

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
April 26, 2011

President Weppler 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 Weppler, Trustees Donna Johnson, Nick Proepper, Drew Cullum, Richard Moras, Todd Gaines, and Jay Justice.

ITEMS NOT ON THE AGENDA

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

OMNIBUS VOTE AGENDA

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

OMNIBUS VOTE AGENDA

- A. Minutes of the April 12, 2011 Meeting
- B. Minutes of the April 12, 2011 Executive Session
- C. Bills for Approval
- D. **ORDINANCE 11-O-27: Final Plan – Parking Lot, 151 Lake Street, 118 W. Cook Avenue**
- E. **ORDINANCE 11-O-28: Surplus Property**
- F. **ORDINANCE 11-O-29: Amend Code – Class A & C Liquor Licenses**
- G. Contract – Elevator Service
- H. Contract: Support Services – Communications Equipment
- I. Use of Village Property – Memorial Day Ceremony
- J. Marketing Proposal – Golf Course
- K. Employee Swim/Golf Passes
- L. ARC Reports
- M. Award Landscaping Contract

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

FENCE VARIATION – 950 Wheeler Court

A. ZBA Report

President Weppler introduced a ZBA report for a request from the property owners of 950 Wheeler Court for a fence variation. The applicants requested a variation to allow an existing fence to remain on the property. It was noted in Village files that the fence was constructed without benefit of a permit, and its location in the corner side yard would require a variation. Members of the ZBA reviewed the submitted materials that documented that the garage adjacent to the fence had been reconstructed at that location

after a fire. A fence at the site had also been destroyed. However, a permit was not requested to replace the fence at the same time that the garage was replaced. The ZBA recommended approval of the variation. The Mayor asked for comment and questions. Trustee Johnson moved to approve the requested variation, and 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-30

President Wepler introduced the ordinance granting the fence variation. Administrative Staff recommended approval. Trustee Cullum moved to approve the ordinance, and Trustee Johnson 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

ARC REPORT & APPEAL – Sign, 915 N. Milwaukee Avenue (*deferred*)

ORDINANCE 11-O-31: Amend Code – Exterior Design

President Wepler explained that at the request of the Village Board, Special Projects Committee, the Appearance Review Commission, and Staff studied amendments to Chapter 7 of the Municipal Code that would allow certain matters relating to Exterior Design Permits, that would otherwise be reviewed by the ARC, to be reviewed at a Staff level.

The Committee, with recommendations from the ARC, determined that provided all the criteria were met, certain signs, landscaping, fencing, and lighting should be approved at a Staff level in order to expedite the review and approval process. The ordinance presented refines the scope of the Appearance Review Commission jurisdiction and establishes the criteria to be used by the Director of Community Development in approving exterior design permits without referral to the ARC. Separate Village Board action is required for approval of landscape materials. The Special Projects Committee recommended approval subject to an initial six-month review. The Mayor thanked Director Spoden, Staff, and Special Projects for their work and then asked for Board comment. Trustee Johnson questioned the volume of work that might be put on Staff and the possibility of overtaxing them. Director Spoden stated that Staff could review approximately 1/3 of the work, and two people would complete weekly reviews for approval rather than having all issues go to the ARC. The Mayor stated that the measures should save Staff time. Director Spoden stated that the process would be reviewed in six months and the findings reported to the Board.

Trustee Gaines moved to approve the ordinance, and Trustee Moras 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

EXTERIOR DESIGN MATERIALS

President Weppler introduced a list of landscape materials approve by the Appearance Review Commission in connection with Exterior Design Permits. The Special Projects Committee recommended approval of the list, which will be used in conjunction with the ordinance amending Chapter 7 of the Municipal Code. The Mayor asked for comments and questions. Trustee Johnson stated that the concept was good and should allow for easier consistency. Trustee Johnson then moved to approve the list of landscape materials, 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

SIGNAGE – Advocate Condell Medical Center

President Weppler explained that Advocate Condell Medical Center requested approval to locate directional signage in a Village right-of-way along Stewart Avenue. The intent of the sign is to provide directional assistance to southbound traffic on Stewart prior to entering the hospital campus. The sign is proposed to be located adjacent to a roadway in order to communicate the location of hospital facilities. Administrative Staff recommended approval subject to the sign not being located within the site distance triangle. If approved, a license agreement for the sign, along with indemnification and hold harmless agreements, will be drafted for Village Board adoptions. The Mayor then asked for comments and questions.

Trustee Proepper moved to approve the directional signage plan, and Trustee Johnson 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

SOUTH DYMOND ROAD PROJECT

A. RESOLUTION 11-R-10: MFT

President Weppler stated that fifteen bids for reconstruction of a 0.426-mile segment of South Dymond Road were received and opened on April 11, 2011. Staff's recommendation for award of the contract to the low bidder, Glenbrook Excavating in the amount of \$997,492.00 is the subject of the item. A portion of the funding is from Motor Fuel Tax, and state law requires that the Village obtain Illinois Department of Transportation authorization to expend MFT funds allocated by the state. It was recommended that MFT funds be appropriated in the amount of \$600,000 by adoption of the resolution presented. The Mayor asked for Board comment.

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

B. Award Bid

President Weppler explained that the 2011 road program for the Village involves the reconstruction of Dymond Road from Crane Blvd. to Route 176. The work involves the installation of storm sewer, curb and gutter, sidewalk along the east side, and street lighting. In addition the Fire Department was successful in receiving a grant to improve driveway and portions of the parking lot at Station 1, which Staff included in the bid. The cost of the work, \$88,745, will be paid 100% by the grant.

Staff advertised for bids, opened sealed bids on April 11, 2011, and the lowest responsible bid was from Glenbrook Excavating for a total bid of \$997,492.00. The 2011-12 budget includes \$1,000,000 for the project.

The bid includes the cost for street lighting that would meet the "standard," including the installation of 16 new poles at a cost of \$56,127. The "standard" calls for placing the poles at even intervals the length of the project. As street lighting maintenance and electrical costs continue to rise, an alternative was suggested, which would be the installation of lights at each intersection along the project limits. The alternative would involve the installation of three poles and would cost \$10,287, a savings of \$45,840, which could be used for much needed repair and patch work in other area of the Village. Administrative Staff recommended the contract be awarded to Glenbrook Excavating for a cost of \$977,492 with the standard street lighting or \$931,652 for the intersection street lighting alternative. Funding from the MFT and Capital Improvement budgets are sufficient to cover the contract cost. The Mayor then asked for Board comment.

Trustee Johnson explained that no consensus had been reached at the Streets Committee with regard to the streetlight options. Following the standard would lead to higher costs for electricity and maintenance, and the alternative would be an improvement over the current lighting. She expressed concern with safety as dark spots could remain along the road, but consideration should be given to redirecting some of the funds for needed repairs. She also stated that improvements could lead to higher speeds, which would compound the safety issues. She also noted that she was hesitant to do less than what is comparable in other areas of the Village. Trustee Gaines concurred, noting that with the need for other capital issues, he was leaning toward intersection lighting. Trustee Proepper asked for clarification of the illumination, and Director Heinz noted that the standard was for spacing, not illumination. Trustee Proepper suggested using the funding elsewhere. Trustee Johnson stated that with considerable repairs needed, she would favor redirecting the savings to other projects; Trustee Cullum agreed. Trustee Moras expressed concern with public safety. Director Heinz stated that the intersection lighting would provide far more light than is presently there. The Mayor asked for design style

and if LED lights could be used. Director Heinz stated that LED lights were not specified, but their use would cause significant cost increase.

Trustee Johnson moved to award the contract to Glenbrook Excavating with the alternative intersection lighting of three poles. 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

CONTRACT – Maintenance Services, Village Buildings

President Weppler introduced a contract for privatized janitorial services. Staff received 12 sealed bids in response to a request for proposals for cleaning 12 Village buildings. Three contracts were requested from each bidder with one for six Public Buildings, one for five Parks Buildings, and one for the indoor Sports Complex Building. Crystal Maintenance Services, Corp. provided the lowest bid total of \$59,616.00 per year, which will save the Village \$12,204.00 when compared to current contracts. All references were positive, and \$82,540.00 is included in the 2011-12 budget for contractual janitorial services. Staff recommended authorizing three contracts with Crystal Maintenance Services, Corp. at a total cost of \$59,616.00. The Mayor asked for comments.

Trustee Johnson moved to approve the contract, 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

ORDINANCE 11-O-32: 2011-2012 Village Budget

President Weppler explained that the Village operates under a Budget Officer system and is required to adopt a budget ordinance prior to the start of the May 1, 2011 fiscal year. The proposed 2011-2012 Village Budget represents the input of the Village Board, the public, and the Administrative Staff during the budget preparation process, which includes budget workshops as well as the public hearing. The ordinance presented and the 2011-2012 Village budget satisfy the requirements set forth in the Budget Officer Act, and Administrative Staff recommended adoption. The updated employee classification and pay plan is incorporated in the budget document. The budget document was previously distributed to the Village Board and has been available for public inspection at the Village Hall since March 30, 2011. The Mayor asked for comments.

Trustee Moras requested that the budget be amended to allow the Board the privilege of reviewing the gas utility tax at midyear to discuss a possible reduction. Trustee Johnson stated that the tax was part of an emergency measure with a one-year sunset clause. She added that although it could not be eliminated now, a review would show that the Board is committed to finding alternative methods of revenue. Reauthorization would occur as the sunset date arises.

Mr. Roch Tranel, 1010 Sandstone Drive, thanked the Board for its hard work. He added that he did not think the Village had made adequate adjustments to spending. He did not favor increased taxes but suggested reduced spending should revenue fall short. He also suggested reduction in services, adding that no one expects the level of services residents have had in the past. He asked for the utility tax to be eliminated.

Trustee Moras moved to adopt the ordinance adopting the 2011-2012 Village Budget as amended. Trustee Johnson seconded. The Mayor asked for further comments. Trustee Moras explained that should emergencies arise, the Board will not automatically raise taxes but is committed to improving efficiency. Trustee Johnson stated that the Board would continue to seek input from residents regarding elective, safety, and welfare Village services. She added that she has not seen any decrease in the level of services Village residents expect. 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

PETITIONS AND COMMUNICATIONS

President Wepler announced the following:

Parks and Recreation Advisory Commission will meet May 3, 2011 at 6:00 p.m.

Parks and Recreation Committee will meet May 3, 2011 at 7:00 p.m.

Plan Commission/ZBA will meet May 9, 2011 at 7:00 p.m.

Water and Sewer Committee will meet May 10, 2011 at 7:00 p.m.

Village Board will meet May 10, 2011 at 8:00 p.m.

-President Wepler and Board members thanked Trustee Nick Proepper for his service to the Village of Libertyville. The Mayor said that he enjoyed working with Trustee Proepper and appreciated his knowledge, expertise, and common sense. He added that Trustee Proepper was an inspirational leader.

-Village Attorney David Pardys stated that working with Trustee Proepper had been a privilege and a pleasure.

- Trustee Johnson, noting that she and Trustee Proepper had begun their service together on the Plan Commission, stated that her work with him had been rewarding. She added that she would miss his business acumen. She also stated that he had been a valuable representative to the Village and its resident, and that he is a fine human being. -Trustee Proepper thanked Board Members past and present and stated that it had been a privilege to serve the Village and that he was grateful for the experience.

-Trustee Cullum stated that the Board, the Village Staff, and the Village residents would miss Trustee Proepper.

-Trustee Moras stated that he would miss Trustee Proepper's wisdom and insight.

-Trustee Gaines stated that it had been a privilege to work with Trustee Proepper and his experience, knowledge, and help would be missed.

-Trustee Justice noted Trustee Proepper's professionalism and wished him good luck.

ADJOURNMENT

With no further business to come before the Board, at 9:50 p.m. Trustee Johnson moved to adjourn, and Trustee Cullum seconded. The motion carried on roll call vote as follows:

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

NAYS: None

Respectfully submitted,

Sally A. Kowal
Village Clerk