

VILLAGE OF LIBERTYVILLE  
BOARD OF TRUSTEES  
February 8, 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 anything to bring before the Board that was not listed on the agenda.

Pam Hume, representing MainStreet Libertyville, thanked the Village for the snow clean-up, particularly noting how much the downtown merchants appreciated the prompt response. The Mayor agreed that the Village employees had done a great job.

Tony Klimczak, Jr., 212 E. Austin, explained a parking issue on his street due to neighbors parking on the street rather than in their lot. He stated that snowplowing is impossible on his street. He noted a dangerous situation, 5-day continuous street parking, and being assaulted by one of those parking on the street. Tony Klimczak, 1015 S. Garfield, explained that his son helps neighbors exit their driveways due to the on-street parking, adding that the issue is not just during a blizzard situation. He asked for the same service on his son's street that he enjoys on his own. The Mayor asked Police Chief Herdegen to follow up on the issue.

**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 January 25, 2011 Meeting
- B. Minutes of the January 25, 2011 Executive Session
- C. Bills for Approval
- D. **ORDINANCE 11-O-11: Amend Zoning Code – Electronic Message Board Signs**
- E. **ORDINANCE 11-O-12: Special Use Permit – 481 Peterson Road**
- F. **ORDINANCE 11-O-13: Site Plan Permit, 481 Peterson Road**
- G. MainStreet Matching Funds
- H. Fee Waiver – Libertyville Junior Women
- I. Use of Village Property – Lake County Green Congregation

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

**AMEND SIGNAGE PLAN – 119-163 N. Milwaukee Avenue**

**A. Plan Commission Report**

President Weppler introduced a Plan Commission report for a request from MJK Real Estate Holdings to amend the sign criteria for Libertyville Crossings. The petitioner proposed amending the criteria to remove the width requirement. The revision will still require the enforcement of the 30” maximum tall letters on the east façade and 24” maximum tall letters on the west façade. The Plan Commission recommended approval to the Village Board subject to the following conditions: 1) The criteria be revised to add a maximum area on tenant wall signage along Milwaukee Avenue to not exceed 75% of the total area permitted for the tenant space; 2) The criteria be revised to require tenant wall signage to be centered over the window awnings and/or the storefront if multiple spaces are occupied; and 3) The criteria be revised to include a minimum separation distance of 36” between tenant wall signage. The Mayor asked for Board and public comment. The applicant was present to answer questions.

Trustee Johnson moved to concur with the Plan Commission report (PC 11-01.3) and direct Staff to prepare an ordinance for future Board approval. 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-14: Amend Final Plan**

President Weppler then introduced the ordinance in order to expedite the review process. Trustee Justice 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

**C. ARC Report – Signs**

President Weppler introduced an ARC report for a request for approval for two new wall signs for Hair Cuttery, 125 N. Milwaukee Avenue. The ARC recommended approval. The Mayor asked for Board and public comment. Trustee Proepper moved to concur with the ARC and approve the request. 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

**ZBA REPORT – Sign Variation – 1121 S. Milwaukee Avenue**

President Weppler introduced a ZBA report for a request from Fields Infiniti of Lake County to allow for an update to their wall sign. An additional sign variation for a ground sign was deemed unnecessary at the ZBA meeting due to the proposed locations. The ZBA noted that the applicant is simply requesting to substitute a new wall sign and recommended approval. The Mayor asked for Board and public comment. Trustee

Moras moved to approve the 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

#### **AUTHORIZE ADDITIONAL SALT PURCHASE**

##### **A. RESOLUTION 11-R-05: MFT Funds**

President Weppler introduced a supplemental resolution to allow for the purchase of additional salt using MFT funds. Staff recommended approval of the resolution for \$49,374, which represents 900 tons of rock salt at the original price of \$54.86 per ton. Only the amount of salt needed will be ordered. The Mayor asked for comment. Trustee Johnson moved to approve the resolution, and Trustee Cullum seconded. The Mayor asked for further comment. The motion carried on roll call vote as follows:

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

NAYS: None

##### **B. Authorize Purchase**

President Weppler introduced the request to approve the purchase of an additional 900 tons of salt for a total of \$49,374 utilizing Motor Fuel Tax funds. Trustee Proepper moved to authorize the purchase, and Trustee Justice seconded. The Mayor asked for further comment. The motion carried on roll call vote as follows:

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

NAYS: None

#### **RESOLUTION 11-R-06: Declare Surplus of TIF Funds**

President Weppler recused himself from discussion since he owns property in the TIF District. He asked Trustee Johnson to act as President Pro Tem.

President Pro Tem Johnson explained that the Village met in 2009 with the taxing bodies within the Tax Increment Financing (TIF) area in order to allow the Village to extend the expiration of the TIF from 2010 to 2021. The extension allows for the Village to complete parking improvements on the west side of Milwaukee Avenue and construct additional parking areas on the east side of Milwaukee Avenue.

During discussions, it was determined that the Village would not require all of the tax revenues generated in the TIF area and agreed to rebate 70% of all property tax increments to the taxing bodies on an annual basis. In order to accomplish this rebate, the Village must declare the funds surplus and forward the surplus funds to the County Treasurer's Office in order for the Treasurer to reallocate these funds to the affected taxing bodies. For the 2010 tax collection year, the Village received \$2,456,567.39 in property taxes for the TIF area. The rebate proposed is \$1,719,597.17 (70% of the total). President Pro Tem Johnson asked for comment. Trustee Gaines moved to approve the resolution, and Trustee Proepper seconded. President Pro Tem Johnson asked for any further discussion. 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:

Keep Libertyville Commission will meet February 11 at 7:30 a.m. at the Liberty Restaurant

Board of Fire and Police Commissioners will meet February 12 at 8:00 a.m. at the Allen H. Schertz Building to interview police officer candidates

ZBA will meet February 14 at 7:00 p.m.

Parking Commission will meet February 15 at 10:00 a.m.

Marketing Committee will meet February 15 at 4:00 p.m. at Austin's, 481 Peterson Road

Economic Development Commission will meet February 16 at 7:30 a.m.

Historic Preservation Committee will meet February 16 at 4:00 p.m.

Board of Fire and Police Commissioners will meet Friday, February 18 at 7:00 p.m. at the Allen H. Schertz Building to interview police promotional candidates

Non-emergency Village officers will be closed for a furlough day on February 21

Special Projects Committee will meet February 22 at 6:30 p.m. to review design requirement for staff review of signs, commercial fencing, lighting and landscaping.

Streets Committee will meet February 22 at 7:00 p.m.

Board of Trustees will meet February 22 at 8:00 p.m.

Spencer Wells and Chris Cowdery were both present representing Boy Scout Troop 71. Their troop worked with the Libertyville Fire Department digging out Village fire hydrants after the latest blizzard.

The Mayor and all Trustees thanked John Heinz, Public Works employees, and all Village employees for their efforts during the snow removal.

**EXECUTIVE SESSION**

President Wepler noted the need to meet in executive session for discussion of litigation. Trustee Johnson moved to go into Executive Session, and Trustee Cullum seconded. The motion carried on a unanimous voice vote.

**ADJOURNMENT**

The Board returned to the regular meeting, and with no further business, the meeting adjourned at 8:41 p.m.

Respectfully submitted,

Sally A. Kowal  
Village Clerk

