

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
March 8, 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.

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 February 22, 2011 Meeting
- B. Minutes of the February 22, 2011 Executive Session
- C. Bills for Approval
- D. **ORDINANCE 11-O-20: Surplus Property**
- E. Use of Village Property – Cook Library
- F. Use of Village Property – St. Joseph School
- G. Request Road Closure – Des Plaines Canoe Marathon
- H. ARC Reports

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

ORDINANCE 11-O-21: Extend Moratorium – Wind Turbines

President Wepler explained that in 2009, at the request of Village residents, the Village Board determined that it was appropriate to consider amendments to the Zoning Code with respect to the installation, construction, and operation of wind turbines. The matter was referred to the Plan Commission for its consideration of amendments. During the same time, the Wind Energy Task Force of Lake County began work to develop a model ordinance on the subject. Libertyville and other Lake County communities have participated in the preparation of the model ordinance. The Lake County Board is currently considering the ordinance. The Plan Commission is currently holding public hearings on a new ordinance and is gathering testimony on the topic. It remains important to note that other applications may be filed for the construction and installation of wind turbines during the period of time that amendment are being considered by the Plan Commission and the Village Board. Therefore, Staff recommended that the Village Board renew the moratorium on wind turbines.

The ordinance presented would renew and reauthorize the moratorium on building permits and zoning certificates of compliance for the construction and operation of wind turbines. The ordinance would not restrict the use of wind turbines that were lawfully installed prior to the effective date of the ordinance. The moratorium would expire 180 days following its adoption unless otherwise extended by the Village Board. The Mayor asked for Board comments or questions.

Trustee Proepper moved to approve the ordinance renewing and reauthorizing a moratorium relating to the constructions, installation, and operation of wind turbines. 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

AUTHORIZE SALT PURCHASE

President Wepler explained that on October 26, 2010, and again on February 8, 2011, Village Staff received authorization to purchase de-icing salt through the State of Illinois. Since February 8, the Village has responded to eight additional snow/ice events, two of which covered all roads with ice. All previously ordered salt has been used. Administrative Staff requested approval to order 350 additional tons at \$54.86 per ton for a total of \$19,200. Motor Fuel Tax funds are available, and only what is needed will be ordered. The Mayor then asked for Board questions. The Board briefly discussed the use of salt and the slight decrease in salt used this year.

Trustee Johnson moved to authorize the purchase of salt, and Trustee Justice 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

USE OF VILLAGE PROPERTY – DACC Festival of the Arts

President Wepler introduced a request from the Program Director of the David Adler Cultural Center (DACC) to use Cook Park on Saturday, August 6, 2011, from 10:00 a.m. to 6:00 p.m. and Sunday, August 7, 2011, from noon to 4:00 p.m. for the annual Festival of the Arts event. The event is similar to previous Festival of the Arts events. Staff reviewed the DACC request and recommended approval of the request subject to the following conditions:

1. DACC will provide Staff with drawings of the layout for the event;
2. Exhibitors' booths will be placed adjacent to sidewalks with no ground penetration;
3. On site porta-potties and garbage removal will be contracted by DACC;
4. Parking areas on the south side of Cook Avenue and the north side of Church Street adjacent to the park will be designated as loading zones from 6:00 a.m. to 10:00 a.m. so vendors may unload their products;

5. DACC agrees to provide a certificate of insurance identifying the Village as an additional insured and to restore Cook Park as necessary.

The Mayor then asked for Board questions and comments. Trustee Moras moved to approve the request subject to conditions, 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

AMEND CODE – Class A Liquor Licenses

President Weppler introduced an ordinance to amend the Municipal Code to increase the number of Class A Liquor Licenses from eleven to twelve. Wisma Concepts, LLC submitted a completed application for a Class A liquor license for their establishment at 528 N. Milwaukee Avenue d.b.a. Wisma. They intend to sell meals for take out (with limited seating for eating in) and would like to be able to sell liquor (beer and wine) to accompany the meal. The Liquor Commissioner and Deputy have reviewed the application, and the Liquor Commissioner recommended an increase in the number of Class A licenses from eleven to twelve. If the ordinance is approved, the Liquor Commissioner indicated his intent to issue a Class A liquor license to Wisma Concepts, LLC.

Trustee Proepper moved to approve the ordinance amending the number of Class A Liquor Licenses, 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

PETITIONS AND COMMUNICATIONS

President Weppler referred a request for stop signs from Riva Ridge to the Streets Committee.

President Weppler announced the following:

Keep Libertyville Beautiful will meet March 11 at 7:30 a.m. at the Liberty Restaurant

Village Board will have a budget workshop for the proposed 2011-2012 budget on Saturday, March 12, beginning at 8:00 a.m.

Zoning Board of Appeals will hold a Special Meeting regarding Lake County Government Center on March 14 at 7:00 p.m. at the Civic Center, 135 W. Church Street

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

Marketing Committee will meet March 15 at 4:00 p.m. at Austin's Saloon & Eatery, 481 Peterson Road

Village Board will meet Tuesday, March 15 at 6:00 p.m. to continue budget discussions

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

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

Appearance Review Commission will meet March 21 at 7:00 p.m.

Bicycle Advisory Commission will meet March 22 at 6:00 p.m.

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

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

EXECUTIVE SESSION – Litigation

President Wepler stated the need for the Village Board to meet in Executive Session for discussion of litigation. Trustee Cullum moved to go into Executive Session at 8:15 p.m.

Trustee Justice 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 8:30 p.m. Trustee Proepper moved to adjourn, and Trustee Gaines seconded. The motion carried on a unanimous voice vote.

Respectfully submitted,

Sally A. Kowal
Village Clerk