

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
May 25, 2021

Please note that the meeting was conducted virtually due to Governor's Executive Orders #2020-10, 18, 32, 44, and 48.

President Johnson noted that the Disaster Declaration is still in effect and will be until the next Village Board Meeting.

President Johnson called to order a virtual 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.

ITEMS NOT ON THE AGENDA

President Johnson asked for a moment of silence for Allen Schertz, who passed away on May 13, 2021. Mr. Schertz was Libertyville's first village administrator serving from 1965-1991.

President Johnson read a proclamation declaring the first Friday in June of 2021 to be National Gun Violence Awareness Day. President Johnson invited a Libertyville resident to read a statement in support of the proclamation. President Johnson thanked the resident for her comments and efforts on the issue.

President Johnson asked if there was any correspondence to be read by staff. The only correspondence was in support of the proclamation.

OMNIBUS VOTE AGENDA

President Johnson introduced the Omnibus Vote Agenda and asked if there were any items to be removed for a separate discussion. Trustee Hickey requested item G be removed from the Omnibus Vote Agenda. President Johnson offered an amendment to item D. Trustee Garrity asked staff questions about item F. Trustee Adams requested item F be removed from the Omnibus Vote Agenda to be brought back at a future board meeting.

Omnibus Vote Agenda

- A. Summary of Omnibus Vote Agenda Items
- B. Approval of Minutes of the May 4, 2021 Village Board Meeting
Approval of Minutes of the February 9, 2021 Water and Sewer Committee Meeting
Approval of Minutes of the November 24, 2020 Streets Committee Meeting
- C. Bills for Approval
- D. **RESOLUTION NO. 21-R-77:** A Resolution Appointing Members to Village Commissions

- E. **ORDINANCE NO. 21-O-35:** An Ordinance to Reduce the Number of Class B Liquor Licenses
- F. A Resolution to Award a Professional Services Agreement to Gewalt Hamilton Associates, Inc. for a Streetlight Replacement Assessment
- G. **RESOLUTION NO. 21-R-79:** A Resolution to Approve a Highway Authority Agreement and a Supplemental Reimbursement and Indemnification Agreement with Libertyville, LLC (406-410 N. Milwaukee Ave.)
- H. **RESOLUTION NO. 21-R-80:** A Resolution Approving A Change Order to the Contract Between the Village of Libertyville and BCI Burke Company, LLC for the Charles Brown Park Playground Renovation
- I. **RESOLUTION NO. 21-R-81:** A Resolution Approving an Intergovernmental Agreement with the Village of Lincolnshire for Administrative Adjudication
- J. **ORDINANCE NO. 21-O-36:** An Ordinance Granting a Variation from Section 26-10-1 of the Libertyville Zoning Code to Reduce the Number of Required Parking Spaces- Dos Amigos Mexican Restaurant, Inc., Applicant, 101 W. Rockland Road
- K. **ORDINANCE NO. 21-O-37:** An Ordinance Designating 210 Lake Street as a Historic Landmark -Martina Cook, Applicant
- L. **ORDINANCE NO. 21-O-38:** An Ordinance Amending Section 26-16-8.5 of the Libertyville Zoning Code to Allow Variations from Certain Off-Street Loading Requirements in the I-1 District Durable Inc./Garden Investment Co., Applicant, 1530 Artaius Parkway
- M. **ORDINANCE NO. 21-O-39:** An Ordinance Granting a Site Plan Permit and Variations from Section 26- 10.2.4 of the Libertyville Zoning Code Regarding the Design and Maintenance of Off-Street Loading Spaces (1530 Artaius Parkway), Durable Inc./Garden Investment Co., Applicant, 1530 Artaius Parkway
- N. ARC Report
- O. HPC Report
- P. **RESOLUTION NO. 21-R-81:** Consideration of a Resolution to Approve a Special Event – Prayer and Liturgy in Cook Park

Trustee Adams moved to adopt the items listed on the Omnibus Vote Agenda, with an amendment to item D and removal of items G and F, in a single group pursuant to the omnibus vote procedures of the Libertyville Municipal Code, and Trustee Garrity seconded. President Johnson asked for further Board or public comment, and there was none. The motion carried on roll call vote as follows:

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

NAYS: None

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3G - Resolution to Approve a Highway Authority Agreement and a Supplemental Reimbursement and Indemnification Agreement with Libertyville, LLC (406-410 N. Milwaukee Ave.)

Trustee Hickey asked staff questions about soil contamination related to this item.

Trustee Hickey moved to approve item 3G, and Trustee Love seconded. The motion carried on roll call vote as follows:

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

NAYS: None

Report of the Zoning Board of Appeals-ZBA 21-10, Variation for Side Yard Setback, Charles and Judith Zemeske, Applicant, 234 Florence Ct.

President Johnson noted at the May 10, 2021, Zoning Board of Appeals meeting, a request was heard for a side yard setback for a detached garage. The property owners had received a building permit based on a 1992 plat of survey for a Code-conforming garage. However, when the applicants commissioned a spot survey to document the location of the poured concrete slab, it was found that the initial survey misrepresented the east property line. The owners initially applied for a five (5) foot setback for the garage, while the spot survey showed the setback as 3.70 feet.

Members of the Zoning Board of Appeals concurred with the request as the permit was based on a licensed survey with no fault of the owner. A motion to recommend Village Board of Trustees approval passed with a vote of 6 - 0.

Trustees Adams offered support for the item. President Johnson asked if there were any objections, and there were none. President Johnson asked staff questions about the item. President Johnson asked for public comments, and there were none.

Trustee Adams moved to approve ZBA 21-10, and Trustee Garrity 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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RESOLUTION NO. 21-R-82: A Resolution to Award a Contract to Best Quality Cleaning, LLC for Contractual Custodial Services

President Johnson noted the Village contracts custodial services for most Village buildings. The current custodial service contract expires on June 30, 2021. Staff was contacted by the Village of Mundelein to participate in a joint bid for custodial services. The Village of Mundelein published a Request for Proposal on March 3, 2021 and opened bids on March 25, 2021. A total of eight bids were received and the Village's total costs (not including the Sports Complex) along with a 5% contingency are summarized below:

Atalaina US Midwest, LLC. has declined the custodial services work due to the Sports Complex being removed from the contract. Crystal Maintenance Plus, Corp. was the next apparent low bidder. After completing reference checks, it was noted that Crystal Maintenance had some past performance issues and was determined to not be suitable for Libertyville and Mundelein's custodial services requirements. The most advantageous and responsive bidder was therefore Best Quality Cleaning, LLC. Mundelein and Libertyville checked numerous references for Best Quality Cleaning, which included the County of Lake, the Village of Crystal Lake and the Northbrook Public Library. All references were satisfactory. Mundelein and Libertyville have determined that Best Quality Cleaning, LLC met both Village's custodial services requirements.

The Fiscal Year 2021/22 Annual Budget provides sufficient funds in various accounts for the custodial services. The contract for Fiscal Year 21/22 will start on July 1, 2021 and will end April 30, 2022. The proposed contract amount will be for \$88,462.50, which does not include the Sports Complex, but does include a 5% contingency. The contingency is for extra cleanings for windows, carpets, floors and day porter services outside of the contract scope that are deemed necessary by staff throughout the year. The contract with Best Quality Cleaning, LLC also includes 2 one-year contract renewals with no price increases. 209

Staff recommends approval of the attached resolution to award the contract to Best Quality Cleaning, LLC. for the contractual custodial services to in the amount not to exceed \$88,462.50 and authorize execution by the Village Administrator.

President Johnson asked if there were any public comments, and there were none. President Johnson asked staff questions about the item. President Johnson asked if there were any Board comments and several Trustees spoke in favor of the award of contract. Trustee Hickey thanked the staff for their work on the item.

Trustee Garrity moved to approve Resolution to Award a Contract, and Trustee Connell seconded. The motion carried on roll call vote as follows:

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

NAYS: None

ORDINANCE NO. 21-O-40: An Ordinance to Waive Competitive Bidding and Accept the Quote from Chemtrade Logistics to Purchase Hyper+Ion for Phosphorus Removal at the Wastewater Treatment Plant

President Johnson noted over the course of the past year, the Village's Wastewater Treatment Plant staff has tested different phosphorus reducing chemicals in order to meet the Illinois Environmental Protection Agency's (IEPA) new mandate that the Phosphorus level in the treated effluent does not exceed 1.0 mg/l. The most cost-effective product, which was based on both cost and the lowest sludge producer was Hyper+Ion 1997. Chemtrade Logistics is the sole producer of the proprietary Hyper+Ion 1997 product and this is the reason to request waiving bids.

The quote submitted by Chemtrade Logistics is for \$0.144 per pound. The Hyper+Ion 1997 product will be delivered in shipments of 48,000 lbs. The Village anticipates the need for 10 shipments, which will equate to 480,000 lbs and a total cost of \$69,120. There are sufficient funds (\$85,500) in the Fiscal Year 2021/22 Annual Budget (Account #20-2022-5-707) for this expenditure.

Staff recommends approval of the attached Ordinance to waive the formal competitive bidding process and accept the quote from Chemtrade Logistics for the purchase of up to \$480,000 lbs of Hyper+Ion 1997 at a total not-to-exceed cost of \$69,120. A super-majority vote is required to waive formal competitive bidding, and therefore five positive votes are required for approval.

President Johnson asked if there were any public comments, and there were none. Several Trustees offered supportive comments about the item. Trustee Garrity identified a minor typo in the Ordinance text.

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

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

NAYS: None

RESOLUTION NO. 21-R-83: A Resolution to Purchase a Replacement Public Works Department Water Van from Transchicago Truck Group of Elmhurst, IL

President Johnson noted the Fiscal Year 2021/22 Annual Budget provides \$114,433 in the Fleet Services Vehicle Replacement Fund (Account #30-0000-6-782) for the purchase of a

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replacement Public Works Water Van. The Water Van is used by the Utilities Division for watermain, water valve and water service line repairs. The current Water Van is a 2001 GMC Chevy, which is now twenty years old and at the end of its useful service life. The proposed replacement vehicle will be a 2021 Freightliner Route Star Walk-In. The Village participates in the Sourcewell Joint Purchase Program. By participating in joint purchasing programs, the Village is able to maximize cost savings. Transchicago Truck Group of Elmhurst, IL provided the lowest price of \$97,148 for the replacement vehicle. The local dealer, Napleton Ford, no longer supplies government pricing on vehicles and does not have a commercial sales staff at the Libertyville location. The outfitting for the new vehicle will be completed next fiscal year.

Staff recommends adoption of the attached Resolution to approve the purchase of the 2021 Freightliner Route Star Walk-In replacement water van from Transchicago Truck Group of Elmhurst, IL in the amount of \$97,148 and authorize the execution of the purchase by the Village Administrator.

President Johnson noted that staff always try to purchase local when feasible. President Johnson asked if there were any public comments and there were none. Several Trustees offered support, comments, and questions for staff.

Trustee Love moved to approve the Resolution to Purchase the vehicle, and Trustee Connell seconded. The motion carried on roll call vote as follows:

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

NAYS: None

ORDINANCE NO. 21-O-41: An Ordinance Repealing Ordinance No. 21-O-34 and Waiving the Formal Bidding Requirements of the Village’s Purchasing Manual and Approving a Contract with JS Communications Technologies, LLC. for Replacement of an Outdoor Warning Siren

President Johnson noted on May 11, 2021, the Board of Trustees approved Ordinance No. 21-O-34 waiving bidding and awarding a contract for replacement of an outdoor warning siren located at Golf and Butterfield Rd. Upon further review, the approved Ordinance did not reflect the correct dollar amount for the total cost of the contract. The approved Ordinance authorized an expenditure in the amount of \$33,998.49, however the correct total contract amount is \$35,793.49 (includes the siren, installation, and removal of the existing siren). The attached Ordinance repeals Ordinance No. 21- O-34 and waives formal bidding and awards a contract for the replacement of the outdoor warning siren in the amount of \$35,793.49. Staff recommends approving the attached Ordinance and authorizing the execution of the purchase by the Village Administrator.

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President Johnson asked if there were any public comments and there were none. President Johnson asked if there were any board comments and there were none.

Trustee Garrity moved to approve the Ordinance, and Trustee Adams seconded. The motion carried on roll call vote as follows:

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

NAYS: None

ORDINANCE NO. 21-O-42: An Ordinance Authorizing a Second Amendment and Ratifying a First Amendment to a Purchase and Sale Agreement with the Lake County Forest Preserve District

President Johnson noted at the April 28, 2020 Village Board meeting, the Village Board approved a request from the Lake County Forest Preserve District to purchase Village property in Adler Park on the east side of the Des Plaines river in the amount of \$13,900.

During the due diligence/feasibility period for the purchase, the Lake County Forest Preserve discovered encroachment onto the property from property owners located in unincorporated Lake County on the eastern property lines. As a result, they have been working on a solution for this issue prior to completing the purchase.

This resulted in a second amendment request to the original purchase agreement. This amendment provides an extension of 90 days from the date of approval for the completion of the feasibility period and 120 days to close on the sale of the property.

Staff recommends approval of the extension and related ordinance.

President Johnson asked if there were any public comments and there were none. President Johnson asked if there were any board comments and several board members offered support for the item. Trustee Hickey thanked County Board Member Jennifer Clark for her assistance on this item.

Trustee Hickey moved to approve the Ordinance, and Trustee Connell 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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PETITIONS AND COMMUNICATIONS

President Johnson announced the following:

- The Parks and Recreation Advisory Commission will meet virtually at 3:00 p.m. on Thursday, May 27, 2021.
- Memorial Day Parade and Ceremony in Cook Park. Parade begins at 9:30 a.m. at the Downtown Metra Train Station, Ceremony in Cook Park at 9:45 a.m.
- The Parks and Recreation Committee will meet virtually at 6:00 p.m. on Tuesday, June 1, 2021.
- The Human Relations Commission will meet virtually at 5:00 p.m. on Wednesday, June 2, 2021.
- The Village Board Committee of the Whole will meet virtually at 7:00 p.m. on Tuesday, June 8, 2021.
- The Village Board will meet virtually at 8:00 p.m. on Tuesday, June 8, 2021.

Village Administrator Amidei thanked the Board and staff for the tour of Village facilities which occurred earlier in the week. President Johnson thanked staff for their ongoing efforts on behalf of the Village.

President Johnson announced the Board would be going into executive session for the following purpose: Real Estate: Setting Price for Sale or Lease [5 ILCS 120/2(c)(6)].

Trustee Garrity offered a motion to move into executive session, and Trustee Adams seconded. The motion carried on roll call vote as follows:

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

NAYS: None

The Board proceeded into executive session at 9:01pm.

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ADJOURNMENT

With no further business to come before Village Board, Trustee Garrity moved to adjourn at 9:31 p.m., and Trustee Adams 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