

BOARD OF TRUSTEES VILLAGE BOARD AGENDA

Tuesday, August 09, 2022 at 8:00 PM

Village Hall Board Room 118 W. Cook Avenue Libertyville, IL 60048

MINUTES

President Johnson called to order a meeting of the Board of Trustees at 8:00 p.m. Those present were: President Donna Johnson, Trustees Scott Adams, Peter Garrity, Matthew Hickey, Matthew Krummick, Dan Love, and James Connell.

President Johnson introduced Firefighter/Paramedic Dylan Sugarman who was previously administered the Oath of Office.

Items Not on the Agenda

President Johnson asked if there was any public comment. Mr. Frank Zoka of 1991 Kenton Lane in Green Oaks provided materials to the Village Board. He reported that he owns two vacant lots at 208 and 212 W. Ellis which he is currently trying to sell. He asked the Village Board for their assistance with the property located at 204 W. Ellis. He has previously spoken with staff in the Building Department on this matter. There are numerous violations on the property. He would like the Village to assist with the process of getting the property demolished.

Omnibus Vote Agenda

President Johnson introduced the Omnibus Vote Agenda and asked if there were any items to be removed for a separate discussion. There were none.

- A. Summary of Omnibus Vote Agenda Items
- B. Approval of Minutes of the July 12, 2022 Village Board Meeting
- C. Bills for Approval
- D. **RESOLUTION NO. 22-R-117:** A Resolution to Approve a Raffle License - Upscale Rummage
- E. **RESOLUTION NO. 22-R-118:** A Resolution to Approve a Request for the Display of a Banner in Cook Park - High School District 128
- F. **ORDINANCE NO. 22-O-59:** An Ordinance Declaring Surplus Property
- G. **RESOLUTION NO. 22-R-119:** A Resolution to Approve a Professional Services Agreement with McMahon Associates, Inc. for the Wastewater Treatment Plant Biogas Flare Replacement Project
- H. **RESOLUTION NO. 22-R-120:** A Resolution to Approve a Professional Services Agreement with Civiltech Engineering, Inc. for the Milwaukee Ave./Maple Ave. Crosswalk Safety Enhancements Study
- I. **ORDINANCE NO. 22-O-60:** An Ordinance Approving A Major Adjustment to the Pharma Logistics Corporate Center of Libertyville, Formerly Known as the Libertyville Corporate Center Planned Development - 1755 Butterfield Road

- J. **ORDINANCE NO. 22-O-61:** An Ordinance Granting a Variation from Section 26-4-6.5(d) of the Libertyville Zoning Code Regarding the Rear Yard Setback - 1718 Cedar Glen Court
- K. **ORDINANCE NO. 22-O-62:** An Ordinance Approving a Development Concept Plan, Special Use Permit for a Planned Development, Special Use Permit for Dwellings on the Second and Third Floors, and Special Use Permit for Senior Citizen Housing - 500 Peterson Road
- L. **RESOLUTION NO. 22-R-121:** A Resolution to Pledge Funds for an Openlands and ComEd Green Region Grant Application

Motion made by Village Trustee Adams, Seconded by Village Trustee Garrity.

Voting Yea: Village Trustee Adams, Village Trustee Garrity, Village Trustee Hickey, Village Trustee Love, Village Trustee Connell

REGULAR AGENDA

- 4. **REPORT OF THE PLAN COMMISSION, (PC 22-27), Text Amendment, (PC 22-28), Special Use Permit, (PC 22-29), Site Plan Permit - 175 Peterson Road**

President Johnson reported that at their meeting of July 25, 2022, the Plan Commission heard a request for a Text Amendment, Special Use Permit, and Site Plan Permit to allow for construction of a veterinary clinic at 175 Peterson Road. The proposal is for VetMedic LLC to operate urgent care for pets without overnight boarding. No zoning variations are being requested for the proposed construction.

Members of the Plan Commission supported the requests after reviewing the proposal in detail with the petitioner. Motions to recommend Village Board of Trustees approval passed with votes of 6 – 0, subject to the condition listed in the Report of the Plan Commission.

President Johnson asked if there were any public comments, and there were none. Trustees welcomed the business to the community and supported the project.

Heather Rowe, Economic Development Manager advised the applicant regarding next steps for permitting and the approval of an Ordinance.

Motion made by Village Trustee Adams, Seconded by Village Trustee Love.

Voting Yea: Village Trustee Adams, Village Trustee Garrity, Village Trustee Hickey, Village Trustee Love, Village Trustee Connell

- 5. **A. REPORT OF THE PLAN COMMISSION, (PC 22-25), Amendment to a Special Use Permit, (PC 22-26), Amendment to a Site Plan Permit - 1330 N. Milwaukee Avenue**

President Johnson noted that McDonald’s USA LLC is proposing to update a single lane drive through to a double lane drive through at their location at 1330 N. Milwaukee Avenue. The proposal requires an amendment to an existing Special Use Permit and Site Plan Permit.

The Plan Commission held a public hearing on the requests at their meeting of July 25, 2022. It was noted that 90% of the business at this location is drive through. As a double lane drive through would lessen the amount of time a customer would have to receive a product and lessen any potential back-ups on Milwaukee Avenue, members of the Plan Commission supported the proposal. Motions

to recommend Village Board of Trustees approval passed with votes of 6 – 0, subject to the conditions listed in the attached Report of the Plan Commission.

President Johnson asked if there were any public comments, and there were none. The Board expressed their support for the project.

Motion made by Village Trustee Love, Seconded by Village Trustee Connell.

Voting Yea: Village Trustee Adams, Village Trustee Garrity, Village Trustee Hickey, Village Trustee Love, Village Trustee Connell

5. B. REPORT OF THE ZONING BOARD OF APPEALS, (ZBA 22-19), Variation for Number of Parking Spaces - 1330 N. Milwaukee Avenue

President Johnson reported that in association with the request to amend a Special Use Permit and Site Plan Permit, a reduction in the number of required parking spaces is necessary to allow for construction. The second drive through lane and the exterior circulation lane will cause the site to lose 6 parking spaces. As 90% of the traffic at this site is drive through, members of the Zoning Board of Appeals concurred with the request. A motion to recommend Village Board of Trustees approval passed with a vote of 6 – 0.

President Johnson asked if there were any public comments, and there were none. The Board expressed their support for the project.

Motion made by Village Trustee Hickey, Seconded by Village Trustee Love.

Voting Yea: Village Trustee Adams, Village Trustee Garrity, Village Trustee Hickey, Village Trustee Love, Village Trustee Connell

6. REPORT OF THE PLAN COMMISSION, (PC 22-23), Special Use Permit, (PC 22-24), Site Plan Permit - 1050 E. Park Avenue

Pampered Pup'z, a pet care facility located at 1068 E. Park Avenue, is proposing to relocate to 1050 E. Park Avenue. The two buildings are located within an industrial and service type land use site on Park Avenue. The proposal requires a new Special Use Permit for 1050 E. Park Avenue. Members of the Plan Commission noted that the use is consistent with the area and will provide adequate parking. Motions to recommend Village Board of Trustees approval passed with votes of 6 – 0.

President Johnson asked if there were any public comments, and there were none. Members of the Board expressed support for the project.

Trustee Hickey asked how tall the fencing will be in the back. The applicant stated that there is a 7-foot fence and a coyote rolling system.

Motion made by Village Trustee Love, Seconded by Village Trustee Adams.

Voting Yea: Village Trustee Adams, Village Trustee Garrity, Village Trustee Hickey, Village Trustee Love, Village Trustee Connell

7. RESOLUTION NO. 22-R-122: A Resolution Authorizing the Acceptance of the April 30, 2022 Annual Comprehensive Financial Report of the Village of Libertyville

President Johnson stated that annually, as prescribed by State statute, the Village hires an independent licensed firm of certified public accountants to review its year-end financial statements. The process is now complete, and the auditor has rendered an “unmodified opinion”, meaning that the Village’s year-end financial statements present fairly, in all material respects, the Village’s year-end financial position.

For the fiscal year ended April 30, 2021, the Village earned the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting Award. The achievement of this award ensures that the Annual Comprehensive Financial Report goes beyond the minimum requirements of generally accepted accounting principles to include annual financial reports that evidence the spirit of transparency and full disclosure. The Village intends to submit the April 30, 2022 Annual Comprehensive Financial Report for consideration as part of the Certificate of Achievement for Excellence in Financial Reporting Award.

Staff recommends that the Village Board formally accept the Annual Comprehensive Financial Report for the fiscal year ended April 30, 2022.

Jamie Wilkey of the accounting firm Lauterbach and Amen, LLP was in attendance and presented the Village’s April 30, 2022 Annual Comprehensive Financial Report. She acknowledged Village staff and the Village Board for their work on the document.

President Johnson asked if there were any public comments, and there were none.

Trustee Hickey complemented the presentation by Ms. Wilkey. He further discussed the Village’s fund balance policy and the fact that the Village should be proud of the fund balance it maintains. He also noted that the Annual Comprehensive Financial Report is very accessible.

The Board echoed Trustee Hickey’s comments regarding the presentation.

Motion made by Village Trustee Hickey, Seconded by Village Trustee Connell.

Voting Yea: Village Trustee Adams, Village Trustee Garrity, Village Trustee Hickey, Village Trustee Love, Village Trustee Connell

8. ORDINANCE NO. 22-O-63: An Ordinance Providing for the Issuance of Approximately \$9,235,000 General Obligation Bonds (Waterworks and Sewerage System Alternate Revenue Source), Series 2022, for the Purpose of Paying the Costs of Improving the Stormwater Portion of the Existing Combined Waterworks and Sewerage System of the Village and for the Payment of the Expenses Incident Thereto, Providing for the Collection, Segregation and Distribution of the Revenues of the System, which Includes the Stormwater Utility Fee of the Village, providing for the Levy and Collection of a Direct Annual Tax Sufficient for the Payment of the Principal of and Interest on the Bonds, and Authorizing the Sale of the Bonds to the Winning Bidder

President Johnson reported that on July 26, 2022, the Village held a public hearing pursuant to the requirements of the Bond Issue Notification Act (30 ILCS 352) to discuss the sale of General Obligation, Waterworks and Sewerage System Alternate Revenue Source Bonds in an amount not to exceed \$9,500,000.

As outlined in the public hearing, the Village Board intends to sell bonds to fund 1) Storm sewer improvements to the area around Rockland Road and 2) Storm sewer improvements to the Highlands subdivision. Both projects are identified in the Master Stormwater Management Plan and the Stormwater Utility Rate Study. The debt service on the bonds will be maintained by the Village's stormwater utility fee.

On August 9, 2022, the bond sale was facilitated by the Village's financial advisor, Speer Financial, Inc. ("Speer"). Dan Forbes, President, was in attendance to discuss the results of the sale.

Mr. Forbes' reported that Baker Group was the winner, bidders from all over the Country were interested. The top four bidding firms were separated by 0.1%. Received very competitive bids. Results were \$3.1216 and 4%.

President Johnson asked if there were any public comments, and there were none.

The Village Board congratulated staff and expressed positive comments regarding the process and outcome.

Motion made by Village Trustee Adams, Seconded by Village Trustee Hickey.

Voting Yea: Village Trustee Adams, Village Trustee Garrity, Village Trustee Hickey, Village Trustee Love, Village Trustee Connell

9. ORDINANCE NO. 22-O-64: An Ordinance Amending the Number of Class J and Class B Liquor Licenses - My Charcuterie

The Village has received an application for a Class B Liquor License from My Charcuterie located at 137 Lake Street, Libertyville. My Charcuterie previously held a Class J Caterers Liquor License and is requesting a Class B Liquor License to accommodate a change in their business operations. The application has been reviewed by the Mayor/Liquor Commissioner and Village Staff. Attached is an Ordinance which would amend the Municipal Code to increase the number of Class B Liquor Licenses from seventeen (17) to eighteen (18) and to decrease the number of Class J Liquor Licenses from two (2) to one (1).

Elizabeth Turnbach, Owner of My Charcuterie was present to answer any questions.

President Johnson asked if there were any public comments, and there were none. The Board thanked Ms. Turnbach for her continued interest and commitment to maintaining a business within the community.

Motion made by Village Trustee Hickey, Seconded by Village Trustee Love.

Voting Yea: Village Trustee Adams, Village Trustee Garrity, Village Trustee Hickey, Village Trustee Love, Village Trustee Connell

10. ORDINANCE NO. 22-O-65: An Ordinance Amending the Number of Class B Liquor Licenses - Singh's Kitchen

President Johnson reported that the Village has received an application for a Class B Liquor License from Sarabjit Chandock, owner of Singh's Kitchen, located at 620-622 N. Milwaukee Avenue, Libertyville. The application has been reviewed by the Mayor/Liquor Commissioner and Village Staff. Attached is an Ordinance which would amend the Municipal Code to increase the number of Class B Liquor Licenses from eighteen (18) to nineteen (19) and allow the issuance of the liquor license to Singh's Kitchen.

President Johnson asked if there were any public comments, and there were none.

The Board expressed support for the project.

Motion made by Village Trustee Hickey, Seconded by Village Trustee Love.

Voting Yea: Village Trustee Adams, Village Trustee Garrity, Village Trustee Hickey, Village Trustee Love, Village Trustee Connell

Comments from the Village Board

President Johnson asked staff if information related to the recent fire of the portable toilet enclosure at Charles Brown Park could be placed on the Village's website.

She further noted that the Village Board will attending training on September 16, 2022, from 9 a.m. -11 a.m.

President Johnson applauded Administrator Amidei for her participation in the dunk tank at the National Night Out event.

She further thanked Administrator Amidei for the work on the recent quarterly report that was provided to the Village Board and thanked Finance Director Mostardo on the bond sale process.

President Johnson reported that the meeting would be the last for Clerk Stowe and thanked him for his public service and wished him well. She further asked the Board to contemplate potential candidates to fill the role.

Attorney Lenneman reviewed the process for filling the role of Village Clerk.

Trustee Adams congratulated staff on the bond sale and thanked staff for their involvement in the Festival of the Arts.

Trustee Garrity complimented staff on their hard work for National Night Out and how great the event was. He further expressed congratulations to the Finance Department regarding the Government Finance Officers Association Certificate of Achievement in Financial Reporting award. He also thanked the first responders for their assistance on the plane that landed on Milwaukee Avenue.

Trustee Hickey congratulated staff on a successful National Night Out. He thanked the first responders for their assistance on the plane that landed on Milwaukee Avenue. He also congratulated staff on the bond sale and audit. He also commented on the new Recreation guide and appreciated the goals report.

Trustee Love commented on the success of the National Night Out and congratulated staff.

Trustee Connell congratulated Clerk Stowe.

Clerk Stowe noted that it was an honor and a privilege to serve as the Village Clerk. He thanked everyone for the opportunity.

Petitions and Communications

- The annual fireworks show will take place on Friday, August 12th at Butler Lake at approximately 9:30 p.m. In the event of rain, the date will be Saturday, August 13th.
- The Firefighter's Pension Fund Board will meet at 8:30 a.m. on Monday, August 15, 2022 at the North Fire Station, 1551 N. Milwaukee Avenue.
- The Appearance Review Commission/Historic Preservation Commission will meet at 5:00 p.m. on Monday, August 15, 2022.
- The Parking Commission will meet at 10:00 a.m. on Tuesday, August 16, 2022.
- The Parks and Recreation Committee will meet at 6:00 p.m. on Tuesday, August 16, 2022.
- The Economic Development Commission will meet at 7:30 a.m. on Wednesday, August 17, 2022.
- The Sustain Libertyville Commission will meet at 4:00 p.m. on Wednesday, August 17, 2022.
- The Plan Commission/Zoning Board of Appeals will meet at 7:00 p.m. on Monday, August 22, 2022.
- The Public Works Committee will NOT meet at 7:00 p.m. on Tuesday, August 23, 2022.
- The Village Board Committee of the Whole will meet at 7:00 p.m. on Tuesday, August 23, 2022.
- The Village Board will meet at 8:00 p.m. on Tuesday, August 23, 2022.

Village Administrator Update

Administrator Amidei reminded the Board that the annual fireworks show which was rescheduled will occur Friday evening, August 12.

She noted that the Thursday packet that was received by the Village Board included a quarterly goal report. She encouraged feedback on the document.

Administrator Amidei updated the Board on the Charles Brown portable toilet enclosure fire that occurred. Staff is working with the Village's insurance company on a claim.

She also noted that staff has received some calls regarding the removal of the Nicholas-Dowden basketball court on the south side of the park which was removed for the stormwater project but will be relocated to the north side as part of those improvements.

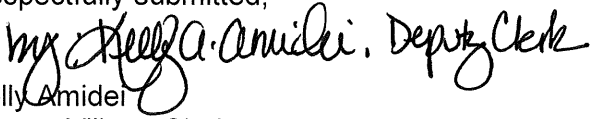
Adjournment

With no further business to come before Village Board, Trustee Love moved to adjourn the meeting at 9:25 p.m., and Trustee Adams seconded. The motion carried on roll call vote as follows:

AYES: Trustees Adams, Garrity, Hickey, Krummick, Love, and Connell

NAYS: None

Respectfully submitted,

Handwritten signature of Kelly Amidei in cursive script, reading "Kelly A. Amidei, Deputy Clerk".

Kelly Amidei
Deputy Village Clerk