

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
March 22, 2011

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, Nick Proepper, Drew Cullum, Richard Moras, Todd Gaines, and Jay Justice.

OATH OF OFFICE – Police Officer

President Wepler issued the Oath of Office to probationary police officer Sergio Delao. Delao will be attending the Suburban Law Enforcement Academy for a period of three months, followed by three months assigned with a field training officer.

RECOGNIZE OFFICER – Robert Uliks

President Wepler announced that Police Officer Robert Uliks was recognized at the annual Student Assistant Professional (SAP) Conference in Springfield as this year's recipient of the Illinois Association of Student Assistance Professionals, Friend of SAP. The award, given annually to a non-educator, recognizes the recipient's significant impact in the area of Student Assistance Programs.

ITEMS NOT ON THE AGENDA

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

OMNIBUS VOTE AGENDA

President Wepler introduced the Omnibus Vote Agenda and asked if any member wanted an item removed for separate discussion.

OMNIBUS VOTE AGENDA

- A. Minutes of the March 8, 2011 Meeting
- B. Minutes of the March 8, 2011 Executive Session
- C. Bills for Approval
- D. **RESOLUTION 11-R-07: MFT Funds**
- E. Letter of Credit Reduction – School Street Development
- F. Amend Engineering Agreement – WWTP Improvements
- G. Fee Waiver – Girls Softball Association
- H. **ORDINANCE 11-O-23: Amend Code – Parking Restrictions**
- I. **ORDINANCE 11-O-24: Amend Code – Parking/Snowstorms**
- J. Purchase Police Body Armor
- K. Use of Village Property – March of Dimes Purple Ribbons
- L. Agreement – Use of Lake County Portable Radio Cache
- M. Agreement – Share Radio Frequencies
- N. SRACLC Agreement – *deferred at request of petitioner*

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 Proepper seconded. The Mayor asked for Board and public comment. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Proepper, Cullum, Moras, Gaines, and Justice

NAYS: None

FIELDS INFINITI SIGN VARIATION – 1121 S. Milwaukee Avenue

A. ZBA Report

President Weppler explained that at the March 14, 2010 Zoning Board of Appeals meeting, Fields Infiniti requested a sign variation for the dealership at 1121 S. Milwaukee Avenue. An error in public notification prompted the proposal to return through the approval process. The ZBA recommended approval. The Mayor asked for comments and questions. A representative from Fields Infinity was available to explain the request and answer questions. Trustee Justice moved to concur with the report and approve the variation. Trustee Gaines seconded. The Mayor asked for Board and public comment. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Proepper, Cullum, Moras, Gaines, and Justice

NAYS: None

B. ORDINANCE 11-O-25

President Weppler then presented the ordinance for approval. Trustee Moras moved to approve the ordinance granting the sign variation, and Trustee Proepper seconded. The Mayor asked for Board and public comment. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Proepper, Cullum, Moras, Gaines, and Justice

NAYS: None

SETTLEMENT AGREEMENT – Concept Team for 1441 N. Milwaukee

Since the Mayor had previously represented the applicant, he asked Trustee Johnson to serve as President Pro Tem, and he excused himself from the meeting.

President Pro Tem Johnson explained that the Concept Team, Inc. had previously submitted a Site Plan for approval of an eight-unit residential building at 1441 N. Milwaukee Avenue. The Site Plan was denied by the Village Board based, in part, upon the proximity of the proposed building to an existing billboard located on the property. The lease for the billboard is due to expire on September 27, 2013.

Concept Team filed suit against the Village contesting the Village's right to deny the Site Plan Permit. The Village's insurance carrier, IRMA, has agreed to pay \$7,500 to Concept Team in settlement of this claim, and the Village has agreed to waive park impact fees, water connection fees, and sewer connection fees in the combined total amount of \$17,500. Concept Team has revised the front elevation of the proposed building to incorporate glass elements that will improve the appearance of the building from Milwaukee Avenue. The settlement agreement presented allows Concept Team to move forward with development of the site subject to a number of conditions which include the requirement that Concept Team notify the owner of the billboard that the lease will be terminated on September 27, 2013, and further provides that this obligation

will be imposed upon any subsequent owner or homeowners' association in the event that Concept Team no longer holds the title to the property at the time that notice to terminate the lease is due. President Pro Tem asked for comments and questions.

Trustee Justice moved to approve the settlement agreement relating to 1441 N. Milwaukee Avenue, Adler Park South Residential Building. Trustee Proepper seconded. President Pro Tem Johnson asked for further discussion. The motion carried on roll call vote as follows:

AYES: Trustees Proepper, Cullum, Moras, Gaines, Justice, and President Pro Tem Johnson

NAYS: None

RESOLUTION 11-R-08: Renew Intergovernmental Personal Benefit Cooperative

President Wepler introduced a resolution approving a three-year commitment in the Intergovernmental Personnel Benefit Cooperative (IPBC). The Village has been a member of the cooperative since July 1, 2006, and as a member, Libertyville is able to participate in an intergovernmental pool with other government entities to self-insure and pool health insurance costs and also allow the Central Lake County Joint Action Water ((CLCJAWA) to participate as our sponsored entity. The IPBC bylaws require a three-year commitment that is up for renewal July 1, 2011. Administrative Staff recommended authorization to execute the resolution and to continue participate in the cooperative through June 30, 2014. The Mayor asked for questions and comments. Consultant Dave Torrey was available for Board questions. Trustee Johnson moved to approve the resolution, and Trustee Cullum seconded. The Mayor asked for Board and public comment. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Proepper, Cullum, Moras, Gaines, and Justice

NAYS: None

ComEd WORK ORDER – Utility Relocation

President Wepler, owning property in the TIF district, asked Trustee Johnson to act as President Pro Tem and excused himself. President Pro Tem Johnson explained that the final phase of the west side parking improvements is pending. Overhead utilities are to be placed underground as the first part of the project, with work coordinated between Aldridge Electric and Commonwealth Edison. A work order from ComEd indicated the amount of money owed to them for the relocations, which includes a credit of \$103,126, which Staff negotiated as part of the process. The remaining amount (\$134,453.00) has been budgeted in the TIF account. Administrative Staff requested authorization to execute the work order and select the first method of payment, which is a total payment to ComEd of \$134,453.00. A 50% payment is required for work to begin. President Pro Tem Johnson asked for comments or questions. Trustee Cullum moved to approve the work order and authorize payment. Trustee Proepper seconded. President Pro Tem Johnson asked for further discussion. The motion carried on roll call vote as follows:

AYES: Trustees Proepper, Cullum, Moras, Gaines, Justice, and President Pro Tem Johnson

NAYS: None

President Weppler returned to the meeting.

PETITIONS AND COMMUNICATIONS

-Letter from Cook Library

President Weppler asked Board Members to review and approve the designs for widening the Brainerd Street entrance at the Cook Memorial Library. The Village will pay between \$7,500 and \$10,000 for the modifications. Director of Public Works John Heinz explained that with the addition of an island, there could be additional costs.

President Weppler announced that Elizabeth Green has asked to be replaced on the Keep Libertyville Beautiful Commission. Louis Cerbus has recommended a replacement.

President Weppler announced the following:

Plan Commission/Zoning Board of Appeals will meet March 28 at 7:00 p.m.

Consolidated Election will be Tuesday, April 5

Parks and Recreation Advisory Commission will meet April 5 at 6:00 p.m.

Parks and Recreation Committee will meet April 5 at 7:00 p.m.

Keep Libertyville Beautiful Commission will meet April 8 at 7:30 a.m. at the Liberty Restaurant

ZBA will meet April 11 at 7:00 p.m.

Police Pension Board will meet April 12 at 3:00 p.m. at the Schertz Building

Water and Sewer Committee will meet April 12 at 7:00 p.m.

Board of Trustees will meet April 12 at 8:00 p.m.

EXECUTIVE SESSION – Personnel

President Weppler stated the need for the Board to meet in Executive Session for discussion of personnel. Trustee Johnson moved to go into Executive Session, and Trustee Gaines seconded. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Proepper, Cullum, Moras, Gaines, and Justice

NAYS: None

ADJOURNMENT

The Board returned to the regular meeting at 9:18 p.m. With no further business, Trustee Johnson moved to adjourn and Trustee Gaines seconded. The motion carried on a unanimous voice vote.

Respectfully submitted,

Sally A. Kowal
Village Clerk