

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
August 25, 2020

Meeting conducted virtually due to Governor's
Executive Orders #2020-10, 18, 32, 44 & 48

President Wepler called to order a virtual meeting of the Board of Trustees at 8:00 p.m. Those present were: President Terry Wepler, Trustees Donna Johnson, Richard Moras, Jay Justice, Scott Adams, Peter Garrity, and Patrick Carey.

EMPLOYEE RECOGNITIONS

Proclamation: Assistant Fire Chief Brian Conner

President Wepler commended Assistant Chief Brian Conner for his 31 plus years of service and outstanding dedication to the Village of Libertyville Fire Department. President Wepler also extended best wishes on Assistant Chief Conner's retirement on August 29, 2020.

Proclamation: Police Officer Al Johnson

President Wepler commended Police Officer Allen L. Johnson for his dedication to the Village of Libertyville Police Department and extended best wishes for an enjoyable retirement.

Proclamation: Extending Emergency Declaration

President Wepler noted the necessity to operate within the Libertyville Emergency Operations Plan and Disaster Proclamation which declared that a disaster exists within the Village of Libertyville, Illinois which was originally activated on March 15, 2020, and extended on May 26, 2020, and July 14, 2020. Pursuant to Village Ordinance and the Illinois Emergency Management Agency Act 20 ILCS 3305/11, President Wepler extended the proclamation declaring a local disaster in the Village of Libertyville.

ITEMS NOT ON THE AGENDA

President Wepler asked if anyone had anything to bring before the Board that was not already listed on the agenda. There were no items.

OMNIBUS VOTE AGENDA

President Wepler introduced the Omnibus Vote Agenda and asked that Item 3J be removed for future discussion. He asked if there were any other items to be removed for separate discussion. There were no items.

Omnibus Vote Agenda

- A. Minutes of the August 11, 2020 Village Board Meeting
- B. Bills for Approval

- C. **ORDINANCE NO. 20-O-72:** An Ordinance Amending the Municipal Code Regarding the Human Relations Commission
- D. **RESOLUTION NO. 20-R-108:** A Resolution to Approve a Request for a Special Event – Society of St. Vincent de Paul
- E. **RESOLUTION NO. 20-R-109:** A Resolution to Amend Resolution 20-R-91 and to Re-Appropriate Motor Fuel Tax (MFT) Funds in the Amount of \$17,500 for Pavement Rejuvenation
- F. **RESOLUTION NO. 20-R-110:** A Resolution to Repeal Resolution 20-R-60 and Re-Appropriate Motor Fuel Tax (MFT) Funds in the Amount of \$250,000 for the Annual Road Rehabilitation Program
- G. **RESOLUTION NO. 20-R-111:** A Resolution to Extend the Village of Libertyville’s Participation in the Lake County 911 Consolidation Plan
- H. **ORDINANCE NO. 20-O-73:** An Ordinance Granting Variations of Front Yard and Corner Side Yard Setback (ZBA 20-19) at 752 Thomas Court
- I. **ORDINANCE NO. 20-O-74:** An Ordinance Granting a Variation for Lot Coverage (ZBA 20-18) at 512 Ames Street
- J. Consideration of a Resolution to Approve a Memorandum of Understanding with Lake County for the Winchester House Property – 1125 N. Milwaukee Avenue (*DEFERRED*)
- K. HPC Report
- L. ARC Report

Trustee Johnson moved to adopt items A-I and K-I 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 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

REPORT OF THE ZONING BOARD OF APPEALS – ZBA 20-20, Variations of Corner Side Yard, Front Yard, and Rear Yard Setbacks – 240 N. Third Street

President Wepler explained that at the meeting of August 10, 2020, the Zoning Board of Appeals heard a request from the property owners of 240 N. Third Street for variations to allow construction of an addition to the existing structure. The proposal included expanding the front porch to the south, renovation and expansion of the first and second floor, addition of a half story, and connection to the garage.

Members of the Zoning Board of Appeals reviewed the proposal in detail with the petitioners at the meeting. The consensus of the Zoning Board of Appeals was to support the proposal with dissenters inquiring if any changes could be made to bring the proposal

closer to Code requirements. Motions to recommend Village Board of Trustees approval of the requested variations passed with votes of 5 - 2. Accordingly, the recommendations were for approval. President Wepler asked for questions and comments.

Mr. Tom Hickman, architect and agent for the petitioners, explained that his clients want to honor the footprint of the home and maintain its character by extending upward. Trustee Johnson asked for clarification of the two dissenting ZBA votes. Mr. Hickman explained that an existing staircase feature limited other options for expansion.

Trustee Adams moved to approve the variations of front yard, corner side yard, and rear yard setbacks, and 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

REPORT OF THE APPEARANCE REVIEW COMMISSION – Request for a Major Adjustment to The Planned Development Final Plan – 1801 N. Butterfield Road (deferred from August 11, 2020)

President Wepler noted that at the August 11, 2020 meeting, the Village Board of Trustees reviewed a request for a Major Adjustment to a Planned Development Final Plan to allow for the installation of a 271.65 square foot wall sign at Pharma Logistics at 1801 N. Butterfield Road. Staff noted that the proposed Pharma Logistics sign was approximately 310 feet to the Route 137 right-of-way and 425 feet to the pavement. At the conclusion of the discussion, the Village Board requested that Staff research wall signs granted by the Village in the area. The following is a summary of that research:

<u>Business</u>	<u>Location</u>	<u>Size</u>	<u>Distance to Roadway</u>
Avexis	Innovation Way	38.5 Square Feet	240 Feet to Innovation Way 575 Feet to Route 45
BCI	1901 Industrial Drive	30 Square Feet	87 Feet
Chicago Tag & Label	250 Commerce Drive	100 Square Feet	380 Feet
Dunn Museum	1899 W. Winchester Road	32 Square Feet	245 Feet
William Frick & Co.	2600 Commerce Drive	78 Square Feet	125 Feet

Medline	1501 Harris Road	3 Signs 50 Square Feet Each	230 Feet to Midlothian 415 Feet to Harris Road
William W. Meyer & Son	1700 Franklin Boulevard	32 Square Feet	90 Feet
Snap-On	950 Technology Way	60 Square Feet	180 Feet

The Board of Trustees may grant approval for a Major Adjustment to the Final Plan upon finding that any changes in the Final Plan as approved would be in substantial conformity with the previously approved Planned Development Final Plan. If the Board of Trustees determined that a Major Adjustment to the Final Plan was not in substantial conformity with the Final Plan as approved, then the Board of Trustees would refer the request to the Plan Commission for further consideration and review.

Owner and CEO Mr. Michael Zaccaro and Mr. Jim Rundle, representative for Forever Land Company, LLC were present (virtually) to explain their position.

Trustee Johnson stated that 271 square feet was in excess of the Village Code, and she added that she could not support the request. Director of Community Development John Spoden stated that the current maximum square footage is 100. Trustees discussed the following: the size and number of letters, the sizes of neighboring signs, and sizes of signs based on the square footage of a building or business. They also expressed concern with precedent setting.

Trustee Adams stated that given the traffic and speed, a larger sign might be necessary. President Wepler asked if the Board might approve between 100-150 square feet.

Mr. Zaccaro stated that he used professionals to help with the sign design. They advised him that the quality of a business can be based on the quality of signage. He noted that traffic speed must be a consideration as well as views from east to west and west to east.

Trustee Johnson stated that the request must be fair and reasonable, and she added that with current technology and GPS, the building would be easily located. She stated that 150 square feet would be acceptable. The group then discussed visibility from the road and the size of letters on existing signs.

President Wepler polled the Board. Trustee Johnson suggested that the Plan Commission review future sign criteria. Trustee Garrity suggested a mock-up of the sign to get an exact look.

Mr. Zaccaro asked if the Board would agree that 200 square feet is fair and reasonable to get the request approved. He added that he had already submitted substantial documentation and did not want to spend more having the sign company complete a mock-up and a final sign. President Wepler stated that if he were to vote in case of a tie, he would only approve 175 square feet.

Trustee Johnson then moved to approve signage up to 200 square feet for Pharma Logistics, and Trustee Adams seconded. The motion carried on the following roll call vote:

AYES: Trustees Moras, Justice, Adams, and Carey

NAYS: Trustees Johnson and Garrity

RESOLUTION NO. 20-R-113: A Resolution Directing Village Staff to Cooperate with the Libertyville Miles of Cars Towards the Implementation of the Libertyville Rewards Program

President Wepler explained that the Libertyville Mile of Cars dealerships have expressed interest in the Village's cooperation in executing the Libertyville Rewards certificate program. This program was last utilized during the economic downturn in 2009 and again in 2015 to drive customer traffic to vehicle dealerships and small businesses. Through the Libertyville Rewards program, certain purchasers of new vehicles at Libertyville dealerships during a stated period may receive certificates redeemable for a limited time at participating Libertyville businesses, for which the receiving businesses would be reimbursed by the Village. It is estimated that the program cost to the Village would be up to a maximum of \$75,000. The dealerships will separately fund the marketing portion of the program and a related philanthropic effort to donate funds to local charities. The program will bring visibility to the dealerships, while driving customer purchases at local retailers and personal service providers.

The program was reviewed and recommended for consideration by the Economic Development Commission in May and the Finance Committee in July with unanimous support. If the Board proceeds with the program, staff would commence program coordination and production of program materials.

Staff recommended that the Village Board of Trustees approve the proposed resolution. President Wepler then asked for questions and comments. Community Development Coordinator Heather Rowe stated that she would continue to work with the dealers to organize for the program to begin for October or in the early spring.

Trustee Moras moved to approve the resolution directing Village Staff to cooperate with Libertyville Mile of Cars to implement the Libertyville Rewards Program. 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. 20-R-114: A Resolution to Approve a Professional Services Agreement with SB Friedman Development Advisors for the South Milwaukee Avenue Corridor Study

President Wepler explained that the Village had been working to draft a new Comprehensive Plan. During this public process there was interest expressed in pursuing redevelopment and improvement of South Milwaukee Avenue in the area roughly bound by Route 176 to the north and Austin Avenue to the south. This area is characterized by lack of streetscaping, numerous small parcels with individual curb cuts, narrow frontage, and certain vacancy and property disinvestment.

To understand what tools can be employed to activate change in this area and to ensure a unified approach to redevelopment, the Village would like to commence with [Phase 1] a vision study to understand the scale of change the Village wishes to achieve in this area. With this understood, the Village would then like to explore potential redevelopment tools [Phase 2], including TIF, in more depth to begin to understand the feasibility of their use in achieving the identified vision. The Village would like to retain the option [Option A] to study some of the vision development concepts in further depth to ensure the market feasibility and identify financial gaps in goal achievement so that any such concepts presented to future developers have been tested for viability. The professional service agreement presented by SB Friedman Development Advisors incorporates these as Phase 1, Phase 2 and Option A. Each phase would not proceed without separate Administrator approval. Following completion of Phase 2, should the Village choose to proceed with TIF establishment, the feasibility plan would be formalized, a redevelopment plan established, and formal approval pursued [Phase 3].

It is the opinion of Staff that the project should be awarded to SB Friedman (SBF). SBF and their sub-consultant Lakota, are currently engaged in the Village's Comprehensive Plan effort, they are familiar with the Village, this corridor and the Village's objectives. Additionally, both firms have a reputation for successful completion of corridor redevelopment planning and implementation of TIF and other tools.

Staff recommended approval of the resolution to award the Professional Service Agreement to SB Friedman Development Advisors in an amount not to exceed \$55,000 and authorized execution by the Village Administrator. President Wepler asked for questions or comments.

Trustee Johnson asked if the company understood the depth of the project, and would the Village get their best for \$55,000. Director Spoden stated that SB Friedman is excited to begin and dig into the project. President Wepler asked if 12 weeks was a feasible timeline. Coordinator Rowe stated that the first part will entail visioning and data

gathering. Caitlin Johnson, SB Friedman Project Manager, stated that feasibility would be followed by projections for specific sites.

Trustee Johnson moved to approve the resolution to approve a professional services agreement with SB Friedman Development Advisors for the South Milwaukee Avenue Corridor Study. 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. 20-R-115: A Resolution to Award a Contract for the Lake and Church Street Parking Structures' Annual Maintenance repairs to J. Gill and Company

President Wepler stated that the Fiscal Year 20/21 Budget includes \$100,000 in the Central Business District Parking Fund for annual maintenance repairs to the Lake Street and Church Street parking structures. \$78,100 of this amount remains available after contracting with Walker Parking Consultants to prepare plans and specifications for the project and oversee the work. The proposed maintenance work for this year includes concrete repairs, crack and joint repair with sealant, installing new door hardware and light electrical work. Eight proposals were received at the bid opening held on August 7, 2020. J. Gill and Company submitted the lowest responsive bid for the work in the amount of \$66,288.50. A summary of the bids is below:

Company Name	Lake Street	Church Street	Total
J. Gill and Company	\$36,796.00	\$29,492.50	\$66,288.50
Golf Construction	\$41,289.00	\$33,900.00	\$75,189.00
Western Specialty	\$48,465.00	\$27,595.00	\$76,060.00
JLJ Contracting	\$53,260.00	\$38,240.00	\$91,500.00
National Restoration Systems	\$46,820.00	\$45,550.00	\$92,370.00
Korelli's Roofing	\$46,290.00	\$59,300.00	\$105,590.00
Bulley and Andrews	\$63,789.00	\$58,528.00	\$122,317.00
MAG	\$57,570.60	\$65,220.50	\$122,791.10

Walker Parking Consultants and Village staff reviewed the proposals and are confident that J. Gill and Company can successfully complete the project based on their previous successfully completed maintenance work for the Lake Street parking structure and other related work. Staff and Walker Parker Consultants recommend approval of the resolution to award the contract for the Lake Street & Church Street Parking Structures Annual Maintenance Repairs to J. Gill and Company in the not-to-exceed amount of \$66,288.50 and authorized the execution of the contract by the Village Administrator. President Wepler asked for questions and comments.

President Wepler expressed concern with taking the low bid and getting the work completed satisfactorily. Trustee Johnson asked if all warranty work had been completed, and Director of Public Works Paul Kendzior said that it had been completed.

Trustee Garrity moved to approve the resolution awarding a contract for the Lake and Church Street parking structures annual maintenance repairs to J. Gill and Company. Trustee Carey 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 Parks and Recreation Committee will meet virtually at 6:00 p.m. on Tuesday, September 1, 2020
- The Human Relations Commission will meet virtually at 5:00 p.m. on Wednesday, September 2, 2020
- The Village Hall and all non-emergency Village offices will be closed on Monday, September 7, 2020 for the Labor Day Holiday
- The Water and Sewer Committee will not meet on Tuesday, September 8, 2020
- The Village Board will meet virtually at 8:00 p.m. on Tuesday, September 8, 2020

ADJOURNMENT

With no further business to come before Village Board, Trustee Carey moved to adjourn at 9:36 p.m., and Trustee Johnson seconded. The motion carried on a unanimous voice vote.

Respectfully submitted,

by: *Keelya Amicki, Deputy Clerk*

Sally A. Kowal
Village Clerk