

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
May 24, 2022

President Johnson called to order a meeting of the Board of Trustees at 8:00 p.m. Those present were: President Donna Johnson, Trustees Scott Adams, Peter Garrity, Matthew Hickey, Matthew Krummick, Dan Love, and James Connell.

President Johnson asked for a moment to honor and remember the victims and their families of the school shooting at Robb Elementary School in Uvalde, Texas.

President Johnson honored several Village employees for their service anniversaries and their dedication to the community.

OMNIBUS VOTE AGENDA

President Johnson introduced the Omnibus Vote Agenda and asked if there were any items to be removed for a separate discussion. President Johnson requested items B, L, and M be removed from the Omnibus Agenda.

A. Summary of Omnibus Vote Agenda Items

B. Approval of Minutes of the April 12, 2022 and April 26, 2022 Village Board Meeting

C. Bills for Approval

D. **RESOLUTION NO. 22-R-68:** A Resolution Approving a Contract to Renew Office 365 Software

E. **ORDINANCE NO. 22-O-34:** An Ordinance Declaring Surplus Property

F. **RESOLUTION NO. 22-R-69:** A Resolution to Award a Contract to Alliance Contractors for The Rear Concrete Pad Project at Fire Station 1

G. **RESOLUTION NO. 22-R-70:** A Resolution Appointing Member to Village Commission

H. **ORDINANCE NO. 22-O-35:** An Ordinance Vacating the Unimproved Big Oak Lane Right-of-Way adjacent to 1095 Thornbury Lane

I. **RESOLUTION NO. 22-R-71:** A Resolution to Award a Contract to American Door and Dock, Inc. for the Parks Maintenance Facility Garage Door Replacement Project

J. RESOLUTION NO. 22-R-72: A Resolution Authorizing the Village Administrator to Enter into a Contract for the Purchase of Electricity Through the Northern Illinois Municipal Electric Cooperative

K. ARC Report

Trustee Adams 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, and Trustee Garrity seconded. The motion carried on roll call vote as follows:

AYES: Trustees Adams, Garrity, Hickey, Krummick, Love, and Connell

NAYS: None

President Johnson introduced Libertyville resident Andrew Hermann as the newest member of the Economic Development Commission.

4 - REPORT OF THE ZONING BOARD OF APPEALS ZBA 22-09, Variation for a Fence

President Johnson noted at the May 9, 2022 meeting, the Zoning Board of Appeals heard a request for a variation to locate a fence in a corner side yard at 785 Meadow Lane. Per the site plan, the fence would be located to allow for greater use of the property.

Members of the Zoning Board of Appeals reviewed the request and noted that the site is across the street from industrial property. Members concurred with the request. A motion to recommend Village Board of Trustees approval passed with a vote of 6 - 0.

President Johnson asked if there were any public comments, and there were none. Trustees Adams, Garrity, Hickey, and Love supported the item.

Trustee Love moved to approve item 4, and Trustee Adams seconded. The motion carried on roll call vote as follows:

AYES: Trustees Adams, Garrity, Hickey, Krummick, Love, and Connell

NAYS: None

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5 - REPORT OF THE ZONING BOARD OF APPEALS ZBA 22-10, Variation of Rear Yard Setback

President Johnson noted the property owner at 700 S. Fourth Avenue is proposing to remove an addition to the home and replace it with a 3 season sunroom. The existing addition encroaches into the rear yard setback and the new sunroom would be placed in its footprint.

Members of the Zoning Board of Appeals reviewed the request and concurred that the new addition would not encroach any further than the existing structure. A motion to recommend Village Board of Trustees approval passed with a vote of 6 - 0.

President Johnson asked if there were any public comments, and there were none. Trustees Adams, Garrity, Hickey, Krummick, Love, and Connell supported the item.

Trustee Adams moved to approve item 5, and Trustee Love seconded. The motion carried on roll call vote as follows:

AYES: Trustees Adams, Garrity, Hickey, Krummick, Love, and Connell

NAYS: None

6 - Application for Temporary Outdoor Dining at 602 N. Milwaukee Avenue - Nick Dimitriou, Applicant

President Johnson noted that Chrissoulas Restaurant at 602 N. Milwaukee Avenue is requesting approval of Temporary Outdoor Dining on the sidewalk on School Street south of their site. Staff is able to issue the permit subject to the applicant providing a 48 inch public accessway.

Mr. Nick Dimitriou, owner of Chrissoulas Restaurant, is appealing the Staff decision and requests to appear before the Village Board of Trustees to request use of the full width of the sidewalk in line with previous outdoor dining seasons.

President Johnson asked if there were any public comments, and there were none. The applicant, Nick Dimitriou, was present to answer questions from the board. Trustees Adams and Garrity supported the applicant's request. President Johnson made some remarks and shared concerns about accessibility. Trustee Hickey spoke in favor of continuing the 48 inch clearance requirement. Trustee Krummick asked the applicant and staff questions about parking and outdoor dining. Trustee Love asked the applicant questions about previous restaurants in the same space. Trustee Connell spoke in favor of continuing the 48 inch clearance requirement.

President Johnson offered additional comments. The applicant offered comments and concerns

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about maximizing capacity in his restaurant. Trustee Hickey offered comments about the Village's approach to balancing accessibility with the restaurant's desire for outdoor dining. Resident Adam Johnson spoke in favor of the applicant. President Johnson offered further comments on the item.

Trustee Hickey moved to approve item 6, and Trustee Love seconded. The motion to maintain the current requirements carried on roll call vote as follows:

AYES: Trustees Hickey, Krummick, Love, and Connell

NAYS: Trustees Adams and Garrity

7 – RESOLUTION NO. 22-R-73: A Resolution to Purchase Bulk Road Salt from Morton Salt, Inc.

President Johnson noted the Fiscal Year 2022/23 Annual Budget in Snow Removal & Ice Control provides \$182,700 for the purchase of bulk road salt. The Village continues to participate in the joint road salt purchase bid administered by the Lake County Division of Transportation and Morton Salt, Inc. was once again the low bidder. (The Bid Tabulation is attached for reference.) The Village's unit price for road salt this year will be \$79.27/ton. This unit price is a 14% increase over last year's unit price of \$69.30/ton. The sharp increases in fuel and labor costs are the main factors impacting the salt price for this year.

The Village's annual salt usage is approximately 2,400 tons, which includes quantities used by District 70 and our contractor that clears the Metra parking lots and downtown sidewalks. The terms and conditions of the joint bid purchase require a minimum delivery of 2,400 tons. This results in an amount of \$190,248 based upon the \$79.27/ton unit price, which is \$7,548 over the budgeted funds. Staff will identify savings in other budget related accounts throughout the year to account for this increase.

Staff recommends adoption of the resolution to approve the purchase of 2,400 tons of road salt from Morton Salt, Inc. in the not-to-exceed amount of \$190,248.

President Johnson asked if there were any public comments, and there were none. There were no comments from the board.

Trustee Love moved to approve item 7, and Trustee Adams seconded. The motion carried on roll call vote as follows:

AYES: Trustees Adams, Garrity, Hickey, Krummick, Love, and Connell

NAYS: None

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8 – RESOLUTION NO. 22-R-74: A Resolution to Approve a Special Event – Reclaimed Artisans Outdoor Vintage Market

President Johnson noted the resolution approves the sale of surplus real estate, including portions of 1800 and 1850 US Highway 45 to Midwest Industrial Funds, Inc.

Due to the lack of consistent public utilization and inadequacy of financial performance of the Village’s Family Entertainment Center miniature golf course and Golf Learning Center driving range, the Village Board previously adopted resolutions 06-R-62 and 17-R-12 declaring the property as surplus and directing its sale. The Village entered into a real estate purchase and sale agreement, by ordinance 18-O-29, and subsequently amended five times, with Midwest Industrial Funds, Inc. for the sale at a price that is at least 80% of the appraised value of the property.

On April 12, 2022 the Village Board passed ordinances approving the subdivision and development of the property. The sale for which the Village is prepared to close includes 19.15-acres of land, identified as Lots 1 and 2 in the newly plated Libertyville 45 Corporate Center subdivision. The Canlan Libertyville Sports Complex located on Lot 4 is not subject to this sale, nor is the vacant corner Lot 3 which will be made available for purchase by separate sale. The Village has proceeded with a traditional sale of the property and retained CBRE as its broker.

Staff recommends the Village Board approve the resolution.

There were no public comments. Trustee Adams asked Chief Rancone about traffic issues in previous years and the Chief indicated there were no issues in the past. Trustee Garrity offered comments in support of the item. Trustee Hickey asked questions about neighboring businesses. Trustee Krummick asked staff questions about the property owner and supported the item. Trustee Connell offered support for the item.

Trustee Connell moved to approve item 8, and Trustee Adams seconded. The motion carried on roll call vote as follows:

AYES: Trustees Adams, Garrity, Hickey, Krummick, Love, and Connell

NAYS: None

9 – RESOLUTION NO. 22-R-75: A Resolution to Approve a Special Event – USO Fundraiser

President Johnson noted Brian Grano from Mickey Finn’s Brewery has submitted a request for a special event to be held on September 22, 2022 from 4:00 p.m. to 10:00 p.m. The event will be

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held in the parking lot behind Mickey Finn’s in the Wepler lot and is a fundraising event for the United Service Organizations, Inc. (USO). This fundraiser will have live music, food and beer sales, and touch the trucks military vehicles. A request was also made to hang a banner in Cook Park.

Staff recommends Village Board approval of the resolution approving the event on September 22, 2022 from 4:00 p.m. to 10:00 p.m. and authorizes Mickey Finn’s Brewery USO Fundraiser to take place from 4:00 p.m. to 10:00 p.m. on Thursday, September 22, 2022, subject to compliance of the necessary Village and Lake County Health Department permits and the following conditions:

- Approval from Village Green Montessori Preschool, St. Lawrence Episcopal Church and Libertyville Civic Center of closure of parking lot and Church Street garage entrances before and during event.
- No use of parking garage for concert viewing (police enforced).
- Tent permit application with tent sufficient to allow 500 attendees plus band/stage
- More detailed schematic of tent and parking lot use
- Reimbursement of Police Officer special detail costs
- Closure of the Church Street parking lot and garage is required
- Meet with Village staff prior to event to review logistics
- In the event future mitigations for the current pandemic are implemented, all events are approved conditional on any potential restrictions at the time of the event

Trustee Garrity clarified that the Church Street garage will not be closed, but one of the entrances will be closed. Trustee Adams shared that he will be recusing himself. Trustees Garrity, Krummick, Love, and Connell supported the item.

Trustee Garrity moved to approve item 9, and Trustee Love seconded. The motion carried on roll call vote as follows:

AYES: Trustees Garrity, Hickey, Krummick, Love, and Connell

NAYS: None

ABSTAIN: Adams

10 – RESOLUTION NO. 22-R-76: A Resolution to Approve a Special Event – Oktoberfest

President Johnson noted the Village received a request from MainStreet Libertyville, the GLMV and Mickey Finn’s Brewery to hold an Oktoberfest event on September 23 and 24th, 2022 in the parking lot behind Mickey Finn’s Brewery in the Wepler parking lot. The event will take place from 4:00 p.m. to 10:00 p.m. on Friday, September 23, 2022 and noon to 6:00 p.m. on Saturday, September 24, 2022. A request was also made to hang a banner in Cook Park and hold a raffle for

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the event upon completion of a Raffle Application.

Staff recommends Village Board approval of the resolution approving the event on September 23, 2022 from 4:00 p.m. to 10:00 p.m. and September 24, 2022 from noon to 6:00 p.m. to take place subject to compliance of the necessary Village and Lake County Health Department permits and the following conditions:

- Approval from Village Green Montessori Preschool, St. Lawrence Episcopal Church and Libertyville Civic Center of closure of parking lot and Church Street garage entrances before and during event.
- Tent permit application with tent sufficient to allow 500 attendees plus band/stage
- More detailed schematic of tent and parking lot use
- Reimbursement of Police Officer special detail costs
- Closure of the Church Street parking lot and garage is required
- Meet with Village staff prior to event to review logistics
- In the event future mitigations for the current pandemic are implemented, all events are approved conditional on any potential restrictions at the time of the event

President Johnson asked if there were any public comments, and there were none. Trustee Adams shared that he will be recusing himself. Trustees Garrity, Hickey, Krummick, Love, and Connell offered support for the item.

Trustee Love moved to approve item 10, and Trustee Hickey seconded. The motion carried on roll call vote as follows:

AYES: Trustees Garrity, Hickey, Krummick, Love, and Connell

NAYS: None

ABSTAIN: Adams

PETITIONS AND COMMUNICATIONS

President Johnson announced the following:

- The Parks and Recreation Advisory Commission will NOT meet at 3:00 p.m. on Thursday, May 26, 2022.
- The Memorial Day Parade and Ceremony in Cook Park will take place on Monday, May 30, 2022. The parade begins at 9:30 a.m. at the Downtown Metra Train Station, Ceremony in Cook Park at 9:45 a.m.

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- The Human Relations Commission will NOT meet at 5:00 p.m. on Wednesday, June 1, 2022.
- The Parks and Recreation Committee will meet at 6:00 p.m. on Tuesday, June 7, 2022.
- The Plan Commission/Zoning Board of Appeals will meet at 7:00 p.m. on Monday, June 13, 2022.
- The Bicycle Advisory Commission will meet at 5:00 p.m. on Tuesday, June 14, 2022.
- The Committee of the Whole will meet at 7:00 p.m. on Tuesday, June 14, 2022.
- The Village Board will meet at 8:00 p.m. on Tuesday, June 14, 2022.

President Johnson celebrated the Fire Department’s new upgraded classification to ISO 2. Chief Carani thanked staff and other Village departments for their contributions to securing the new classification. President Johnson thanked the Police and Fire departments for their assistance in supporting Rockland Elementary School’s career event at Village Hall. Trustee Garrity praised the recent Highland Middle School Bike to School event and thanked the Police department for their support of the event. Trustee Hickey offered appreciation for staff and mentioned recent appointments to boards and commissions. Trustee Krummick offered thoughts about national gun violence and thanked the Police department for keeping our community safe. Trustee Krummick also mentioned the Village’s efforts to support local restaurants and businesses. Trustee Love thanked Brian Grano for his efforts to organize local community efforts. Trustee Love also spoke about outdoor dining and efforts to support the restaurants. Trustee Connell spoke about supporting local businesses, thanked the Police and Fire departments, and also the Libertyville High School Senior photos in the downtown area. Clerk Stowe congratulated the Fire Department on their ISO 2 classification. President Johnson thanked the Department Directors and Village leadership for their dedication to their roles.

ADJOURNMENT

With no further business to come before Village Board, Trustee Adams moved to adjourn the meeting at 9:38 p.m., and Trustee Garrity seconded. The motion carried on roll call vote as follows:

AYES: Trustees Adams, Garrity, Hickey, Krummick, Love, and Connell

NAYS: None

Respectfully submitted,



Luke Stowe
Village Clerk

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