

**MINUTES OF THE REGULAR MEETING
OF THE GURNEE VILLAGE BOARD**

**GURNEE VILLAGE HALL
JANUARY 22, 2024**

Call to Order

Mayor Hood called the meeting to order at 7:00 p.m.

Other Officials in Attendance

Patrick Muetz, Village Administrator; Austin Pollack, Assistant to the Village Administrator; Bryan Winter, Village Attorney; David Ziegler, Community Development Director; Heather Galan, Public Works Director; Brian Gosnell, Finance Director; Christine Palmieri, Director of Human Resources; Erica Wells, Assistant Finance / HR Director; Ellen Dean, Economic Development Director; Nick Leach, Village Engineer; John Kavanagh, Fire Chief; David Douglass, Deputy Fire Chief; Brian Smith, Police Chief.

Roll Call

PRESENT: 5 - Thorstenson, Ross, Garner, O'Brien, Balmes

ABSENT: 1- Woodside

Pledge of Allegiance

Mayor Hood led the Pledge of Allegiance.

**A. APPROVAL OF
CONSENT AGENDA**

It was moved by Trustee Balmes, seconded by Trustee O'Brien to approve the Consent Agenda as presented.

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

**B. CONSENT
AGENDA /
OMNIBUS VOTE**

The Village Administrator read the consent agenda for an omnibus vote as follows:

1. Approval of minutes from the January 8, 2024 meeting.
2. Approval of Ord. 2024 –05 removing one Class 1 Liquor License by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled "Alcoholic Beverages".
3. Approval of request from Public Works Department to purchase ten fire hydrant assemblies from the low bidder, Core & Main, at a cost of \$45,026.00.
4. Approval of request to allow Economic Development Director Ellen Dean to attend the Innovating Commerce Serving Communities Retail Real Estate Convention in Las Vegas, NV from May 19 - 21, 2024 at a cost not to exceed \$2,200.00.
5. Approval of request to dispose of certain Police Department documents as authorized by the State of Illinois Local Records Commission.
6. Approval of setting a bid date of March 18, 2024 for the 2024 Street Maintenance Program.
7. Approval of Payroll for period ending January 12, 2024 in the amount of \$997,670.13.
8. Approval of Bills for the period ending January 22, 2024 in the amount of \$2,572,968.69.

It was moved by Trustee Garner, seconded by Trustee Ross to approve the Consent Agenda for an omnibus vote as read.

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

C. PETITIONS AND COMMUNICATIONS

1. Administration of Oath of Office for the promotion of Police Detective Stan St. Clair to Police Sergeant.
2. Administration of Oath of Office for the promotion of Police Detective Jonathan Savage to Police Sergeant.
3. Administration of Oath of Office for the promotion of Police Sergeant Bill Stashkiw to Police Commander.

Chief Smith explained the promotional process, introduced each and briefly spoke about their accomplishments. Mayor Hood administered the Oath of Office. Sergeant St. Clair, Sergeant Savage and Commander Stashkiw each spoke and thanked everyone for their support.

4. Approval of Mayor Hood's recommended appointment of Tim Evans as backup Administrative Hearing Officer.

Mayor Hood stated the Village is in need of a back-up Administrative Hearing Officer. He said Tim Evans is a local attorney who also serves as Hearing Officer in a nearby community. He is recommending his appointment.

It was moved by Trustee Thorstenson, seconded by Trustee Garner to approve of Mayor Hood's recommended appointment of Tim Evans as backup Administrative Hearing Officer.

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

D. REPORTS

1. Presentation by Village Engineer Nick Leach – 2022/2023 All Natural Hazards Mitigation Plan (ANHMP) progress report.

Village Engineer Leach presented the ANHMP report. He shared the following information:

All Natural Hazards Mitigation Plan

- What is it?
 - Plan that identifies natural hazards
 - Assesses Vulnerabilities
 - Determines how to minimize or eliminate risks
 - Sets goals
- Why it is necessary?
 - Helps prepare for natural hazards
 - Required for Grant Funding
 - Hazard Mitigation Grant Program (HMGP)
 - Pre-Disaster Mitigation (PDM)
 - Flood Mitigation Assistance (FMA)

Plan Maintenance

- Review Annually
 - Plan
 - Hazards Encountered
 - Action Items
- Annual meeting
 - Evaluate plan progress
 - Recommend updates
- Countywide Plan
 - FEMA requires hazard mitigation plans be updated and re-adopted every five years. The Village adopted the 2022 ANHMP this past June. The next countywide plan is scheduled for an update in 2027

Gurnee Action Items & Progress

- Plan Adoption
 - Current version October 2022 adopted June 12, 2023
 - Continued progress towards all action items
- Action Item Number 6: Installed a manual transfer switch and exterior plug-in for a secondary generator at the Public Works Facility. New portable generator was purchased, but still awaiting delivery

- Action Item Number 15: The newest building codes will be adopted in the near future
- Action Item Number 36A: Public Works has identified the sanitary sewer pump stations that need alternate power sources in the form of generators. Next fiscal year the Lee Ave generator will be replaced. 36C: Completed year prior
- Action Items Number 1, 4, & 20: Updated and adopted the ANHMP this past June and updated the Watershed Development Ordinance in July which adopted new floodplain FEMA maps and made a few addendums

Gurnee Action Items & Progress Flood Mitigation

- FEMA updated the Flood Insurance Rate Map and added new floodplain on the west side of the Village
- Three new structures now touch the new floodplain and roughly 170 properties touch the floodplain
 - Class 5 rating saves Gurnee residents 10-25% on flood insurance premiums if insurance is required or not
- Engineering staff has notified residents and is working on acquiring Letter of Map Amendments for the residents

Floodplain Property Progress

- Removed three residential properties at no cost to the Village
- Removed two commercial properties purchased directly by the Village
- Referring to the Floodplain Property Map - 14 properties remain out of 51 on the map

2. Presentation by SWALCO Executive Director Walter Willis – SWALCO Update.

Executive Director Walter Willis provided the Village Board an update on SWALCO. He stated that Gurnee hosts one of the five permanent Hazardous Household Chemical Waste collection sites in Illinois. He stated among other things SWALCO provides support to members related to residential waste hauling contracts. There is less competition today, which results in just two or three bidders. Director Willis stated the Village benefitted from very competitive rates for a long period, unfortunately, the market has changed and residents are seeing increases.

Executive Director Willis next shared information about the programs and services SWALCO offers including sharps kiosks, textile collections (which Gurnee is the top collector in the County) and solid waste planning for the County. He stated one of the two in-county landfills would be closing in the next few years. Waste Management has proposed a waste transfer facility once the landfill closes. He stated SWALCO is also working on a Material Recovery Facility (MRF) project. Willis stated historically communities would receive payment for recyclables they collected, stating one year over one million dollars was distributed. He stated SWALCO is exploring once again directing recyclables to a certain facility in order to receive a portion of the revenue. SWALCO may be back before the Village Board in the future to request participation and permission related to Gurnee's recyclables. The funds from this effort could support SWALCO financially.

Trustee O'Brien asked for clarification on the Household Hazardous Waste Facility. He also asked for additional information about the MRF. Director Willis responded.

Trustee Ross asked about food scrap collection. Willis stated food scrap can be placed in with landscape waste. He stated five communities have a third cart specially for food scraps for yearlong collection. In Gurnee, anyone can participate currently eight months out of the year.

E. OLD BUSINESS

Mayor Hood said that there were no discussion topics on the agenda for the January 29th Committee of the Whole meeting and asked the Trustees if they would like to cancel the meeting.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to cancel the Committee of the Whole meeting for January 29, 2024.

Voice Vote: ALL AYE: Motion Carried.

F. NEW BUSINESS

1. Approval of Ord. 2024 – 06 amending the Village Code of the Village of Gurnee by adding Article IX, Chapter 22, Regulation of Unscheduled Bus Stops and amending Section 32-37.

Mayor Hood stated this issue has been widely discussed in the news. He stated there have also been many internal discussions related to addressing migrant drop-offs in the Village, with the Police and Fire Departments well-informed on what to do. Mayor Hood stated he has been hesitant to codify any requirements but believes this is a positive step at this point. It will assist with providing an orderly process to transport migrants to the City of Chicago landing zone. He stated the Village is mindful of recent litigation filed by a bus company against Chicago; however, the overall purpose is to give migrants the best opportunity possible to receive needed services.

Administrator Muetz said recently the Lake County Municipal League (LCML) held a meeting with managers to discuss the issue. The following day the LCML Executive Director attended a larger regional meeting that included the City of Chicago related to the topic. The message the LCML returned with from Chicago is that ordinances regulating bus drop-off are helpful... they send a unified message that the State and its communities are trying to handle the issue in an orderly fashion. The LCML has provided copies of ordinances that other Lake County communities have passed to date. Attorney Winter used these as a foundation to develop an ordinance for Gurnee.

Attorney Winter stated the proposed ordinance is approximately five pages in length. He stated the ordinance does not require licensing, but rather notification of drop-offs. The ordinance prohibits unscheduled stops unless approval has been received from the Village. The Village Administrator would be responsible for processing applications. The ordinance provides the Police Department ticketing and impoundment powers for unscheduled drop-offs. Attorney Winter stated he will continue to monitor litigation and, if modification to the proposed ordinance is required, it would be brought forward. He concluded by stating it appears the majority of current drop-offs occur at train or transportation stations.

Trustee O'Brien said he does not like the fact that federal policy has put the Village in a position to consider such an ordinance. He stated he is pleased that Gurnee has a compassionate plan in place to assist any drop-offs. He stated he understands the ordinance is meant to send a message, but feels it may be challenging to enforce as bus drivers will leave the community quickly after a drop-off. He stated 100% of the people he has spoken with stated they support it. He concluded by stating the people he represents want him to vote yes.

Trustee Thorstenson asked about the process and how quickly the Police Department can respond to a drop-off situation. Administrator Muetz stated that depends on how quickly the information is reported to the Village. He then reviewed the contingencies the Village currently has in place for transportation, temporary shelter and food/water for example.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve of Ord. 2024 – 06 amending the Village Code of the Village of Gurnee by adding Article IX, Chapter 22, Regulation of Unscheduled Bus Stops and amending Section 32-37.

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

2. Approval of Ord. 2024 – 07 authorizing execution of a Residential Solid Waste Agreement between the Village of Gurnee and LRS (Lakeshore Recycling Systems, LLC).

Mayor Hood stated he would like to thank staff for the work put into this process. He stated leaf collection is a very important piece of the contract and he appreciates the due diligence performed.

Administrator Muetz said the Village's residential refuse and recycling contract with Waste Management (WM) expires at the end of May 2024.

Based on discussions with WM, the Village decided to issue a Request for Proposal. The RFP was sent to seven haulers as well as posted on the Village's website. Three companies responded to the RFP: WM, Groot and LRS. Following review of the proposals, staff reached back out to Groot and LRS and gave them an opportunity to sharpen their pencils. Both did and the result was two very close proposals. LRS slightly edged out Groot with lower leaf vac charges per household per month by twenty-five cents, landscape waste subscription costs, white good collections, additional cart lease costs, emergency services and a lower annual escalator (4% vs 5%). Muetz stated residents will see a rate increase because of a longstanding relationship with WM (30+ years) that started with very favorable rates and low annual escalators.

Muetz next provided a summary of the annual cost increases:

- 95-gallon cart – largest number of carts in the Village (over 5,600 homes) - \$75 annual increase
- 65-gallon cart – (1,700 homes) - \$90 increase annual increase
- 35-gallon cart – smallest number of carts in the Village – (around 300 homes) \$115 increase

He stated during the transition residents can change their cart size if they want to potentially reduce the annual increase. Muetz explained most of this increase is the cost for leaf vac services. Despite staff attempts to encourage residents to bag the leaves, the clear majority continue to rake them to the curb. To retain this service there is a \$4.25 per household per month charge. The annual cost equates to 15 landscape bags and stickers. Muetz stated there are very few homes in Gurnee that will be able to clean-up all of their fall leaves with just 15 bags.

Muetz stated staff has reiterated the importance of improving the level of service residents receive in the fall during leaf season. Staff also reached out to some other communities that use LRS and the feedback was positive. Gurnee staff used the current WM contract as a foundation and modified as needed for the new contract. LRS has reviewed and is agreeable to the terms.

Trustee Thorstenson asked about Styrofoam collection. Muetz stated while Styrofoam will not be collected, LRS is looking into the Hefty Orange Bag program to collect plastic film.

Trustee Thorstenson asked how the fees compare to other LRS customers. Muetz stated LRS recently secured the Waukegan contract and the rates are very close with Waukegan slightly lower due to housing density.

Trustee Thorstenson asked about electronic billing. Muetz stated LRS and the Village will partner on communicating changes to the residents. He then reviewed cart collection/drop-off information stating no one should be without service during the transition.

It was moved by Trustee Ross, seconded by Trustee O'Brien to approve of Ord. 2024 – 07 authorizing execution of a Residential Solid Waste Agreement between the Village of Gurnee and LRS (Lakeshore Recycling Systems, LLC).

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

3. Approval of Ord. 2024 – 08 granting a vacation pursuant to the Gurnee Zoning Ordinance for 1500 N. Delany Road.

Administrator Muetz said SKE is currently building an office building related to its business on the west side of Delany Road north of Grove Avenue. When the property was annexed in 1999, a 60-foot wide right of way was dedicated to the Village at the north end of the parcel for potential future roadway expansion. Based on how the area has developed, there is no benefit to the Village to maintain the right-of-way. SKE, who purchased the parcel in 2019, has petitioned the Village to have it vacated. The subject property is zoned I-2, General Industrial. As industrial zoned land, pending Board approval, the land will be released to SKE for 50% of the fair market value that equates to

\$10,700.00. The Planning & Zoning Board reviewed the request at its December 6th meeting and is forwarding a unanimous favorable recommendation.

It was moved by Trustee Garner, seconded by Trustee Balmes to approve of Ord. 2024 – 08 granting a vacation pursuant to the Gurnee Zoning Ordinance for 1500 N. Delany Road.

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

4. Approval of Ord. 2024 – 09 amending Chapter 70, Section 70-546 Subsection (c)(2), of the Gurnee Municipal Code – Administrative Procedure for Plats of Consolidation.

Administrator Muetz said the Community Development Director is empowered to administer simple lot consolidations. The administrative lot consolidation process is required when parcels or zoning lots need to combine to meet the requirements of the applicable building and/or zoning codes. There are two separate processes that are authorized to accomplish this task; the Partial Vacation of Plats and the Declaration of Covenant. The Partial Vacation of Plat is utilized when the lots are part of a platted subdivision. The Declaration of Covenant is used when the properties are not subdivided, commonly called "metes and bounds" parcels. In the instance where one parcel is part of a plat subdivision and the other is metes and bounds, the Municipal Code currently requires the subdivision plat be partially vacated prior to placing Declaration over the property when in fact the Declaration is adequate to ensure the parcels are bound together and not sold separately. The proposed amendment removes the partial vacation requirement.

It was moved by Trustee O'Brien, seconded by Trustee Garner to approve of Ord. 2024 – 09 amending Chapter 70, Section 70-546 Subsection (c)(2), of the Gurnee Municipal Code – Administrative Procedure for Plats of Consolidation.

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

5. Approval of Ord. 2024 – 10 relating to establishing a VantageCare Retirement Health Savings program.

Administrator Muetz said staff discussed this with the Village Board during an Executive Session in the fall. Currently bargained Police and Fire employee have a RHS Plan in place. Non-bargained employees have requested a similar plan. The plan includes two-step funding formula with mandatory employee contributions and an employer contribution based on group classification. Each employee would contribute a percentage of their salary depending on their group classification. The Village would contribute a set dollar amount depending on the group classification. Muetz stated this should be a powerful attraction and retention program. He concluded by stating once approved staff will meet with the various non-bargained groups to rollout the plan. The plan will go into effect in FY 24/25.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve of Ord. 2024 – 10 relating to establishing a VantageCare Retirement Health Savings program.

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

6. Approval of Engineering Division's recommendation to award the Dilleys Road Pedestrian Path Construction Project to the low bidder,

Everlast Blacktop, at a cost of \$521,599.00 (100% reimbursable from Lake County – Ord. 2023-30A).

Administrator Muetz said this project has been before the Village Board a few times. As a reminder, an eight-foot-wide path will be on the eastside of Dilleys Road from the Com Ed right-of-way north to Stearns School Road. LCDOT has agreed to reimburse the Village 100% of the construction cost with 75% paid based on awarded contract unit prices. The other 25% will be paid once the project is completed and LCDOT accepts the condition of the right-of-way. The Village issued a Request for Proposal and received five responses. Everlast Blacktop was the low bidder at \$521,599.00. Muetz stated while the Village has not worked with this company in the past, references were checked and came back positive for similar projects.

It was moved by Trustee Garner, seconded by Trustee Ross to approve of Engineering Division's recommendation to award the Dilleys Road Pedestrian Path Construction Project to the low bidder, Everlast Blacktop, at a cost of \$521,599.00 (100% reimbursable from Lake County – Ord. 2023-30A).

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

7. Approval of Police Department request to purchase one 2023 Chevrolet Silverado PPV Pickup from Currie Motors at net cost to the Village of \$27,236.00 (replacement for Unit #179 totaled in an accident November 9, 2023, insurance to pay \$28,516.00).

Administrator Muetz said at a recent Village Board meeting a Police Officer received a Life Saving Award related to her efforts on November 9, 2023 when her squad was rear-ended by a drunk driver. The squad has been deemed a total loss by insurance. Despite efforts, staff has been unable to locate a PPV Tahoe to replace this vehicle. Staff did locate a 2023 Chevrolet Silverado PPV Pickup at Currie Motors in Frankfort, IL. After discussions with the Police Department, staff is recommending to move forward with this pickup. Insurance has determined the value of the 2020 Tahoe at \$28,516.00. The Village will retain the totaled vehicle for parts given current supply chain issues. Insurance will also reimburse the Village for the equipment damaged, the tow and labor costs related to outfitting a replacement vehicle. The difference in cost between the new vehicle and insurance payment will be covered by available funding in the Fleet Services Fund.

It was moved by Trustee O'Brien, seconded by Trustee Garner to approve of Police Department request to purchase one 2023 Chevrolet Silverado PPV Pickup from Currie Motors at net cost to the Village of \$27,236.00 (replacement for Unit #179 totaled in an accident November 9, 2023, insurance to pay \$28,516.00).

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Woodside

Motion Carried.

G. PUBLIC COMMENT

None .

H. EXECUTIVE SESSION

The Village Attorney stated that tonight's Executive Session will reference:

Adjournment to Executive Session

5 ILCS 120/2 2 (c) (2) which states: Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

It was moved by Trustee Balmes, seconded by Trustee Garner to adjourn the meeting into Executive Session.

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes
NAY: 0- None
ABSENT: 1- Woodside
Motion Carried.

Mayor Hood adjourned the meeting into Executive Session at 8:31 p.m.

Mayor Hood recalled the meeting to order at 8:42 p.m.

Recall to Order

PRESENT: 5-Thorstenson, Ross, Garner, O'Brien, Balmes

ABSENT: 1- Woodside

1. Approval of Ord. 2019 – 11 approving the Collective Bargaining Agreement between the Illinois Council of Police and the Village of Gurnee for the term beginning May 1, 2023 through April 30, 2027.

Executive Session item.

It was moved by Trustee Garner, seconded by Trustee O'Brien to approve of Ord. 2019 –11 approving the Collective Bargaining Agreement between the Illinois Council of Police and the Village of Gurnee for the term beginning May 1, 2023 through April 30, 2027.

Roll call,

AYE: 5- Thorstenson, Ross, Garner, O'Brien, Balmes
NAY: 0- None
ABSENT: 1- Woodside
Motion Carried.

Closing Comments

None.

Adjournment

It was moved by Trustee Balmes, seconded by Trustee Garner to adjourn the meeting.

Voice Vote: ALL AYE: Motion Carried.

Mayor Hood adjourned the meeting at 8:43 p.m.

**Andrew Harris,
Village Clerk**