

VILLAGE OF LIBERTYVILLE  
BOARD OF TRUSTEES  
April 23, 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, Libertyville, IL. Those present were: President Terry Weppler, Trustees Donna Johnson, Richard Moras, Jay Justice, Scott Adams, Peter Garrity, and Patrick Carey.

**DeMolay International Proclamation**

President Weppler proclaimed the month of April 2019 as DEMOLAY MONTH in the Village of Libertyville, urging citizens to salute the young men of the Order of DeMolay for the fine example they set in contributing to the welfare of our community. Jay Tresenriter accepted the proclamation on behalf of the DeMolays.

**Arbor Day Proclamation**

President Weppler proclaimed April 26, 2019 as ARBOR DAY in the Village of Libertyville and urged citizens to support efforts to protect trees and woodlands.

**Bicycle Safety Month Proclamation**

President Weppler proclaimed May 2019 as BICYCLE SAFETY MONTH in the Village of Libertyville.

**ITEMS NOT ON THE AGENDA**

President Weppler asked if anyone had an item to bring before the Board that was not already listed on the Omnibus Vote Agenda. There were none.

**OMNIBUS VOTE AGENDA**

The Mayor introduced the Omnibus Vote Agenda and asked if there were any items to be removed for separate discussion.

Omnibus Vote Agenda

- A. Minutes of the April 9, 2019 Village Board Meeting
- B. Bills for Approval
- C. **RESOLUTION NO. 19-R-75:** A Resolution to Approve the Purchase of Network Switches from CDW-G
- D. **RESOLUTION NO. 19-R-76:** A Resolution to Renew a Professional Services Agreement for Annual Elevator Maintenance Services
- E. **RESOLUTION NO. 19-R-77:** A Resolution to Approve Contract Change Order No. 1 for the 2019 Joint Bid Road Rehabilitation Program
- F. **RESOLUTION NO. 19-R-78:** A Resolution to Approve a Change Order for the Cook Park Playground Replacement Project
- G. **ORDINANCE NO. 19-O-29:** An Ordinance Granting Approval of a Special Use Permit (PC 19-05) at 19238 W. Peterson Road – North Shore Gas Delivery

- H. **ORDINANCE NO. 19-O-30:** An Ordinance Granting Approval of a Site Plan Permit (PC 19-06) at 19238 W. Peterson Road – North Shore Gas Delivery
- I. **ORDINANCE NO. 19-O-31:** An Ordinance Granting Variations of Front Yard and Side Yard Setbacks (ZBA 19-04) at 19238 W. Peterson Road – North Shore Gas Delivery
- J. **ORDINANCE NO. 19-O-32:** An Ordinance Granting Variations of Perimeter Landscaped Open Space (ZBA 19-05) at 19238 W. Peterson Road – North Shore Gas Delivery
- K. **ORDINANCE NO. 19-O-33:** An Ordinance Granting a Variation for a Fence (ZBA 19-13) at 19238 W. Peterson Road – North Shore Gas Delivery
- L. **ORDINANCE NO. 19-O-34:** Consideration of the 2019-2020 Annual Fee Ordinance
- M. **RESOLUTION NO. 19-R-79:** A Resolution to Approve the Purchase of Firewalls from CDW-G
- N. **RESOLUTION NO. 19-R-80:** A Resolution to Approve an Easement Agreement – 295 Ridgeway Lane
- O. **RESOLUTION NO. 19-R-81:** A Resolution to Approve an Agreement with Filippini Law Firm
- P. 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 was none. The motion carried on roll call vote as follows:

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

NAYS: None

**CONSIDERATION OF A RESOLUTION to Adopt the Master Stormwater Management Plan – deferred to May 14, 2019**

**REPORT OF THE ZONING BOARD OF APPEALS (ZBA 19-14) for a Variation of Rear Yard Setback – 927 Cambridge Drive**

President Weppler reported that at the meeting of April 8, 2019, the Zoning Board of Appeals heard a request from the property owner of 927 Cambridge Drive for a rear yard setback variation to allow construction of a house addition. The applicant proposed to construct a 320 square foot screen porch.

Members of the Zoning Board of Appeals debated the project with the consensus stating that the location of the lot abutting a car dealership created a practical difficulty for the applicant. A motion to recommend Village Board of Trustees approval passed with a vote of 4 -2. The applicant was present to answer questions. President Weppler asked for further Board or public comments.

Trustee Johnson asked for clarification of the recommendation, and Director of Community Development John Spoden noted that the applicant has been maintaining extra land that does not belong to him. Trustee Garrity noted there is no encroachment, and neighbors were okay with the plan.

Trustee Garrity moved to approve the variation for the rear yard setback at 927 Cambridge Drive. Trustee Johnson 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

**REPORT OF THE ZONING BOARD OF APPEALS (ZBA 19-07) for a Variation of Lot Coverage – 433 E. Sunnyside Avenue – deferred at the request of the applicant**

**ORDINANCE NO. 19-O-35: An Ordinance to Waive Competitive Bidding and Approve a Contract with Peter Baker & Son Co. for Additional Roadway Resurfacing Work**

President Weppler explained that the Village entered into a Joint Bid Road Program with Mundelein, Vernon Hills, and the Libertyville Township Highway Department in an effort to continue to receive advantageous competitive unit price bids based upon an “economies of scale” from larger contract quantities. Competitive unit prices were received and the low bid contractor’s price was approximately \$200,000 below the Engineer’s Estimate. The Board of Trustees awarded the contract for the Joint Bid Road Rehabilitation Program to the low bidder, Peter Baker & Son Co., on April 9, 2019.

The language in the contract does not allow the Village to add additional streets for resurfacing. The contractor, Peter Baker & Son Co., agreed to hold the favorable unit prices under a separate contract in order to resurface Warwick Lane. Warwick Lane is in very poor condition and has not been resurfaced for at least 17-years. The total cost to mill and resurface Warwick Lane based upon the competitively bid and favorable unit prices from the Joint Bid Road Program is \$101,142.50. Therefore, Staff recommended waiving the competitive bidding process and entering into a contract with Peter Baker & Son Co. to complete the additional roadway resurfacing work for Warwick Lane. There

are sufficient funds available to pay for the additional resurfacing work in the Fiscal Year 2019/20 Annual Budget in the Project Fund and the Road Bond Fund.

Staff recommended approval of the Ordinance to waive the competitive bidding process and enter into a contract with Peter Baker & Son Co. in the amount of \$101,142.50 for additional roadway resurfacing work for Warwick Lane.

A super-majority vote was required to waive competitive bidding and therefore, five positive votes were required for approval. President Wepler asked for further Board or public comment.

Director Kendzior noted that the prices offered were too good to pass up for the Warwick project. Trustee Garrity asked if it made sense to use the funds to patch multiple roads. Director Kendzior stated that this project would deplete the funds, but some in-house work could be completed patching other areas. Trustee Johnson agreed that completing an entire street was a priority.

Trustee Johnson moved to waive competitive bidding and award a contract to Peter Baker & Son for additional roadway resurfacing. 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

**ORDINANCE NO. 19-O-36: An Ordinance to Waive Competitive bidding and Approve a Contract with Ampol Group, Inc. for Contractual On-Site Facility Maintenance at the Sports Complex**

President Wepler stated that on April 24, 2018, the Village Board approved a Resolution to enter into an agreement with Ampol Group, Inc., the responsive low bidder, for on-site facility maintenance for the Libertyville Sports Complex (LSC). Contracted on-site facility maintenance has been beneficial for the LSC in place of an in-house work force due to the need for specialized resources for the electrical, mechanical and plumbing systems that professional facility maintenance firms can provide. The Fiscal Year 2019-2020 Annual Budget provides \$150,000 in the Sports Complex Fund for contractual on-site facility maintenance services.

Ampol Group, Inc. successfully provided a wide range of maintenance due to the age of the facility which includes HVAC, electrical and mechanical components. Staff was satisfied with the performance of Ampol Group, Inc.'s work and their knowledge of the building's attributes. The current agreement does not contain language for a contract extension, therefore an ordinance to waive competitive bidding and enter into a new contract was recommended. Ampol Group, Inc. proposed an increase to their unit prices

by 1.9% for Fiscal Year 2019/2020. The proposed contract amount will be \$147,755 based upon the adjusted unit prices. The new contract contains language for two one-year mutually agreeable renewals for a 1.9% increase in the unit prices.

Staff recommended approval of the Ordinance to waive the competitive bidding process and award a contract for on-site facility maintenance services at the Sports Complex to Ampol Group, Inc. and authorized execution by the Village Administrator.

A super-majority vote is required to waive competitive bidding and therefore, five positive votes were required for approval.

Trustee Carey moved to waive competitive bedding and award a contract to Ampol Group, Inc. for maintenance at the Sports Complex. 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, Carey, and Mayor Wepler  
NAYS: None

**ORDINANCE NO. 19-O-37: An Ordinance to Waive Competitive Bidding and Approve a Contract for Biosolids Dewatering & Disposal Services at the Wastewater Treatment Plant with Synagro Central, LLC**

President Wepler reported that the current biosolids (sludge) management contract with Synagro Central, LLC for sludge dewatering and land application (disposal) services expires April 30, 2019. Synagro Central, LLC has a successful long term working relationship with the Village spanning over 21 years. Utilizing Synagro Central, LLC for these services resulted in a smooth and efficient operation and allowed the plant's staff to perform other necessary tasks. In addition, no other local contractor can cost effectively provide the combined services for the dewatering and land application.

Staff proposed waiving the competitive bidding and entering into a new contract with Synagro that would include language for two possible one-year extensions. The new unit cost to dewater and dispose of the sludge will increase from \$0.052/gallon to \$0.0527/gallon. This is a unit price increase of 1.42%. The proposed contract price includes a not-to-exceed amount of \$160,000, which is equal to the amount of funds that are provided in the Fiscal Year 2019/20 Annual Budget in the Wastewater Treatment Plant Operations.

Staff recommended approval of the ordinance to waive the competitive bidding process and approve the contract with Synagro Central, LLC for sludge dewatering and disposal services at the wastewater treatment plant and authorized execution by the Village Administrator. A super-majority vote was required to waive competitive bidding and

therefore, five positive votes were required for approval. President Weppler asked for questions and comments.

Trustee Moras asked how often the dewatering is completed. Director Kendzior stated that dewatering is completed twice each year.

Trustee Johnson moved to waive competitive bidding and approve a contract for Biosolids and Dewatering & disposal Services to Synagro Central, LLC. Trustee Garrity 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- 82: A Resolution to Award a Contract for the East Community Parking Lot Resurfacing Project**

President Weppler noted that the east community parking lot is located behind the businesses fronting the east side of Milwaukee Avenue, between School Street and E. Cook Avenue. The lot is divided into three (3) segments, with the northern and southernmost sections being predominantly public, while the middle section is entirely privately-owned. The middle section of the lot was recently resurfaced by the property owner, and the Village has been working towards rehabilitating the northern and southern sections. Staff is in the process of obtaining property agreements needed for the northern section, but desires to proceed with the resurfacing of the southern section. Staff and the Village's consultant Doland Engineering, LLC prepared plans and specifications, as well as coordination with the various stakeholders, in order to solicit competitive bids from local paving contractors. Seven (7) bids were opened on April 12, 2019 for the project with the following results:

<b>Contractor</b>	<b>Bid Amount</b>
Troch McNeil Paving	\$57,385.50
Chicagoland Paving	\$64,717.25
Maneval Construction	\$67,951.00
Superior Paving	\$71,822.00
Accu-Paving	\$72,507.50
Schroeder Asphalt Services	\$74,845.00
A-Lamp Concrete Contractors	\$92,870.00

The Engineer's Estimate for the work was \$78,220. The qualified low bid contractor was Troch McNeil Paving Company with a bid in the amount of \$57,385.50. Troch McNeil Paving has not performed work on behalf of the Village prior to this project. Doland Engineering, LLC contacted several references that have worked with Troch McNeil on past projects and received positive feedback. Therefore, Staff and Doland Engineering

recommended awarding the contract to Troch McNeil Paving Company. Sufficient funds are available for the proposed work in the FY 2019/20 Annual Budget in the Tax Increment Financing Fund. The proposed work is anticipated to be completed this summer.

Staff recommended approval of the Resolution to award the contract to Troch McNeil Paving Company for the resurfacing of the east community parking lot in the amount of \$57,385.50 and authorized execution by the Village Administrator. President Wepler then asked for questions and comments.

Trustees Justice and Johnson expressed concern with the low bid being significantly lower than others. Director Kendzior stated the references were good, and the company has completed similar parking lot projects. Trustee Adams asked about the speed bumps that are currently in the parking lot, and Director Kendzior explained that the bumps are in the private property section.

Trustee Johnson moved to approve a contract with Troch McNeil Paving Company for the resurfacing of the east community parking lot. 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

#### **PETITIONS AND COMMUNICATIONS**

President Wepler announced the following:

- The Police Pension Fund Board will meet at 1:00 p.m. on Monday, April 29, 2019
- The Parks and Recreation Committee will meet at 6:00 p.m. on Tuesday, May 7, 2019
- The Zoning Board of Appeals will meet at 7:00 p.m. on Monday, May 13, 2019
- The Committee of the Whole will meet at 6:30 p.m. on Tuesday, May 14, 2019
- The Village Board will meet at 8:00 p.m. on Tuesday, May 14, 2019

A tree planting to celebrate Arbor Day at the Village Hall on Friday, April 26, 2019 at 11:00 a.m. will occur.

The Comprehensive Plan Review Committee will hold Community Speakout #2 for the draft 2030 Comprehensive Plan at the Libertyville Civic Center on May 9, 2019 from 3:30 p.m. to 8:00 p.m.

The Board briefly discussed the 50-50 tree-planting program and disappointment with the contractor and poor samples provided last October. President Wepler noted a tree shortage and the need to perhaps work directly with a nursery.

President Wepler referred a request for a skate park at Duane Laska Park to the Parks Committee.

**EXECUTIVE SESSION**

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

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

**Real Estate: Purchase or Lease [5 ILCS 120/2(c)95]**

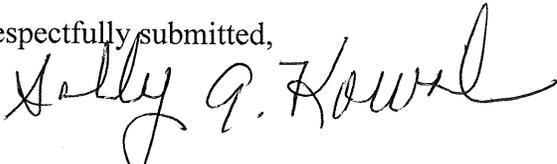
**Litigation: Pending or Imminent [5 ILCS 120/2(c)(11)]**

Trustee Johnson moved to go into Executive Session, Trustee Carey seconded, and the motion carried on a unanimous voice vote at 8:38 p.m.

**ADJOURNMENT**

The Board returned to the regular meeting, and with no further business to come before Village Board, Trustee Justice moved to adjourn at 8:58 p.m., and Trustee Carey seconded. The motion carried on a unanimous voice vote.

Respectfully submitted,



Sally A. Kowal  
Village Clerk