for the construction of the project and the lowest responsive bid is within available budgeted funds. In addition, the Village will receive a \$135,000 reimbursable IEPA 319 Grant for the project. Staff requested a proposal from CBBEL to provide construction engineering services for the reservoir restoration and pump replacement project. The proposal received from CBBEL is in the amount of \$117,160 and is included as an exhibit in the Village's standard professional services agreement.

The proposed agreement with CBBEL is in compliance with the provisions of the *Local Government Professional Services Selection Act* as the Village has a satisfactory relationship for services established with CBBEL based upon their related design work on the reservoir restoration project, the new Master Stormwater Management Plan and previous drainage studies for the reservoir and the Highlands subdivision. The FY 2019/20 Budget included sufficient funding for the proposed construction engineering services.

Staff recommended approval of the resolution to award a professional services agreement for construction engineering services for the Charles Brown Reservoir Restoration project to the firm of Christopher B. Burke Engineering, Ltd. in the amount of \$117,160 and authorized execution by the Village Administrator.

Trustee Johnson moved to approve a resolution to approve a professional services agreement for construction engineering services for the Charles Brown reservoir restoration & pump replacement project. Trustee Moras seconded. President Wepler asked for further Board or public comment. Trustee Moras clarified that the provider will oversee the construction project. Trustee Carey noted the improvements to the storm water system with the limited financial resources. Trustee Garrity asked about the items being deferred in the amount of \$200,000. The motion carried on roll call vote as follows:

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

NAYS: None

**PETITIONS AND COMMUNICATIONS**

The Board of Fire and Police Commissioners will meet at 5:30 p.m. on Thursday, September 12, 2019 at the North Fire Station, 1551 N. Milwaukee Avenue.

The Historic Preservation Commission will meet at 7:00 p.m. on Monday, September 16, 2019 at the Libertyville Civic Center to discuss the proposal for the demolition of the Liberty Theatre.

The Appearance Review Commission will meet at 7:00 p.m. on Monday, September 16, 2019.

The Economic Development Commission will meet at 7:30 a.m. on Wednesday, September 18, 2019.

The Sustain Libertyville Commission will meet at 4:00 p.m. on Wednesday, September 18, 2019.

The Libertyville Arts Commission will **not** meet at 2:00 p.m. on Monday, September 23, 2019.

The Plan Commission/Zoning Board of Appeals will meet at 7:00 p.m. on Monday, September 23, 2019 at the Libertyville Civic Center to continue the discussion on cannabis as it relates to zoning.

The Bicycle Advisory Commission will meet at 6:00 p.m. at Tuesday, September 24, 2019.

The Streets Committee will meet at 7:00 p.m. on Tuesday, September 24, 2019.

The Village Board will meet at 8:00 p.m. on Tuesday, September 24, 2019.

**EXECUTIVE SESSION**

President Wepler noted the need for the Village Board to meet in Executive Session for the following:

Closed Session Minutes [5 ILCS 120/2(c)(21)]

Real Estate: Setting Price for Sale/Lease [5 ILCS 120/2(c)(6)]

Trustee Johnson moved to go into Executive Session at 8:25 p.m. Trustee Justice seconded, and the motion carried on a unanimous voice vote.

**ADJOURNMENT**

The Village Board returned to the regular meeting, and with no further business to come before Village Board, Trustee Moras moved to adjourn at 8:38 p.m., and Trustee Garrity seconded. The motion carried on a unanimous voice vote.

Respectfully submitted,

*by Kelly A. Amidei, Deputy Clerk*  
Kelly A. Amidei  
Deputy Village Clerk