

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

**GURNEE VILLAGE HALL
NOVEMBER 20, 2017**

Call to Order	Mayor Kovarik called the meeting to order at 7:01 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; Tom Rigwood, Director of Public Works; John Kavanagh, Fire Chief; Sandra Campbell, Deputy Police Chief; Brian Smith, Deputy Police Chief; Tracy Velkover, Planning Manager, Jack Linehan, Assistant to the Administrator
Roll Call	PRESENT: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes ABSENT: 0- None
Pledge of Allegiance	Mayor Kovarik led the Pledge of Allegiance.
<u>A. PUBLIC COMMENT</u>	None.
<u>B. APPROVAL OF CONSENT AGENDA</u>	<p>It was moved by Trustee Jacobs, seconded by Trustee Balmes to approve the Consent Agenda as presented.</p> <p><u>Roll call,</u> AYE: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes NAY: 0- None ABSENT: 0- None Motion Carried.</p>
<u>C. CONSENT AGENDA / OMNIBUS VOTE</u>	<p>The Village Administrator read the consent agenda for an omnibus vote as follows:</p> <ol style="list-style-type: none">1. Approval of the minutes from the November 6, 2017 Village Board meeting.2. Approval of awarding Route 132 concrete repair project to the low bidder, Copenhaver Construction, Inc., at a cost of \$130,758.00.3. Approval of awarding the Knowles Road pedestrian path project to the low bidder, Schroeder Asphalt Services, Inc., at a cost of \$157,378.80.4. Approval of contract extension with TKG Sweeping and Service, Inc. for 2018 street sweeping services at 2017 cost of \$29.00 per curb mile – annual contract not to exceed \$62,000.00.5. Approval of Firemedic Pat Archambault's request to participate in the Village's tuition assistance program in pursuit of a Bachelor's Degree in Fire Science from Anna Maria College.6. Approval of Payroll for period ending November 10, 2017 in the amount of \$819,269.69.7. Approval of Bills for the period ending November 20, 2017 in the amount of \$1,505,193.01. <p>It was moved by Trustee Garner, seconded by Trustee Balmes to approve the Consent Agenda for an omnibus vote as read.</p> <p><u>Roll call,</u> AYE: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes NAY: 0- None ABSENT: 0- None Motion Carried.</p>

D. PETITIONS AND COMMUNICATIONS

1. Presentation of donation check for the Richard A. Welton Village Plaza flood restoration by Steve Park – Great Lakes Credit Union Board of Directors.

Mr. Park presented Mayor Kovarik with a \$3000 check from the Great Lakes Credit Union to be used towards flood restoration of the Richard A. Welton Village Plaza.

On behalf of the Village of Gurnee Mayor Kovarik thanked Mr. Park and the Great Lakes Credit Union Board of Directors.

2. Approval of a Proclamation designating November 25th and December 2nd, 2017 as Small Business Saturdays in the Village of Gurnee.

Mayor Kovarik read proclamation into record.

It was moved by Trustee Ross, seconded by Trustee Garner to approve of a Proclamation designating November 25th and December 2nd, 2017 as Small Business Saturdays in the Village of Gurnee.

Voice Vote: ALL AYE: Motion Carried

3. Approval of a Proclamation designating December 2017 as National Drunk and Drugged Driving Prevention Month in the Village of Gurnee.

Mayor Kovarik read proclamation into record.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of a Proclamation designating December 2017 as National Drunk and Drugged Driving Prevention Month in the Village of Gurnee.

Voice Vote: ALL AYE: Motion Carried

4. Reminders:

- 24th Annual Jon Callaghan Memorial Turkey Trot – 8:00 A.M., Thursday, November 23rd.
- Annual Northern Illinois Food Bank/Canadian Pacific Railroad Holiday Train – 3:50 P.M., Saturday, December 2nd.
- Mayor Kovarik also informed the Board that on December 4th at noon the Village of Gurnee will be raising the State of Illinois Bicentennial Flag at Welton Plaza.

E. REPORTS

None.

F. OLD BUSINESS

None.

G. NEW BUSINESS

1. Discussion of potential variance application for 4739 Middle Road to allow a shed to encroach into the required rear and side yard setbacks, as well as a utility and drainage easement.

Mr. Drabicki explained the resident at 4739 Middle Road in Providence Village installed a shed without benefit of a permit in a required setback, as well as in a utility and drainage easement. This was discovered by staff during the investigation of a drainage issue in the area. The resident was contacted and subsequently applied for a building permit, but requires a variance to allow the shed to remain in its current location. Prior to the resident applying for the variance, staff wanted to discuss the issue with the Village Board because if there is not support for the request, there is no reason having the resident apply. He continued to state that Providence Village has a significant grade change from O'Plaine Road on the east to the Des Plaines River flood plain on the west. The total drainage area is almost 200 acres and to accommodate this flow and drastic grade change the original drainage design provided significant drainage swales through rear and side yards within utility and drainage easements. He concluded by stating staff is recommending against granting the variance due to the topography of the area and the importance of keeping drainage easements free

Anthony Soler
4739 Middle Rd
Gurnee, IL

of obstructions.

Mr. Soler said the property in question belongs to him and he wanted to make it clear that the structure is not on a slab. He said it is on crushed limestone and the ditch in question is 18 feet away from the rear of his shed. He said his shed doesn't impact his neighbors and he thought if the structure was under 99 square feet he didn't need a permit. He said other neighbors have filled in the drainage ditch on their property and sodded over it.

Trustee Jacobs asked Mr. Drabicki to elaborate on what Mr. Soler has stated about this problem being compounded because of actions other neighbors have taking by filling in the drainage ditch.

Mr. Drabicki said the majority of the lots have made changes to drainage ditch and no action has been taken. He said the changes are not in accordance with the original design plans.

Trustee Balmes asked if the Village is going to do something about this issue.

Mr. Drabicki said it is Village Policy not to do work on private property unless there is a public benefit. He said instead staff will provide advice on what should be done.

Trustee Balmes asked if the neighborhood has a Homeowners Association and are they doing anything about this problem.

Mr. Drabicki said yes they have a Homeowners Association but he is not sure if they plan to address this issue.

Mayor Kovarik asked what the guidelines are for placement of this type of structure.

Mr. Drabicki said 3 feet off the side of the property line and 5 feet off the rear of the property line.

Trustee Ross said if he had come to the Village for a permit where would we have recommended he place the structure.

Mr. Drabicki said we would have informed him to place it outside of the easement.

Trustee Ross asked where that would be.

Mr. Drabicki said outside the setbacks and the easement area, which would be approximately 40 feet from the back of the house.

Trustee Hood said in looking at this recommendation he doesn't think it is wise for the Village to release easement rights.

Mayor Kovarik asked if that was the consensus. She continued to ask about working to resolve the issue with neighboring properties.

Mr. Drabicki said that won't be easy to do because it would require bringing in equipment to perform the work needed and the neighbors might not like heavy machinery in their backyards.

Mayor Kovarik asked if the Village had the right to do it.

Mr. Drabicki said yes.

Attorney Winter said he believes it would be better for the Village to give advice and have the homeowners fix the problems themselves. He said he doesn't see easy access to the problem area. He said the Village should do a cost benefit analysis and may find out that there are other similar issues within the Village that might need more immediate attention. He said this is difficult to address and each Trustee will need to make a decision.

Mayor Kovarik said the consensus is if the petitioner went forward with this request it would be turned down. She said the Village will look into a way to put the proper drainage back to the way it should be. This would most likely take place over a few years.

Trustee Garner said if the Village does correct the problem by inserting a new drainage ditch how do we make sure that the ditch doesn't get filled in again.

Attorney Winter explained the options and said this is a legal easement and should be maintained.

Trustee Hood said the Homeowners Association should be contacted.

Mr. Soler asked where he should put the shed. He said he is being told two different things. He said the Village told him 3 feet from the side and 5 feet from the rear of the property when he went in for the permit, the easement was not mentioned. He said now he is being told 25 feet from the rear of his property which will put the shed in the middle of his yard. He continued to state the drainage is not near his rear property line and again reiterated the issue with people around him filling in the ditch.

Mayor Kovarik stated staff need to look into the drainage easement further and reestablishing it as it was designed. She stated this may be expensive, but should be addressed.

Mr. Drabicki clarified there are two drainage patterns that results from the subdivision being developed in phases.

Mr. Soler stated he feels moving the shed is a burden and there are other properties with sheds in the easement. He also stated he was not told about the easement when he inquired about a permit.

Mr. Drabicki stated until the plat of survey is provided for the property with the building permit application, staff can only provide general information related to setbacks. He stated zoning requirements and easements are two separate issues. That is why that plat is required when a permit is applied for.

Mayor Kovarik concluded by stating staff will look into the larger issue related to the drainage in the area.

2. Approval of Ord. 2017 - 51 granting a Special Use Permit pursuant to the Gurnee Zoning Ordinance for 4150 Grove Avenue.

Mr. Muetz said Wendy's on Delany recently underwent an interior and exterior renovation. With the project nearing completion, its sign contractor is requesting a Special Use Permit for two additional wall signs. The first is a 31 sq. ft. non-illuminated letter set directly mounted to the south wall between pick-up windows. The sign will read "Quality Service that Doesn't Cut Corners is our Recipe" and is aimed towards drive thru customers. The second sign is 18 sq. ft. illuminated sign mounted on the east wall of the building. It's a screened box sign that reads "Quality is our Service." He stated in this instance the sign code allows 3 wall signs; 2 are allowed to be 100 sq. ft. each and the third is allowed to be 42.5 sq. ft. The 3 signs currently installed are all 32 sq. ft. each. The additional signage totals 49 sq. ft., therefore the total signage installed would be 145 sq. ft. vs. the 242.5 sq. ft. total allowed under the sign code. Muetz concluded by stating the Planning & Zoning Board reviewed the request on November 1, 2017 and found that the SUP standards were met and the signage request was reasonable and is therefore forwarding a unanimous favorable recommendation.

It was moved by Trustee Garner, seconded by Trustee Thorstenson to approve of Ord. 2017 - 51 granting a Special Use Permit pursuant to the Gurnee Zoning Ordinance for 4150 Grove Avenue.

Roll call,

AYE: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes

NAY: 0- None

ABSENT: 0- None

Motion Carried.

3. Approval of Ord. 2017 - 52 approving the Plat of Easement which vacates and dedicates easement on Lot 1 of the Key Lime Cove Subdivision parcel.

Mr. Muetz said the redevelopment of the Great Wolf Lodge site includes an expansion of the water park to the northwest of the existing building. The expansion encroaches into an existing public water main loop that runs around the building which required the removal and relocation of the water main. Relocation work has been completed therefore it is appropriate for the Village to consider vacating the existing easement and accepting a dedication of new easement over the new water main. A surveyor working for Great Wolf has prepared a Plat of Easement vacating and dedicating new as required. Staff has reviewed the document and has found everything to be in order.

It was moved by Trustee Balmes, seconded by Trustee Ross to approve of Ord. 2017 - 52 approving the Plat of Easement which vacates and dedicates easement on Lot 1 of the Key Lime Cove Subdivision parcel.

Roll call,

AYE: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes

NAY: 0- None

ABSENT: 0- None

Motion Carried.

4. Approval of Ord. 2017 - 53 authorizing the transfer of funds from the Emergency Telephone System Board Fund to the Northeast Lake County Consolidated Emergency Telephone System Board Fund.

Mr. Muetz said as a result of consolidation between Gurnee and Zion's Emergency Telephone Systems Boards, the individual 911 Boards no longer exist and rather both entities are represented on the Northeast Lake County Consolidated Emergency Telephone System Board (NLCC-ETSB). As part of the intergovernmental agreement and the order of the Statewide 911 Administrator, the individual Zion and Gurnee ETSB funds are to be transferred to the consolidated entity. The transfer includes any balance remaining at 4/30/17, as well as any revenues distributed to the individual ETSB funds for the months of May and June. He concluded by stating Zion will be passing a similar ordinance and transferring its remaining balance to the NLCC-ETSB as well.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of Ord. 2017 - 53 authorizing the transfer of funds from the Emergency Telephone System Board Fund to the Northeast Lake County Consolidated Emergency Telephone System Board Fund.

Roll call,

AYE: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes

NAY: 0- None

ABSENT: 0- None

Motion Carried.

5. Approval of Ord. 2017 - 54 abating the tax heretofore levied for the year 2017 to pay Debt Service on \$9,995,000.00 General Obligation Bonds, Series 2011 of the Village of Gurnee, Lake County, Illinois (\$1,199,450.00 annual debt service).

Mr. Muetz said this is the Village's annual debt service abatement. He said revenue from the General Fund is transferred to the Bond Fund each year to cover these obligations. This Village is down to just one bond issue to abate: Series 2011 bonds relate to the Gurnee Mills Redevelopment project (i.e.: primarily Macy's construction) and it will be paid off in December 2022.

It was moved by Trustee Garner, seconded by Trustee Jacobs to approve of Ord. 2017 - 54 abating the tax heretofore levied for the year 2017 to pay Debt Service on \$9,995,000.00 General Obligation Bonds, Series 2011 of the Village of Gurnee, Lake County, Illinois (\$1,199,450.00 annual debt service).

Roll call,

AYE: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes

NAY: 0- None

ABSENT: 0- None

Motion Carried.

6. Approval of Police Department request to waive bidding requirements and award a one-year maintenance contract for Police radio equipment to Motorola Solutions at a total cost of \$23,513.42.

Mr. Muetz said the Police Department operates an array of Motorola radio equipment that has been maintained by Motorola. This relationship dates back to the early 1980s. He said the most recent maintenance agreement with Motorola expired September 1st. The contract was \$16,664.28 per year and covered only 4 pieces of equipment which are foundational components of the Village's radio infrastructure. The revised contract includes 14 pieces of equipment. The equipment added includes radio receivers located both on-site at the Police facility, as well as other locations throughout the Village such as water towers that were previously on a time and material basis. The Department has included the appropriate funding in its FY 17/18 budget to cover the expense.

It was moved by Trustee Balmes, seconded by Trustee Jacobs to approve of Police Department request to waive bidding requirements and award a one-year maintenance contract for Police radio equipment to Motorola Solutions at a total cost of \$23,513.42.

Roll call,

AYE: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes

NAY: 0- None

ABSENT: 0- None

Motion Carried.

7. Approval of Police Department request to pledge up to \$10,000.00 Police Department Restricted Revenue Funds (Asset Forfeiture Funds) to support the Lake County Underage Drinking and Drug Prevention Task Force's "A Way Out" program.

Mr. Muetz said the Police Department Restricted Revenue Funds accounts for funds acquired through the outcome of drug-related criminal cases. Federal and State law requires that these funds be expended locally towards law enforcement efforts, therefore how the funds can be used are limited. The fund balance in the Police Department Restricted Revenue fund is currently a little less than \$100,000. He continued to say the Police Department is requesting to pledge up to \$10,000 from the Fund to help support the "A Way Out" program. "A Way Out" is a partnership between law enforcement and healthcare/treatment providers designed to fast-track users to substance abuse programs and services. Gurnee was one of the seven initial Departments to adopt the program. To date, the program has reached over 250 people, with 40% of that total coming through the Gurnee Police Department. Recently A Way Out lost federal grant funding that jeopardizes staffing to support the program. As a result, Task Force is requesting financial assistance while it works to identify sustainable funding. The Lake County Board has agreed to provide a one-time award of \$50,000 to the Task Force on the condition it comes up with matching funds. Four other law enforcement agencies have committed financial support towards this match.

It was moved by Trustee Ross, seconded by Trustee Garner to approve of Police Department request to pledge up to \$10,000.00 Police Department Restricted Revenue Funds (Asset Forfeiture Funds) to support the Lake County Underage Drinking and Drug Prevention Task Force's "A Way Out" program.

Roll call,

AYE: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes

NAY: 0- None

ABSENT: 0- None

Motion Carried.

8. Confirmation of emergency situation and execution of a contract for emergency sanitary sewer interceptor lining with the low bidder, Hoerr Construction, Inc. in the amount of \$23,370.00 under Village of Gurnee Purchasing Policy Section 2.1.4.

Mr. Muetz said as was summarized in an email to the Village Board dated November 9, 2017, staff made the decision to execute an emergency contract with Hoerr Construction, Inc. in the amount of \$23,370.00 related to an 18" sanitary sewer interceptor along Route 21. This interceptor failed October 16th and an emergency repair was made to stabilize the pipe. Further investigation revealed 205' of pipe that has lost its structural integrity. He stated this pipe takes sewage from 2.3 square miles of land and another failure could have a dramatic impact on the area. Despite the need to act quickly, Engineering staff was able to solicit 2 bids, with Hoerr being the low bidder. Due to the lead time on material and the current condition of the pipe, staff felt it necessary to get the process started and I executed the contract.

It was moved by Trustee Jacobs, seconded by Trustee Garner to approve of emergency situation and execution of a contract for emergency sanitary sewer interceptor lining with the low bidder, Hoerr Construction, Inc. in the amount of \$23,370.00 under Village of Gurnee Purchasing Policy Section 2.1.4.

Roll call,

AYE: 6- Hood, Thorstenson, Jacobs, Ross, Garner, Balmes

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 Garner to adjourn the meeting.

Voice Vote: ALL AYE: Motion Carried.

Mayor Kovarik adjourned the meeting at 8:05 p.m.

**Andrew Harris,
Village Clerk**