

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

**GURNEE VILLAGE HALL
AUGUST 8, 2016**

Call to Order

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

Other Officials in Attendance

Patrick Muetz, Village Administrator; David Ziegler, Assistant Village Administrator/Community Development Director; Bryan Winter, Village Attorney; Brian Gosnell, Finance Director; Christine Palmieri, Director of Human Resources; Tom Rigwood, Director of Public Works; Fred Friedl, Fire Chief; Saundra Campbell, Deputy Police Chief; Willie Meyer Deputy Police Chief; Ellen Dean, Economic Development Director, Jack Linehan, Assistant to the Administrator

Roll Call

PRESENT: 5- Wilson, Ross, Thorstenson, Balmes, Hood
ABSENT: 1- Garner

Pledge of Allegiance

Mayor Kovarik led the Pledge of Allegiance.

A. PUBLIC COMMENT

None.

B. APPROVAL OF CONSENT AGENDA

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

Roll call,

AYE: 5- Wilson, Ross, Thorstenson, Balmes, Hood
NAY: 0- None
ABSENT: 1- Garner
Motion Carried.

C. CONSENT AGENDA / OMNIBUS VOTE

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

1. Approval of the minutes from the July 25, 2016 Village Board meeting.
2. Approval of Ord. 2016-50 authorizing the execution of an Automatic Fire/Rescue Mutual Aid Agreement (Quad One North).
3. Approval of authorizing Fire Chief to issue a fireworks permit for a Chicago Bears Practice event on August 20, 2016 at Warren Township High School – O'Plaine Campus.
4. Approval of Payroll for period ending July 23, 2016 in the amount of \$788,010.59.
5. Approval of Payroll Transfer Journal for period ending July 23, 2016 in the amount of \$781,021.48.
6. Approval of Bills for the period ending August 8, 2016 in the amount of \$1,320,065.93.

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

Roll call,

AYE: 5- Wilson, Ross, Thorstenson, Balmes, Hood
NAY: 0- None
ABSENT: 1- Garner
Motion Carried.

D. PETITIONS AND COMMUNICATIONS

1. Approval of Proclamation honoring 2016 Gurnee Days Honoree Don Henderson.

It was moved by Trustee Ross, seconded by Trustee Thorstenson to approve the Proclamation honoring Don Henderson for being selected the 2016 Gurnee Days Honoree.

Voice Vote: ALL AYE: Motion Carried

- 2. Presentation of plaque to Justin Giss in honor of achieving the rank of Eagle Scout.

The Mayor presented Justin Giss with a plaque recognizing his accomplishment of achieving the rank of Eagle Scout. Justin's Eagle Service Project involved making two century tables along with easels for Warren Special Recreation Association (his older brother is a special needs individual).

- 3. Administrator Muetz informed the Board that there'll be a ULI (Urban Land Institute) follow-up meeting on August 23rd, 6 p.m. at Spaulding School. That meeting would serve as the August Committee-of-the-Whole meeting cancelling the regularly scheduled meeting on August 29th.

E. REPORTS

None.

F. OLD BUSINESS

None.

G. NEW BUSINESS

- 1. Approval of Ord. 2016-51 adding One Class 7 liquor license by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled "Alcoholic Beverages" as last amended by Ordinance Number 2016-37 passed June 6, 2016 (MOD Super Fast Pizza – 6447 Grand Avenue).

Administrator Muetz gave a review stating that MOD Super Fast Pizza is opening a location in the new multi-tenant building on the former Apple Bee's site. There are currently 8 locations in Illinois. MOD serves individual artisan-style pizzas and salads. The pizzas are cooked in less than 3 minutes. MOD applied for a Class 7 liquor license, which allows the sale of beer and wine for consumption on premise. He further stated that the Police Department conducted the necessary background checks and found nothing to preclude issuing the license.

The Market Manager, Mike Cruickshank invited the Board to their Grand Opening Ribbon Cutting Ceremony to be held August 19th, noon.

It was moved by Trustee Wilson, seconded by Trustee Balmes to approve Ord. 2016-51 adding One Class 7 liquor license by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled "Alcoholic Beverages" as last amended by Ordinance Number 2016-37 passed June 6, 2016 (MOD Super Fast Pizza – 6447 Grand Avenue).

Roll call,

AYE: 5- Wilson, Ross, Thorstenson, Balmes, Hood

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

- 2. Approval of Ordinance 2016-52 granting a variation pursuant to the Gurnee Zoning Ordinance for 1735 Belle Plaine Avenue.

Administrator Muetz gave a review stating that Mr. Mario Soltero is requesting a variance to allow the installation of a 6-foot tall solid wood fence (closed) and a swimming pool in the corner side yard setback at 1735 Belle Plaine Avenue. The property is located at the northeast corner of Belle Plaine and Johns Manville, with the Belle Plaine frontage classified as the front yard and the Johns Mansville frontage classified as the corner side yard. The Zoning Ordinance restricts fences in front and corner side yards to a height of 3 feet if the fence is solid (closed) and 4 feet if the fence is open (minimum of 50% open). The Zoning Ordinance does not allow swimming pools in the front, corner, or interior side yard setbacks.

Planning & Zoning Board held a hearing on the variance application on May 18, 2016. They voted unanimously to forward an unfavorable recommendation (5-0) on the requested variances. In making their unfavorable recommendation, they cited that there

**Petitioner
Mr. Mario Soltero
1735 Bell Plaine
Gurnee, IL**

was nothing unique about the applicant's situation, that the lot was large (31,850 sq. ft.) and there were other opportunities for locating a pool that wouldn't interfere with the septic field, that removal of a tree or trees to accommodate the pool did not constitute a hardship, and that the situation was created by the owner by not obtaining a permit prior to installation of the fence

Questions(s)

Trustee Wilson asked if the pool was there before the property was annexed.

The Petitioner, Mr. Soltero, answered stating yes and so was the fence.

Trustee Wilson asked what was changed or built on the property that is inconsistent with Village ordinances.

Mr. Soltero stated that he replaced a fence (without permit).

Trustee Hood stated that he is in agreement with the Planning and Board's findings and asked Mr. Ziegler if there was anything else that he should be aware of since the May 18, 2016 Planning and Zoning Board meeting. Mr. Ziegler stated no.

Village Attorney Winter gave clarification regarding variance requests and explained the approval standards.

Trustee Thorstenson asked about the deck size and circumference. Mr. Soltero stated that it would cost approximately \$4,000 to move the pool. He further stated that he thought he would be grandfathered in.

Trustee Thorstenson asked if the petitioner had submitted a permit to replace the fence and had it at the correct height, would the pool be allowed as is. Mr. Ziegler stated that the Village could not have issued a permit for a replacement pool because the pool has been gone for 10 years. Mr. Ziegler further clarified that the variance request is two-fold: 1. Increasing the allowable height of the fence and 2. Locating a pool in the corner side yard.

Trustee Ross stated that she is in agreement with Trustee Hood and the Planning and Zoning Board's findings.

Trustee Wilson asked when Mr. Soltero built the deck. Mr. Soltero stated that deck was built the same time the pool was installed.

Trustee Thorstenson asked when the home was purchased. Mr. Soltero stated 27 years ago.

**Mrs. Maria Soltero
1735 Bell Plaine
Gurnee, IL**

Mrs. Maria Soltero gave statements regarding the cost of entry to public pools and club memberships versus have their own swimming pool. She also stated that a neighbor has the same situation on his property. Mrs. Soltero made a plea to Board stating they are a part of the community and asked the Board to please support their request.

The Mayor confirmed Mrs. Soltero's statement regarding the neighbor and stated that it is grandfathered; however, if the pool would be destroyed, they would have to go through the same variance request procedure as the Soltero's.

Mr. Ziegler reminded the Board that a variance is a permanent deed allowance.

Village Attorney Winter clarified the motion stating that there is an affirmative ordinance and the motion would be to grant the variance.

It was moved by Trustee Thorstenson, seconded by Trustee Balmes to approve Ordinance 2016-52 granting a variance to allow the installation of a pool and a solid closed wood fence that exceeds 3' in height and a corner side yard setback.

Roll call,

AYE: 0- None

NAY: 5- Wilson, Ross, Thorstenson, Balmes, Hood

ABSENT: 1- Garner

Motion Denied.

3. Approval of Ordinance 2016-53 authorizing the execution of a professional service agreement between the Village of Gurnee and Houseal Lavigne Associates, LLC.

Administrator Muetz gave a review stating that following the update of the Zoning Ordinance, the next guiding document in need of update is the Comprehensive Land Use Plan (Comp Plan for short) which was identified during the Strategic Planning process and has been included as an Initiative under *Safe and Livable Community* (Initiative 4.2). The Comp Plan provides direction to developers, decision makers and others as to uses the Village envisions for the land within its corporate boundaries. The Village solicited proposals and 5 responses were received. Staff recommends moving forward with Houseal Lavigne Associates. Houseal Lavigne. Their original quote was \$140,000 and did not include two sub-area plans (Village Center and area adjacent to the Tollway), which were quoted at \$15,000 each. Following subsequent negotiations, the Village was able to lower the price to \$111,757, which includes the sub-area plans and does not compromise the quality of the process. Administrator Muetz further stated that the Village has worked with them in the past and they are a solid company to work with and therefore; the plan is to start the update later this year and spread it over two fiscal years. This approach also helps staff as the summer months are the busy season for the Community Development Department.

It was moved by Trustee Balmes, seconded by Trustee Hood to approve Ord. 2016-53 authorizing the execution of a professional service agreement between the Village of Gurnee and Houseal Lavigne Associates, LLC.

Roll call,

AYE: 5- Wilson, Ross, Thorstenson, Balmes, Hood

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

4. Approval of Ord. 2016-54 authorizing execution of Grand Lease Agreement with Vogue Towers I, LLC for a portion of the property located at 4548 Old Grand Avenue.

Administrator Muetz gave a review stating that the Village has been working for the last couple of years to negotiate an agreement with a cell tower management company/cell carrier to construct a monopole at Fire Station #1 and transition current carriers on the water tower over to it. This is a result of the desire to remove the water tower at Fire Station #1 due to its age, condition, and the fact that it has little impact/value on our water system today. Following a few negotiations with other entities that never reached conclusion, staff has been able to reach an agreement with Vogue Towers that we believe is beneficial for both the Village and the carriers. Vogue Towers will construct a new monopole, transition over the two current carriers on the water tower and pay the Village an upfront lump sum of \$30,000 in exchange for 57.5% of the revenue from our current leases and 50% of the revenue from any future leases (monopole will be constructed to hold 2 additional carriers – 4 total). In addition, this agreement provides the Village \$30,000 in revenue that can be used to help offset the costs of removing the water tower at Fire Station 1, therefore eliminating this liability. Administrator Muetz further informed the Board that there would be a second step of approving a Special Use Permit (SUP) for the publically zoned site which will be presented at a future Village Board meeting for consideration. He further made the Board aware that if the SUP is

not approved, the lease will be null and void.

Question(s)

Trustee Ross asked where the new monopole would be located. Assistant Village Administrator/Community Development Director Ziegler stated that the monopole would be tucked right against the south side of the equipment shelter, closer to Old Grand Avenue, but have less visual impact compared to the water tower.

Trustee Thorstenson asked for the height of the replacement monopole. Assistant Village Administrator/Community Development Director Ziegler stated that it is approximately 175 feet tall and will have a capacity for four carriers.

It was moved by Trustee Wilson, seconded by Trustee Blames to approve Ord. 2016-54 authorizing execution of Grand Lease Agreement with Vogue Towers I, LLC for a portion of the property located at 4548 Old Grand Avenue.

Roll call,

AYE: 5- Wilson, Ross, Thorstenson, Balmes, Hood

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

5. Approval of Ord. 2016-55 waiving the competitive bidding requirement and awarding a contract to DataProse LLC for utility bill printing and mailing services with the Village of Gurnee.

Administrator Muetz gave a review stating that the Village outsources the printing and mailing of its utility bills which equates to approximately 65,000 bills annually. The current vendor, with whom the Village has worked with since 2006, has had some significant staff turnover over the past year that has directly impacted the level of service it provides. As a result, the Finance Division contacted 3 different vendors in the surrounding municipalities and recommend DataProse who was the low bidder. In addition, DataProse is able to work with our current data files, reducing the need for technical assistance and therefore hopefully making the transition process smooth. Administrator Muetz further stated that DataProse total price is \$36,075 which is \$1,625 less than the Village currently pays.

Question(s)

Trustee Thorstenson asked for clarification on the term of the agreement. Village Attorney Bryan Winter stated it is a three-year agreement.

It was moved by Trustee Wilson, seconded by Trustee Thorstenson to approve Ordinance 2016-55 waiving the competitive bidding requirement and awarding a contract to DataProse LLC for utility bill printing and mailing services with the Village of Gurnee.

Roll call,

AYE: 5- Wilson, Ross, Thorstenson, Balmes, Hood

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

6. Approval of request from Public Works Department to purchase a Morbark MR18 chipper from Alexander equipment Company at a cost of \$67,723.65 (National Joint Powers Alliance price match).

Administrator Muetz gave a review stating that Public Works 14 year old chipper is scheduled for replacement next fiscal year. Due to two recent developments 1) recently it was discovered that there are metal shavings in the oil (this indicates a breakdown of internal engine components that could be catastrophic) and 2) EPA requirements related to emissions are increasing the cost of the same model chipper by \$12,000 next year, staff moved up the schedule for the replacement. As a result, Public Works began the process to find a replacement machine. The National Joint Powers Alliance (government purchasing co-op to which the

Village is a member) offers an equivalent machine to our current one at a price of \$82,723.65. Public Works then reached out to Alexander Equipment who the Village has a relationship with, matched the price and quoted a trade-in price of \$15,000 for our current chipper bringing the Village's cost to \$67,723.65. Given the importance of this machine as it relates to parkway tree and emergency operations, staff is of the opinion it needs to be replaced.

It was moved by Trustee Wilson, seconded by Trustee Ross to approve request from Public Works Department to purchase a Morbark MR18 chipper from Alexander equipment Company at a cost of \$67,723.65 (National Joint Powers Alliance price match).

Roll call,

AYE: 5- Wilson, Ross, Thorstenson, Balmes, Hood

NAY: 0- None

ABSENT: 0- None

Motion Carried.

7. Approval of request from Public Works Department to waive competitive bidding requirements and purchase to purchase a Wacker WL32 Articulating Wheel Loader from Burris Equipment at a cost of \$69,925.00.

Administrator Muetz gave a review stating the Village has received numerous complaints about the clearing of more readily traveled sidewalks in the Village. In addition, pedestrian mobility was a major theme of the Strategic Plan update, as well as mentioned multiple times during the recent Pedestrian Survey the Village recently conducted. The Public Works Department researched equipment and identified the Wacker articulating wheel loader as a machine capable to clearing narrow sidewalks of snow, as well as performing other duties throughout the year. The machine will allow the Village to begin to plow the sidewalks that were abandoned, as well as add other stretches of sidewalk around the Village. Administrator Muetz further stated that the Village included \$70,000 in the FY 16/17 Budget for this purchase and that Burris Equipment is the territorial distributor for Wacker equipment, including the model WL32 at a cost of \$69,925.00. By ordering the Wacker WL32 Articulating Wheel Loader now, the Village will have it in time for this winter.

Question(s)

Trustee Ross asked if all the picture attachments included in the request come with the equipment. Administrator Muetz stated that they are only show the options available and how versatile the equipment can be.

The Mayor also emphasized that even with the new equipment, sidewalks will not be the immediate concern during the first 24 hours of a snow fall. She further stated that D56 has assured her that all of their students can take the bus and should not be walking and the high school is in the process of putting together a program whereby on snow days, children would be transported to school rather than walking on Grand Avenue. Administrator Muetz commented stating that with the purchase of the new equipment to be specifically used for plowing sidewalks, the Village would look into expanding sidewalks that are plowed and response time.

It was moved by Trustee Balmes, seconded by Trustee Ross to approve request from Public Works Department to waive competitive bidding requirements and purchase to purchase a Wacker WL32 Articulating Wheel Loader from Burris Equipment at a cost of \$69,925.00.

Roll call,

AYE: 5- Wilson, Ross, Thorstenson, Balmes, Hood

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

8. Approval of Resolution 2016-07 establishing certain property of the Village of Gurnee to be surplus (Police Department Units #143, #145, #170, & #176 and Public Works Units #291 & #654).

Administrator Muetz gave a review stating that in conjunction with the arrival of the new police squads, trading in the chipper and Vactor, and a recent accident which totaled a CSO pick-up truck it's appropriate to declare certain property in the Village surplus

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve Resolution 2016-07 establishing certain property of the Village of Gurnee to be surplus (Police Department Units #143, #145, #170, & #176 and Public Works Units #291 & #654).

Roll call,

AYE: 5- Wilson, Ross, Thorstenson, Balmes, Hood

NAY: 0- None

ABSENT: 1- Garner

Motion Carried.

H. PUBLIC COMMENT

None.

Closing Comments

The Mayor reminded the Board of the Gurnee Days Celebration including the Parade.

Adjournment

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

Voice Vote: ALL AYE: Motion Carried.

Mayor Kovarik adjourned the meeting at 8:15 p.m.

**Donna Dallas
Deputy Village Clerk**