

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

**GURNEE VILLAGE HALL  
DECEMBER 5, 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; Scott Drabicki, Village Engineer; Brian Gosnell, Finance Director; Christine Palmieri, Director of Human Resources; Chris Velkover, Information Systems Director; Tom Rigwood, Director of Public Works; Fred Friedl, Fire Chief; Kevin Woodside, Police Chief; Sandra Campbell, Deputy Police Chief; Willie Meyer Deputy Police Chief; Ellen Dean, Economic Development Director, Jack Linehan, Assistant to the Administrator

**Roll Call**

**PRESENT: 6- Balmes, Hood, Wilson, Ross, Garner, Thorstenson**  
**ABSENT: 0- None**

**Pledge of Allegiance**

Mayor Kovarik led the Pledge of Allegiance.

**A. PUBLIC COMMENT**

**Lauren Palmieri  
813 Fuller Road  
Gurnee, IL**

Lauren Palmieri, Gurnee resident and Community Ambassador Supreme with American Royal Spirit Pageants, requested to place a coin donation container at Village Hall for spare change to support Animal Education and Rescue.

Mayor Kovarik said we would be honored to place a collection basket in Village Hall.

**B. APPROVAL OF CONSENT AGENDA**

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

**Roll call,**

**AYE: 6- Balmes, Hood, Wilson, Ross, Garner, Thorstenson**  
**NAY: 0- None**  
**ABSENT: 0- None**  
**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 November 21, 2016 and November 28, 2016 Village Board meetings.
2. Approval of renewing Microsoft Software Assurance maintenance agreement with CDWG at a price of \$21,203.17 (State of Illinois Central Management Services contract).
3. Approval of Payroll for period ending November 26, 2016 in the amount of \$1,050,257.39.
4. Approval of Payroll Transfer Journal for period ending November 26, 2016 in the amount of \$1,014,969.41.
5. Approval of Bills for the period ending December 5, 2016 in the amount of \$946,693.91.

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

**Roll call,**

**AYE: 6- Balmes, Hood, Wilson, Ross, Garner, Thorstenson**  
**NAY: 0- None**  
**ABSENT: 0- None**  
**Motion Carried.**

**D. PETITIONS AND COMMUNICATIONS**

None.

**E. REPORTS**

1. Presentation by Police Chief Kevin Woodside – Body worn cameras and less lethal weapons alternatives.

Chief Woodside presented the following Power Point presentation to the Board:

Body Worn Camera Proposal and Conducted Electrical Weapon Proposal.

Chief Woodside stated the Police Department has been looking into body worn cameras for some time now and is in a position to bring forward a recommendation. He then proceeded to summarize the action to date, issues reviewed, and recommended course of action.

While there has been no public demand from our community or a call from Village leadership for body cameras there is no denying that there is an increasing general expectation that Police are held more accountable and operations are more transparent through the use of video.

Chief Woodside said the Department has been using squad car video for more than a decade and nothing from its experience has pointed to a need for more video to ensure accountability. He said any increase in transparency and accountability is a good thing.

Benefits

1. For the Community.
  - Transparency
  - Accountability
2. For the Police Department
  - Complaint Resolution - Video is the surest way to resolve a complaint against an officer. The objectivity of video can be invaluable in resolving an emotional interaction that is remembered subjectively.
  - Training / Feedback - Video of officer interactions with the public provides objective feedback and a valuable tool for training and continuous improvement.
  - Liability Mitigation - The ability to resolve serious complaints or having video in use of force situations will serve to protect officers and the Village from liability. The cost of implementing and maintaining a body camera system is considerable, however it is inexpensive insurance for the potential liability that dangerous encounters present.
  - Evidence – Squad video has long been valuable evidence, primarily in DUI enforcement and other traffic offenses. Interview room video is required in major investigations and is a very valuable tool. Likewise, body camera evidence will be a useful tool in criminal prosecutions.

Chief Woodside said during 2015 volunteer officers field tested 8 different camera systems from 6 vendors. Field testing concluded before January 1, 2016 (the effective date of the Illinois Law Enforcement Officer Worn Body Camera Act).

He said this new law made use of body cameras voluntary, but once the Village makes the decision, it is bound by all of the provisions of the law. He said not all cameras were able to meet minimum requirements:

- A. 30 second pre-event recording buffer
- B. 10 hour battery life
- C. 90 day video retention

Evaluation criteria:

- Are the cameras reliable and easy to use?
- How durable is the equipment?
- How is the quality of the video?
- The stability and reliability of the vendor?
- How are we going to store all the data?

- How will retention and redaction of videos be managed?
- How are we going to get video files to our prosecutors and in response to citizen requests?

Chief Woodside said the Axon Body 2 has all the features the Department needs, a powerful cloud based platform for handling evidence and is provided by a very strong company. He said 34 major cities and over 6,000 agencies nationwide have chosen this camera system.

Chief Woodside said during discussions regarding the Axon Body 2 cameras the provider presented a program that would include TASER Conducted Electrical Weapon (CEW) systems at no additional cost.

Chief Woodside said when verbal efforts fail to gain compliance, an officer currently has several non-lethal force options, including physical force and pepper spray. If none of these options is appropriate or effective an officer may have to resort to deadly force. He said the gap between the available less lethal options and deadly force can be filled safely and efficiently with Tasers.

Chief Woodside said the Taser works by firing two electrodes up to 15 feet to deliver a 5 second incapacitating current. He said the Taser can be effective even before firing it, often gaining voluntary compliance simply by drawing the weapon and positioning the laser aiming system. The weapon also has a "warning arc" feature that emits an electrical sound which is also effective at gaining compliance without applying any force. He said when less lethal force is necessary the Taser is the safest option available.

Chief Woodside said considering the tens of thousands of interactions that Gurnee Police Officers have with civilians in our community every year it is very fortunate that the situations requiring some level of force only number about 100 per year. These are the situations where the Department will be served by having video and Taser capabilities.

Per the negotiated contract, the Village would pay \$102,064.50 in year one. This includes equipment, licensing, software, storage and warranties for 60 units. Taser has agreed to equip our officers with CEWs at no additional cost. In years 2 through 5 the Village will pay \$84,420.00 annually. The contract calls for new/updated camera equipment at the midway point and new tasers at year 5.

Questions:

Mayor Kovarik asked about discussions Chief Woodside has had internally.

Chief Woodside said the idea has met no significant resistance. He said one concern the officers have is forgetting to turn on the cameras. He said they are looking into ways for the camera to automatically turn on for instance when their pistol is drawn or the emergency lighting is activated.

Trustee Balmes asked if the units would be swapped out between Officers on different shifts.

Chief Woodside said moving the units around is not effective and they need to be charged while the officer is off-duty. He said right now the proposal is for a camera and CEW for each officer.

Trustee Balmes asked if they will have a specific re-charge station.

Chief Woodside said yes and also once the camera unit is cradled the footage will download.

Trustee Thorstenson asked if the cameras and Tasers are worn and if so, are they worn all the time.

Chief Woodside said yes the cameras will worn on their vest and training will decide where to locate the Taser. He said the vest and belt are the main options.

Trustee Garner asked if a Taser will penetrate clothing.

Chief Woodside said that can be a concern but that no weapon is perfect and CEW technology has improved over the years.

Trustee Balmes asked if someone is high or something will the CEW have the same effect.

Chief Woodside said they are very effective but again no weapon is perfect.

Trustee Thorstenson asked how common are CEWs in other departments.

Chief Woodside said that every officer they have brought on from another Police Department has some experience with CEWs and most are surprised Gurnee doesn't use them.

Trustee Balmes asked if Detectives will wear cameras.

Chief Woodside said they will when they are in uniform that will be part of our policy.

Trustee Garner asked what the likelihood of being killed by a CEW is.

Chief Woodside said very small.

Mayor Kovarik said several Officers have had career ending injuries trying to subdue someone and hopefully CEWs will curtail an officer from having to use physical force. She said the cameras combat the public filming everything not from an officer's perspective.

#### **F. OLD BUSINESS**

None.

#### **G. NEW BUSINESS**

1. Approval of issuing a Class One liquor license to Christian Khayat to operate Chicago Wood Fire Pizza Company- 6170 Grand Avenue - #337.

Mr. Muetz said the Khayat Family is working to open a new restaurant in the former Ruby Tuesdays spot at Gurnee Mills. The restaurant, Chicago Wood Fire Pizza Company, is nearing completion. As part of its operations, the owners are requesting a Class 1 Liquor License. A Class 1 allows for the sale of alcoholic liquor for consumption on premise where sold. Since Ruby Tuesdays previously had a Class 1, the license can be transferred. The Police Department has conducted all the necessary background checks and has found nothing to preclude issuing the license.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of issuing a Class One liquor license to Christian Khayat to operate Chicago Wood Fire Pizza Company- 6170 Grand Avenue - #337.

#### **Roll call,**

**AYE: 6- Balmes, Hood, Wilson, Ross, Garner, Thorstenson**

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

2. Approval of Ord. 2016 - 81 authorizing the waiver of certain building permit fees for the expansion of Nypro Chicago located at 955 Tri-State Parkway, Gurnee.

Ellen Dean, Economic Development Director, Ellen Dean summarized in a Power Point presentation the following information regarding the Nypro expansion.

The Nypro Chicago facility at 955 TriState Parkway houses two entities, Nypro and Nypro Mold. Together, they provide design and manufacturing services for companies that bring medical products to market – from sophisticated analytical instrumentation used in laboratories to high-volume consumables used in hospital rooms. Nypro management approached the Village last spring with conceptual plans for a Phase 1 expansion which would add nearly 80,000 square feet to the existing plant and 50-60 new jobs by 2019. The Village engaged Lake County Partners, the State of Illinois

Department of Commerce and Economic Opportunity, and the major utility companies to explore incentives to encourage Nypro's investment here in Gurnee for Phase 1 and for future expansions. Staff looked towards building permit fees to provide an incentive to help secure the expansion in Gurnee. Nypro decided to proceed, and ground was broken this past fall. Nypro's investment in Gurnee for Phase 1 is projected to be \$15.2 million.

Now that building permit applications have been made, staff has a better grasp on the fees involved. Staff recommends a 100% waiver of the first \$20,000 of building permit fees in order to offset the cost of the water main reroute which was not necessary, but requested by the Village to help with system redundancy. In addition, staff is recommending a 50% waiver of all additional building permit fees up to \$30,000, for a combined maximum rebate of \$50,000. The total building permit fee is expected to be up near \$90,000, therefore, the Village will still receive over \$40,000 in revenue that was not anticipated in the FY 16/17 budget. Finally, it is hoped that the fee waiver will help secure future expansions at the Gurnee facility.

Mayor Kovarik said this will keep good jobs in Gurnee.

It was moved by Trustee Wilson, seconded by Trustee Thorstenson to approve of Ord. 2016 - 81 authorizing the waiver of certain building permit fees for the expansion of Nypro Chicago located at 955 Tri-State Parkway, Gurnee.

**Roll call,**

**AYE: 6- Balmes, Hood, Wilson, Ross, Garner, Thorstenson**

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

3. Approval of Ord. 2016 - 82 authorizing the execution of a Professional Service Agreement in the amount of \$222,000.00 between the Village of Gurnee and Strand Associates related to design engineering services for the Knowles Road water tower.

Mr. Muetz stated staff is working on getting ready for the construction of a 2 million gallon water tower on Knowles Road. The tower will provide additional needed pressure west of Hunt Club Road, as well as increase our storage capacity should our water supply from CLCJAWA be impacted. Staff included \$100,000 in the FY 16/17 Approved Budget to start the design engineering process. To initiate this step, staff reached out to five firms with the capacity to complete this work. Following an evaluation process, staff requested a proposal from the preferred firm, in this case, Strand Associates. Strand provided a price of \$222,000 to complete engineering design work, which includes design plans and contract specifications for the tower itself, pressure reducing valves along Hunt Club Road, and a new pump station on Almond Road. Staff expected the proposal to exceed the budgeted amount and therefore contract will carry over across fiscal years. Staff has worked with Strand in the past and has been very pleased with its work. Therefore, staff is recommending the design engineering services contract be award to Strand.

It was moved by Trustee Garner, seconded by Trustee Ross to approve of Ord. 2016 - 82 authorizing the execution of a Professional Service Agreement in the amount of \$222,000.00 between the Village of Gurnee and Strand Associates related to design engineering services for the Knowles Road water tower.

**Roll call,**

**AYE: 6- Balmes, Hood, Wilson, Ross, Garner, Thorstenson**

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

**H. PUBLIC COMMENT**

None.

**Closing Comments** None.

**Adjournment** It was moved by Trustee Balmes, seconded by Trustee Wilson to adjourn the meeting.

**Voice Vote: ALL AYE: Motion Carried.**

Mayor Kovarik adjourned the meeting at 7:27 p.m.

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**Andrew Harris,  
Village Clerk**