

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
November 13, 2018

President Wepler called to order a meeting of the Board of Trustees at 8:00 p.m. in the Village Hall, 118 West Cook. Those present were: President Terry Wepler, Trustees Donna Johnson, Richard Moras, Jay Justice, Scott Adams, Peter Garrity, and Patrick Carey.

Proclamation: Special Olympics Unified Sports

President Wepler read a proclamation commending the Special Olympics Unified Soccer Team for their outstanding accomplishments and successful season.

Proclamation: Giving Tuesday

President Wepler proclaimed Tuesday, November 27, 2018 as Giving Tuesday in the Village of Libertyville and encouraged all citizens to join together to give back to the community in any way that is personally meaningful.

ITEMS NOT ON THE AGENDA

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

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 October 23, 2018 Village Board Meeting
- B. Bills for Approval
- C. **RESOLUTION NO. 18-R-206:** A Resolution Appointing the Director of Finance as Authorized IMRF Agent
- D. **RESOLUTION NO. 18-R-207:** A Resolution Appointing Nicholas Mostardo to the Fire Pension Board
- E. **RESOLUTION NO. 18-R-208:** A Resolution Approving Director of Finance Nicholas A. Mostardo as a Bank Signatory for the Village of Libertyville
- F. **RESOLUTION NO. 18-R-209:** A Resolution to Approve a PACE Dial-A-Ride Agreement
- G. **ORDINANCE NO. 18-O-60:** An Ordinance Declaring Surplus Property
- H. **RESOLUTION NO. 18-R-210:** A Resolution to Approving a Local Public Agency Agreement for Federal Participation with the Illinois Department of Transportation for the Rockland Road Bridge (at Des Plaines River) Replacement Project

- I. **RESOLUTION NO. 18-R-211:** A Resolution to Approve a Preliminary Engineering Services Agreement for Federal Participation with Civiltech Engineering, Inc. for the Rockland Road Bridge (at Des Plaines River) Replacement Project
- J. **RESOLUTION NO. 18-R-212:** A Resolution Approving a Professional Services Agreement with the Matrix Consulting Group for a Staffing Analysis
- K. **RESOLUTION NO. 18-R-213:** Approval of a Contract for Water Valve Assessments with M.E. Simpson, Inc.

Trustee Johnson moved to adopt the items listed on the Omnibus Vote Agenda in a single group pursuant to the omnibus voting procedures of the Libertyville Municipal Code. Trustee Moras seconded. The Mayor asked for further Board or public comment.

Trustee Garrity asked for clarification on the PACE agreement and the water valve contract.

Administrator Amidei explained that there has not been as high a demand for the PACE program.

Trustee Justice asked for clarification on the water valve contract.

Director of Public Works Paul Kendzior explained that the higher bid was recommended due to the company's 25-year experience and positive comments. He added that replacement of water valves is on a three-year cycle and is budget driven.

The motion carried on roll call vote as follows:

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

NAYS: None

TRUTH IN TAXATION PUBLIC HEARING – 2018 Tax Levy

President Wepler noted that on November 3, 2018, the Village Board met as a Committee of the Whole to discuss the 2018 property tax levy. The Corporate levy funds fire protection, streets and bridges, recreation and parks, pensions, and other government services. Based upon review of the multi-year financial plan, the Village Board recommended a Corporate and special purpose levy in the amount of \$6,412,201. This represents a 2.728% increase over last year's extension.

While not subject to a cap, the Tax Year 2018 proposed property tax levy for Special Recreation is \$194,000. For General Obligation Bonds, the amount is \$1,610,303 after abatement.

During the Committee of the Whole meeting, the Village Board formally estimated that the total property taxes levied for Tax Year 2018 to be \$10,710,034 and the estimated amount to be extended after abatement to be \$8,216,504. The impact on a \$500,000 home is an approximate \$22 increase compared to last year. The Village portion of a taxpayer's total property tax bill is anticipated to be approximately 9%.

The Village also administers two special service areas (SSA's). The Timber Creek Special Service Area (SSA) was established to provide a funding mechanism to maintain outlots A, C and E, the directional sign, and the retention basins within the subdivision. At the Committee of the Whole meeting on November 3, 2018, the Village Board estimated a 2018 SSA tax levy for Timber Creek in the amount of \$21,140. This represents a decrease of 16% from the prior year extended amount of \$25,368. This is the result of a reserve study having been completed in the current tax year which identified no significant improvements or maintenance projects required to be undertaken in the near future. The estimated reserve balance at the end of the 2018-19 fiscal year is \$65,266.

The Concord at Interlaken SSA was established to maintain the perimeter landscaping screening, fence, water detention basins, signage, and outlot A within this subdivision. This levy is assessed evenly on a per lot basis to the 90 lots in the subdivision. At the Committee of the Whole meeting on November 3, 2018, the Village Board estimated a 2018 SSA tax levy for Timber Creek in the amount of \$23,040. This represents no change from the 2017 extended tax levy. The estimated reserve balance at the end of the 2018-19 fiscal year is \$54,351.

Since the Village's levy increase is not in excess of 105% of the previous year's extension, a Truth-in-Taxation hearing is not required by law. However, based on past practice, the Village holds a public hearing concerning the proposed tax levy to afford stakeholders an opportunity to provide comments. Following the Public Hearing, Staff will prepare an ordinance adopting the Tax Year 2018 property tax levy for consideration at the November 27, 2018 Village Board Meeting.

The information provided additional details about the tax levy process and other information that was considered in determining the proposed levy.

President Weppler opened the Public Hearing at 8:17 p.m. to allow for public comments regarding the Village's levy increase. With no questions or comments, he closed the Public Hearing.

REPORT OF THE ZONING BOARD OF APPEALS- (ZBA 18-15) Variation for Sign Area and (ZBA 18-16) Variation for Number of Signs – 600 N. US Highway 45

President Weppler explained that Innovation Park is proposing to install additional directional signs at their campus at 600 N. US Highway 45. The Zoning Board of Appeals heard the cases at two hearings and is recommending approval for the following:

1. Increase the maximum permitted area for three (3) directional signs from 2 square feet to approximately 11.8 square feet; and
2. Allow four (4) wall signs to delineate the entrances to the building.

The Zoning Board of Appeals voted unanimously to recommend Village Board of Trustees approval of the requested variations.

The property manager was available to answer questions. Board Members applauded the campus renovations.

Trustee Johnson moved to approve the variation for sign area (ZBA 18-15), and Trustee Carey seconded. The Mayor asked for further Board and public discussion. The motion carried on roll call vote as follows:

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

NAYS: None

Trustee Moras moved to approve the variation for number of signs. Trustee Adams seconded. The Mayor asked for further Board and public discussion. The motion carried on roll call vote as follows:

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

NAYS: None

ORDINANCE NO. 18-O-61: An Ordinance Granting a Variation for Sign Area (ZBA 18-15) 600 N. US Highway 45

The ordinance presented would grant a variation for sign area for Innovation Park at 600 N. U.S. Highway 45. In order to expedite the review process, it was requested that if the Village Board approved the report, that the ordinance be adopted at their November 13, 2018 meeting. Staff recommended the Village Board approve the ordinance.

Trustee Moras moved to approve the ordinance granting a variation for sign area (ZBA 18-15), and Trustee Justice seconded. The Mayor asked for further Board and public discussion. The motion carried on roll call vote as follows:

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

NAYS: None

ORDINANCE NO. 18-O-62: An Ordinance Granting a Variation for Number of Signs (ZBA 18-16) 600 N. US Highway 45

The ordinance presented would grant a variation for the number of signs for Innovation Park at 600 N. U.S. Highway 45. In order to expedite the review process, it was requested that if the Village Board approve the report, that the ordinance be adopted at the November 13, 2018 meeting. Staff recommended the Village Board approve the attached ordinance.

Trustee Moras moved to approve the ordinance granting a variation for the number of signs, and Trustee Justice seconded. The Mayor asked for further Board and public discussion. The motion carried on roll call vote as follows:

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

NAYS: None

RESOLUTION NO. 18-R-214: A Resolution Approving a Public Sidewalk Easement Agreement between the Village and the Central Lake County Joint Action Water Agency

President Weppler explained that the Central Lake County Joint Action Water Agency (“CLCJAWA”) owns the vacant property at 776 Sunnyside Avenue, which is located at the far east end of Sunnyside Avenue where it connects with Seventh Avenue. This vacant property is abutted by the North Shore Bike Path (“bike path”) along its north end and an existing public sidewalk that is owned and maintained by the Village within the Sunnyside Avenue right-of-way along the south end.

Pedestrians were frequently cutting through the private property to access the bike path, which resulted in staff exploring the feasibility of constructing a public sidewalk through the property to provide a proper connection between the public sidewalk and the bike path. Staff coordinated with CLCJAWA on the request.

It was determined that a sidewalk would be feasible and CLCJAWA was in agreement with construction with the understanding that a formal Easement Agreement would be pursued upon completion. The Village published a Request for Proposals in September and Schroeder & Schroeder, Inc. was selected for the construction with a low bid of \$12,955. Construction of the sidewalk has been completed and Staff now desires to solidify the final Easement Agreement with CLCJAWA for public use of the walkway.

Village Staff recommended the approval of the resolution to approve the Public Sidewalk Easement Agreement between the Village and the Central Lake County Joint Action Water Agency and the authorize execution by the Mayor. The Mayor asked for questions and comments. The Mayor also thanked CLCJAWA for their assistance.

Trustee Johnson moved to approve the resolution approving a public sidewalk easement agreement between the Village and the Central Lake County Joint Action Water Agency. Trustee Garrity seconded. The Mayor asked for further Board and public discussion. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Justice, Adams, Garrity, and Carey
NAYS: None

RESOLUTION NO. 18-R-215: A Resolution for Change Order No. 1 for the Downtown Metra Station Renovation Project

President Weppler reported that on July 24, 2018, the Village Board awarded a contract for the Downtown Metra Station Renovation project to the lowest responsive bidder, Efraim Carlson & Son in the base bid amount of \$1,286,800 with the passage of Resolution 18-R-155. Funding for the project is provided in the Commuter Parking Fund in Account# 14-0000-6-791.

An initial Change Order proposed the following:

- A \$8,121.00 credit for using windows manufactured by Anderson instead of the specified Pella;
- An additional \$10,607.30 net increase to remove the exterior walls and construct new masonry walls due to structural stability concerns.

Staff and the project architect/construction manager RM Swanson Architects reviewed the supporting documentation and recommended an initial change order to the contract in the amount of \$2,486.30. The adjusted contract price was \$1,289,286.30. Funds are available in the Commuter Parking Fund for the additional work.

Staff recommended the adoption of the attached resolution for approval of Change Order No. 1 to the contract with Efraim Carlson & Sons for the Downtown Metra Station Renovation project. The Mayor asked for questions and comments.

Trustee Johnson asked if a change in window providers would change the look and feel of the building. Director Kendzior stated that Pella and Anderson Windows are of equal quality, and only the price changes.

Trustee Johnson moved to approve the resolution approving the Change Order No. 1 for the Downtown Metra Station Renovations Project. Trustee Adams seconded. The Mayor asked for further Board and public discussion. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Justice, Adams, Garrity, and Carey
NAYS: None

RESOLUTION NO. 18-R-216: A Resolution Approving a Special Event Request from the Libertyville Civic Center Foundation for Libertyville Days 2019

The Mayor explained that the Libertyville Civic Center Foundation (LCCF) has requested the use of Village property for the 2019 Libertyville Days Festival.

The Parks and Recreation Committee had approved park site use at Cook and Sunset Rotary Parks from June 13-16, 2019, subject to Staff review of the details of the special event request in the submitted application.

Staff had reviewed the application and recommended the following for management of the event as part of the recommended Village Board approval:

- LCCF will meet with Fire and Police Staff to coordinate potential weather emergency plans and designate one on-site coordinator during the event for emergency communications that will be responsible for all communication with vendors and service providers in the event of an emergency shut-down (and any possible re-start).
- Carnival rides on Saturday, June 15, 2019 will begin operation after the parade has passed the carnival area.
- Parade fencing will be provided in the downtown prior to the parade.
- LCCF will coordinate placement of tents in Cook Park with the Village to avoid sprinkler system damage. No spray paint may be used on Village property.
- LCCF agrees to restore any damage in Cook Park and Sunrise Rotary Park in a timely manner, if requested by the Village.
- LCCF will use Libertyville businesses whenever possible.
- An emergency access point is needed. An area between the Civic Center and Masonic Temple will likely be used. This will be reviewed with LCCF prior to the event.
- LCCF will provide a certificate of insurance and complete the special events application.
- LCCF will apply for the appropriate Village and State Liquor License.
- LCCF will coordinate with the Chief of Police the posting of signs indicating no concealed weapons allowed.
- LCCF will reimburse the Village for one-half of the Police operation related expenses associated with the festival. The Village will provide Public Works set-up services to assist with the parade.
- A minimum five (5) foot setback from structures will be required for all carnival rides.

Staff recommended Village Board approval of the use of Village property and approval of the special event application for the event from June 13-16, 2019 subject to the conditions as detailed. The Mayor then asked for questions and comments.

Representatives of the Civic Center Foundation were introduced and available to answer questions.

Trustee Justice questioned the restoration of the parks should there be any damages. The Mayor stated that any restoration required had never been an issue.

Trustee Adams moved to approve the resolution approving a Special Event Request from the Libertyville Civic Center Foundation for Libertyville Days 2019. Trustee Johnson seconded. Trustee Carey recused himself for voting.

The Mayor asked for further Board and public discussion. The motion carried on roll call vote as follows:

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

NAYS: None

RESOLUTION NO. 18-R-217: A Resolution Approving a Contract with Landscape Concepts Management for the Annual Parkway Tree Pruning Program

President Wepler noted that last spring the Village concluded a 5-year parkway tree pruning (trimming) rotation. Per the pruning cycle, a new rotation should begin in the southwest quadrant of the Village this winter. Staff solicited competitive bids from contractors to perform the tree pruning work within the specified time frame. Three bids were received and opened on October 18, 2018. The lowest responsive bid submitted was from Landscape Concepts Management, Inc. in the amount of \$95,400. The bid summary is below and the bid tabulation is attached for further detailed information.

Contractor	Bid Amount
Landscape Concepts Management, Inc.	\$95,400
Advanced Tree Care	\$104,700
Kinnucan Tree Experts	\$185,000

Landscape Concepts Management, Inc. had successfully performed this work in the Village for the past five years. The Fiscal Year 2018/19 Annual Budget has funds in the amount of \$40,000 for the proposed contracted work in the Annual Tree Trimming line item in Account# 01-0701-5-728. Staff spoke with the low bid contractor and they will honor their unit prices for the lesser amount of work based upon the available budgeted funds of \$40,000.

Staff recommended approval of the Resolution to award the contract for the Annual Parkway Tree Pruning to Landscape Concepts Management, Inc. in the not-to-exceed amount of \$40,000 and authorize execution by the Village Administrator. The Mayor asked for questions and comments.

Walt Oakley asked if the Village had considered pruning out fire blight. Director Kendzior noted that there is a five-year pruning program. He stated that he would follow up with the Parks Superintendent.

PETITIONS AND COMMUNICATIONS

The Mayor and Board Members wished everyone a Happy Veterans Day. Trustee Johnson thanked the Mayor for his long-time work on the Libertyville Days Festival.

EXECUTIVE SESSION

The Mayor noted the need for the Village Board to meet in Executive Session for discussion of the following:

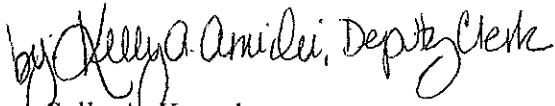
- A. Closed Session Minutes, Review [5 ILCS 120/2(c)(21)]
- B. Litigation: Pending of Imminent [5 ILCS 120/2(c)(11)]

Trustee Johnson moved to go into Executive Session at 8:42 p.m. Trustee Garrity seconded, and the motion carried on a unanimous voice vote.

ADJOURNMENT

The Board returned to the regular meeting at 9:38 p.m., and with no further business to come before Village Board, Trustee Carey moved to adjourn, and Trustee Justice seconded. The motion carried on a unanimous voice vote.

Respectfully submitted,


Sally A. Kowal
Village Clerk