

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

**GURNEE VILLAGE HALL
AUGUST 21, 2023**

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; Heather Galan, Public Works Director; Brian Gosnell, Finance Director; Christine Palmieri, Director of Human Resources; Nick Leach, Village Engineer; Jodi Luka, Management Analyst; David Douglass, Deputy Fire Chief; Brian Smith, Police Chief; Jeremey Gaughan, Deputy Police Chief.

Roll Call

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

ABSENT: 1- Garner

Pledge of Allegiance

Mayor Hood led the Pledge of Allegiance.

Mayor Hood thanked Village staff for its excellent work on all the Gurnee Days Open Houses.

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, Woodside, Ross, O'Brien, Balmes

NAY: 0- None

ABSENT: 1- Garner

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 August 7, 2023 meeting.
2. Approval of Res. 2023 - 06 establishing certain property of the Village of Gurnee to be surplus (Police Department Units #101, #168 and Public Works Department Units #226, #278 and #792).
3. Approval of request to send Chief Smith and Deputy Chief Gaughan to the 2023 International Association of Chiefs of Police conference in San Diego, CA from October 13 – 17, 2023 at an estimated cost of \$5,420.00.
4. Approval of Police Department request to purchase 78 Smith & Wesson M&P 2.0 duty pistols from the low bidder, Ray O'Herron Company, at a cost of \$17,775.00 after trade-in credit of \$22,300.00.
5. Approval of Police Department request to purchase 78 Aimpoint ACRO P2 Red Dot Aiming Systems from the low bidder, Streicher's Law Enforcement and Public Safety Equipment, at a cost of \$38,219.22.
6. Approval of Payroll for period ending August 11, 2023 in the amount of \$1,020,892.04.
7. Approval of Bills for the period ending August 21, 2023 in the amount of \$4,052,480.83.

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

Roll call,

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

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

C. PETITIONS AND COMMUNICATIONS

1. Introduction and recognition of the 2023 Gurnee Queens:
 - Miss Gurnee Lexi Sapp

- Junior Miss Gurnee McKlaine Bracewell
- Little Miss Gurnee Maddie Bugner

Mayor Hood introduced each Queen and presented them with a plaque.

The Queens presented Mayor Hood with a framed picture.

D. REPORTS

1. Presentation by Management Analyst Jodi Luka: Small Business Capital Investment Grant Program Update #4.

Management Analyst Jodi Luka provided an update on the Small Business Capital Investment Grant (SBCG) and the success of investing back into the community. She provided a recap stating this is a reimbursable program for qualifying businesses. Qualifying businesses are tax generating small businesses or building owners with qualifying tenants. Since the program's inception in FY 21/22, it has awarded \$628,286.11 to over 50 business with a total project investment of over \$3.4 million. To date, 25 restaurants, 28 retail establishments, 3 amusement establishments and 3 hotels have or are participating in the SBCG program. Hotel projects are primarily focused on ADA upgrades.

Management Analyst Luka reiterated staffs' continuous outreach efforts for the program. Current efforts include assisting applicants with each application as needed, currently monitoring all permit submissions for qualifying projects, outreach to new qualifying businesses in town and outreach to building owners with qualifying businesses.

2. Presentation by Assistant to the Administrator Austin Pollack and NIMEC Director Adam Hoover – Village of Gurnee Electrical Aggregation Program.

Assistant to the Administrator Austin Pollack and NIMEC Director Adam Hoover reviewed the Village's electrical aggregation program and the options available for the upcoming renewal. Assistant to the Administrator Pollack stated that the purpose of the presentation is to solicit direction from the Village Board on which electrical aggregation contract to consider anticipating the preferred contract will be before the Village Board on September 11th. He stated the Village has managed a municipal electric aggregation (MEA) program since 2012. He explained that early on the program was largely driven by savings for residents. In 2019, the supplier rate began to match the ComEd rate making it a price-match program that also included renewable energy credits as a benefit.

NIMEC Director Adam Hoover went into the specifics of the program, the bid options offered and summarized how the renewable energy credits are distributed. He stated that NIMEC received bids with terms of 10, 12 months or 24 months at varying rates. NIMEC Director Hoover mentioned that there is a chance that the will rates go up, but the Village was offered a price-match program with 25% green power. If the 25% green power rate is more than the ComEd rate, there is a fallback proposal. Assistant to the Administrator and NIMEC Director Hoover presented the rates and equivalent percentages of Green Energy below:

- 25% Green power – 7.05¢ per kWh or \$0 annual increase for the average resident
- 50% Green power – 7.15¢ per kWh or \$10 annual increase for the average resident
- 100% Green power – 7.35¢ per kWh or \$30 annual increase for the average resident

Assistant to the Administrator Pollack stated that his minimum recommendation of 25% green energy at a rate of 7.05¢ at 10-months would make Gurnee an EPA Green Power Community, further Gurnee's sustainability efforts, offer those in the program a price match option and give the Village the flexibility to assess the energy market next year around this time.

Trustee O'Brien thanked them for putting the presentation together and said that he is for 25% green power because it does not cost the residents more than the ComEd rate. He stated he liked the 25% green power because it helps with green initiatives and gives the Village the EPA designation.

Trustee Thorstenson asked for clarification on how the rate works. NIMEC Director Hoover explained the rate will be refreshed on September 10th because it fluctuates daily. He will recommend a rate at or below 7.05¢. If the 25% green power rate is greater than the ComEd rate, the Village can opt for fallback proposal that includes a price-match to the ComEd rate with 5% green energy

Trustee Woodside asked if people opt-out do they get 0% green energy. NIMEC Director Hoover responded that everyone pays ComEd a small fee for a percentage for green energy, but the percentage for Gurnee would go down if people choose to opt-out.

Mayor Hood asked who tracks the payment and who makes the payment for the renewable energy. NIMEC Director Hoover stated that MC Squared handles the agreement and payment with the supplier.

Administrator Muetz stated staff has the direction it needs to move forward on September 11th.

E. OLD BUSINESS

None.

F. NEW BUSINESS

1. Approval of Ord. 2023 – 52 approving the amended and restated Intergovernmental Agreement between Lake County Stormwater Management Commission (SMC) and the Village of Gurnee for the 2018 IDNR-OWR Flood Mitigation Program (991 & 1046 Kilbourne Road, 881 Emerald Avenue, Gurnee, IL).

Administrator Muetz said the Village previously approved this agreement on March 3, 2020, however SMC has requested it be reapproved as the original version indicated SMC owned the properties when in fact the State did. In addition, the Village's cost share was \$28,503 which was slightly over the original amount of \$27,148. As such, SMC has requested this updated agreement be approved. He stated the Kilbourne properties have been removed and the home on Emerald is scheduled to be removed in the next few months.

It was moved by Trustee Thorstenson, seconded by Trustee Woodside to approve of Ord. 2023 –52 approving the amended and restated Intergovernmental Agreement between Lake County Stormwater Management Commission (SMC) and the Village of Gurnee for the 2018 IDNR-OWR Flood Mitigation Program (991 & 1046 Kilbourne Road, 881 Emerald Avenue, Gurnee, IL).

Roll call,

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

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

2. Approval of Ord. 2023 – 53 approving an Intergovernmental Agreement between Lake County Stormwater Management Commission and the Village of Gurnee for the 2019 IDNR-OWR Flood Mitigation Program (1054 & 1062 Kilbourne Road, Gurnee, IL).

Administrator Muetz said the Village is responsible for 5% of the total costs of acquisition, removal and restoration at a cost not exceed \$16,928 for 1054 & 1062 Kilbourne. The agreement requires the Village to maintain the sites as public open space.

It was moved by Trustee O'Brien, seconded by Trustee Ross to approve of Ord. 2023 – 53 approving an Intergovernmental Agreement between Lake County Stormwater Management Commission and the Village of Gurnee for the 2019 IDNR-OWR Flood Mitigation Program (1054 & 1062 Kilbourne Road, Gurnee, IL).

Roll call,

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

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

3. Approval of Ord. 2023 – 54 approving a temporary construction easement to the County of Lake for the Hunt Club Road and Washington

Street Intersection Improvement Project.

Administrator Muetz said at the July 24th the Village Board meeting the Board approved an agreement related to the Village's share of the costs for the intersection improvements at Hunt Club and Washington. It was mentioned in the staff memo that future Board action related to a construction easement and a small property transfer would be forthcoming. This agreement and the next on the agenda cover the use of a Village easement as well as a requirement for conveying a small section of land adjacent to and including part of Hunt Club Road just east of Fire Station 2. He stated the easement is approximately 25 feet wide by 250 feet long, while the property they have requested be conveyed is approximately 50 feet wide by 250 feet long and includes land from the Fire Station #2 property line east to the center of Hunt Club Road. The County is requesting the Village officially transfer the land as public right of way in conjunction with the project. Staff has no concerns with this request and recommends approval.

Trustee Thorstenson asked if the homes along Washington street will be notified about the bike path installation.

Administrator Muetz said Village staff has reached out to the County and it will handle the notification.

It was moved by Trustee Thorstenson, seconded by Trustee O'Brien to approve of Ord. 2023 –54 approving a temporary construction easement to the County of Lake for the Hunt Club Road and Washington Street Intersection Improvement Project.

Roll call,

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

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

4. Approval of Ord. 2023 – 55 approving Warranty Deed to convey property to the County of Lake for the Hunt Club Road and Washington Street Intersection Improvement Project.

Administrator Muetz said this ordinance transfers the section of land in front of Fire Station #2 referenced above. Staff has no concerns with this request.

It was moved by Trustee Ross seconded by Trustee Thorstenson to approve of Ord. 2023 –55 approving Warranty Deed to convey property to the County of Lake for the Hunt Club Road and Washington Street Intersection Improvement Project.

Roll call,

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

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

5. Approval of Ord. 2023 – 56 removing one Class 2 Liquor License by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled "Alcoholic Beverages".

Administrator Muetz said the Chocolate Sanctuary closed its doors July 1, 2023. As a result, there is one Class 2 liquor license that is allowed per the Municipal Code, but not assigned. To bring the Code and number assigned into alignment, one Class 2 license should be removed.

It was moved by Trustee Woodside, seconded by Trustee O'Brien to approve of Ord. 2023 –56 removing one Class 2 Liquor License by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled "Alcoholic Beverages".

Roll call,

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

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

6. Approval of Ord. 2023 – 57 adding one Class 1 Liquor License by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled “Alcoholic Beverages” (Olivia’s Italian Restaurant – 750 S. Milwaukee Avenue).

Administrator Muetz said Olivia’s Italian Restaurant is proposing to open in the former Bodega space on Route 21. The space has been vacant for the past seven years. Owner Juan Ayala brings experience in the restaurant industry but Olivia’s will be his first business venture as an owner. Olivia’s will be open for lunch and dinner, every day of the week, with anticipated hours 11am-9pm weekdays, 11am-10pm weekends. The restaurant will feature a varied menu of pasta, chicken, fish and salads. The Police Department has conducted all the necessary background checks and finds nothing to preclude issuing the license.

It was moved by Trustee O’Brien, seconded by Trustee Thorstenson to approve of Ord. 2023 –57 adding one Class 1 Liquor License by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled “Alcoholic Beverages” (Olivia’s Italian Restaurant – 750 S. Milwaukee Avenue).

Roll call,

AYE: 5- Thorstenson, Woodside, Ross, O’Brien, Balmes

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

7. Approval of Ord. 2023 – 58 adding one Class 1 Liquor License by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled “Alcoholic Beverages” (Tonya’s Savvy Events and Banquet Hall – 5101 Washington Street).

Administrator Muetz said Tonya’s Savvy Events & Banquet Hall opened at 5101 Washington (Saratoga Square) a few years back. In September 2021, the Village Board approved a Class 1 Liquor License for the business. The business had difficulty securing a State license and as a result never sold alcohol. During the most recent liquor license renewal, Savvy Events did not renew its license and staff therefore removed it from the Municipal Code. Since that time, the business has rectified its issues with the State and has applied for a Class 1 license again. As a reminder, Savvy Events occupies 3,600 square feet in the section just east of the former Chocolate Sanctuary. The space carries a maximum occupancy load of 166 and is currently looking to expand. The owner Diane Latonya Walker has previously catered events up to 50 people at the Hampton Inn and secured this space to be able to accommodate events of 100+. Savvy provides all linens, dishware and décor needed for an event; customers provide their own food. This tenant space includes restroom facilities and a sink dedicated for dishwashing. The Police Department has conducted all the necessary background checks and finds nothing to preclude issuing the license.

It was moved by Trustee O’Brien, seconded by Trustee Ross to approve of Ord. 2023 –58 adding one Class 1 Liquor License by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled “Alcoholic Beverages” (Tonya’s Savvy Events and Banquet Hall – 5101 Washington Street).

Roll call,

AYE: 5- Thorstenson, Woodside, Ross, O’Brien, Balmes

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

8. Approval of additional payment of \$10,475.01 to Visit Lake County (Lake County, Illinois Convention & Visitors Bureau) to maximize the FY 22/23 hotel tax sharing proceeds at the contractual cap of \$190,000.00.

Administrator Muetz said the Village of Gurnee has had a tax sharing agreement in place with Visit Lake County since 1986. The agreement has been amended multiple times since its inception. Under the most current amendment from April 2018, the Village remits 22.5% of hotel/motel tax collected. Hotels with which the Village has a rebate or tax sharing agreement with are not included in the agreement with the Bureau. Therefore, Great Wolf revenue, like Key Lime before it, is not

shared since the Village has a tax sharing agreement with the facility; however, the Village did negotiate that Great Wolf make a direct contribution to VLC over eight years starting in 2021 that will total \$280,000. When the Village increased the Hotel Tax it also capped the contribution at \$190,000, which was a \$15,000 increase compared to what we were previously contributing. In FY 22/23, the Village's contribution based on hotel tax revenue was \$179,524.99. While the maximum contribution was not hit, Village revenues performed very well in FY 22/23. As a result, it was asked if the Village could contribute the remaining \$10,475.01 bringing the contribution to the maximum of \$190,000. Muetz stated each year the Village budgets the maximum exposure, therefore the \$190,000 was anticipated in the budget. It is a Board decision whether or not to contribute the additional \$10,475.01. Regardless the decision, Muetz stated leaving the agreement based on revenue received is the most prudent approach to protect the Village if need be in a "bad" revenue year.

Trustee O'Brien asked if this is setting a precedent.

Administrator Muetz said no.

Trustee Ross said that last year Visit Lake County was short \$20,000 mainly due to the lack of travel. She said leisure travel has rebounded while business travel as lagged. Business travel is expected to continue to improve therefore she is hopeful there will not be a gap in funding next year.

It was moved by Trustee O'Brien, seconded by Trustee Ross to approve of additional payment of \$10,475.01 to Visit Lake County (Lake County, Illinois Convention & Visitors Bureau) to maximize the FY 22/23 hotel tax sharing proceeds at the contractual cap of \$190,000.00.

Roll call,

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

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

G. PUBLIC COMMENT

None.

Closing Comments

None.

Adjournment

It was moved by Trustee Balmes, seconded by Trustee O'Brien to adjourn the meeting.

Voice Vote: ALL AYE: Motion Carried.

Mayor Hood adjourned the meeting at 7:42 p.m.

**Andrew Harris,
Village Clerk**