

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

**GURNEE VILLAGE HALL
APRIL 15, 2019**

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; Brian Gosnell, Finance Director; Christine Palmieri, Director of Human Resources; Tom Rigwood, Director of Public Works; John Kavanagh, Fire Chief; Brian Smith, Interim Police Chief; Jesse Gonzalez, Deputy Police Chief; Willie Meyer, Police Commander; Ellen Dean, Economic Development Director, Jack Linehan, Assistant to the Administrator

Roll Call

PRESENT: 4- Balmes, Hood, Thorstenson, Ross
ABSENT: 2- Jacobs, Garner

Pledge of Allegiance

Mayor Kovarik led the Pledge of Allegiance.

**A. APPROVAL OF
CONSENT AGENDA**

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

Roll call,

AYE: 4- Balmes, Hood, Thorstenson, Ross
NAY: 0- None
ABSENT: 2- Jacobs, 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 April 1, 2019 Village Board meeting.
2. Approval of Ord. 2019 -24 accepting the Plat Amendment to the Hunt Club Farms Unit III Subdivision.
3. Approval of Engineering Division's recommendation to award the 2019 Concrete Sidewalk and Curb Replacement Program to Schroeder & Schroeder at a cost not to exceed \$100,000.00 (Joint Bid Consortium Program).
4. Approval of Payroll for period ending March 29, 2019 in the amount of \$804,430.40.
5. Approval of Bills for the period ending April 15, 2019 in the amount of \$1,491,072.79.

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

Roll call,

AYE: 4- Balmes, Hood, Thorstenson, Ross
NAY: 0- None
ABSENT: 2- Jacobs, Garner
Motion Carried.

**C. PETITIONS AND
COMMUNICATIONS**

1. Presentation of Gurnee Police Department Saved by the Belt Award to Deionandre, Joel, Jahlil, and Jionni Glover related to a motor vehicle accident on November 2nd, 2018.

Interim Police Chief Smith presented each member of the family with an award and thanked them for wearing their seatbelts.

2. Approval of Proclamation designating April 26, 2019 as "Arbor Day" in the Village of Gurnee.

Mayor Kovarik read into record.

It was moved by Trustee Thorstenson, seconded by Trustee Balmes to approve of a Proclamation designating April 26, 2019 as "Arbor Day" in the Village of Gurnee.

Voice Vote: ALL AYE: Motion Carried.

D. REPORTS

1. Report by Assistant Administrator/Community Development Director David Ziegler - Impact of FoxConn Development to the Des Plaines River Watershed/Village of Gurnee.

David Ziegler provided a summary of the report Christopher Burke Engineering conducted for the Lake County Stormwater Management Commission related to the FoxConn Development in Wisconsin. He stated the development totals over 4000 acres with 2094 acres in the Des Plaines Watershed. Ziegler stated of the 2094 acres, 1500 acres are development area and 400 acres are related to I-94 reconfiguration with the remainder related to local roadway improvements. Phase 1 of the project is over 800 acres with half of this in the Des Plaines watershed.

He stated there are 3 main factors related to the development that will impact Gurnee. First is Depressional Storage that is impacted/filled-in and is not being compensated for. If Lake County standards were applied over 59 acre feet of storage would be required. Second is that Detention Sizing required by the State of Wisconsin is different in terms of standards used and how quickly they allow the basins to drain. This results in an additional loss of 20 acre feet of storage. The third concern is Flood Plain Fill and not requiring compensatory storage. This results in additional loss of storage. These three concerns result in the loss of a total of 90 acre feet of stormwater storage. Wisconsin is providing 125 acre feet of storage. If Lake County standards were applied they would be required to provide 192 acre feet. He stated the impact on Gurnee is difficult to determine, but over a 24-hour period it would result in an increase of approximately 2 inches in river level compared to what the Village currently experiences. This is just Phase 1. The concern is the development of additional phases and the cumulative impact on Gurnee. This could quick result in inches of impact transitioning into feet. Ziegler next reviewed recommendations from Christopher Burke Engineering. He concluded his presentation by answering questions.

Mayor Kovarik asked if the Village could find land to mitigate the loss of storage in Wisconsin.

Mr. Ziegler stated finding this much land north of Gurnee in the watershed may be difficult.

Mayor Kovarik then asked Ziegler to explain the new rainfall standards that are being discussed.

Mr. Ziegler stated detention areas are currently based off of statistics from a study adopted approximately 20 years ago. This information has been updated by the University of Illinois and as a result the rainfall standards used are expected to increase which will lead to larger stormwater requirements for all new developments.

Trustee Balmes questioned based on the information provided tonight, what would have 2017 crest been.

Mr. Ziegler stated it would have been approximately two inches higher.

Trustee Ross asked if staff expects the new administration in Wisconsin will impact the current project and regulations. She also asked about development in Pleasant Prairie and how that will impact Gurnee.

Mr. Ziegler stated he has no information on the new administration's position on the project or regulations. He continued to say all development in the watershed will impact Gurnee.

Trustee Thorstenson asked what governing bodies are involved and

may be receptive to feedback.

Mr. Ziegler listed numerous bodies including the State of Wisconsin, FEMA, US Army Corp of Engineers and Southeast Wisconsin Planning Council.

Mayor Kovarik said that there were no discussion topics on the agenda for the April 22nd 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 April 22, 2019.

Voice Vote: ALL AYE: Motion Carried.

E. OLD BUSINESS

None.

F. NEW BUSINESS

1. Approval of Ord. 2019 - 25 authorizing the Fifth Amendment to the agreement between the Northern Illinois Municipal Electric Collaborative (NIMEC) and the Village of Gurnee for consulting services regarding an Electricity Aggregation Program.

Assistant to the Administrator Jack Linehan reviewed the history of the residential electrical aggregation program. He stated the program was approved by referendum. Early on, there were large savings but more recently the Com Ed rate has become much more competitive and savings have been reduced. He stated for the first time in the history of the program Com Ed had an unexpected rate drop, which has resulted in providers eliminating community-wide opt-out provisions. Linehan stated the difference in the Com Ed and Village rate is only fractions of a penny. The Village publicized this in case residents want to opt-out on their own. Linehan then provided the Village Board some information on the Village's consultant NIMEC. Overall the average resident is estimated to save approximately \$400 since the program started, with 77% of residents participating.

Mr. Linehan then reviewed the timeline going forward if the amendment to the current agreement is approved. He stated the Village is an opt-out program, therefore every resident is in the program automatically and a home must opt itself out if it does not want to participate. Linehan further stated the Village's rate is a flat rate with no hidden fees.

Trustee Thorstenson asked how much the Village can contribute in the letter that is sent out to residents.

Mr. Linehan said the information included is set by the State statute so there is not much room for the Village to modify it.

Trustee Thorstenson asked how other communities have handled the compression in savings.

Mr. Linehan stated some communities have decided to discontinue the program.

Mayor Kovarik asked if the Village took a year off from the program could it reactivate it later.

Mr. Linehan stated that was his understanding.

It was moved by Trustee Ross, seconded by Trustee Balmes to approve of Ord. 2019 - 25 authorizing the Fifth Amendment to the agreement between the Northern Illinois Municipal Electric Collaborative (NIMEC) and the Village of Gurnee for consulting services regarding an Electricity Aggregation Program.

Roll call,

AYE: 4- Balmes, Hood, Thorstenson, Ross

NAY: 0- None

ABSENT: 2- Jacobs, Garner

Motion Carried.

2. Approval of Ord. 2019 - 26 authorizing the transfer of funds from the General Fund to the Capital Improvement Fund and Water & Sewer Capital Improvement Fund.

Administrator Muetz said there is some projected surplus at the end of FY 18/19 in the General Fund. As discussed and included in the proposed budget, staff is recommending the transfer of \$1.3 million from the General Fund to the Capital Improvement Fund and \$200,000 from the General Fund to the Water & Sewer Capital Improvement Fund. The transfer of FY 18/19 surplus will be used to support FY 19/20 projects. As it was not included in the 18/19 Approved Budget, it's prudent to memorialize the transfer via an ordinance.

It was moved by Trustee Thorstenson, seconded by Trustee Ross to approve of Ord. 2019 - 26 authorizing the transfer of funds from the General Fund to the Capital Improvement Fund and Water & Sewer Capital Improvement Fund.

Roll call,

AYE: 4- Balmes, Hood, Thorstenson, Ross

NAY: 0- None

ABSENT: 2- Jacobs, Garner

Motion Carried.

3. Approval of Ord. 2019 - 27 approving an equipment loan with Gurnee Community Bank for a term of 36 months in the amount of \$31,334.14 (Bittersweet Golf Course Toro Multi-Pro Sprayer 1750).

Administrator Muetz said, on December 17, 2018 the Village Board approved a lease agreement with PNC Bank to purchase a Toro Multi-Pro Sprayer for Bittersweet Golf Course. The sprayer replaced a unit from 1991. The sprayer is used for weed control, insect control, fungus control, snow mold prevention and fertilization. The golf course communicated it wanted to get the sprayer in ASAP so it was ready to use as soon as the snow melts. As such, the Village partnered with PNC Bank but stated we would be back before the Board before May 1st requesting to partner with Gurnee Community Bank to pay off the PNC lease with a loan at the lower interest rate from Gurnee Community Bank (36 month term @ 3.6% fixed rate vs PNC's 41 months @ 5%). Similar to prior arrangements, while the Village will own the sprayer, all payments will be made by the golf course.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve of Ord. 2019 - 27 approving an equipment loan with Gurnee Community Bank for a term of 36 months in the amount of \$31,334.14 (Bittersweet Golf Course Toro Multi-Pro Sprayer 1750).

Roll call,

AYE: 4- Balmes, Hood, Thorstenson, Ross

NAY: 0- None

ABSENT: 2- Jacobs, Garner

Motion Carried.

4. Approval of Engineering Division's recommendation to award the 2019 Street Resurfacing Program to the low bidder, Payne & Dolan, at a cost of \$3,476,672.00.

Administrator Muetz said the Village budgeted \$5.0 million for transportation system improvements in the FY 19/20 budget. Of the \$5.0 million, \$3.7 million is ear-marked for reconstruction/resurfacing. The 2019 Street Resurfacing Program consists of 4.7 miles of street resurfacing/rehabilitation and pavement patching. Resurfacing will include portions of Dada, Kingsport, Laurel, Scarborough, Scranton, Queen Ann, Tri-State Parkway, S. Dilleys, Woodlake, as well as patching in numerous locations throughout the Village. The PCI breakdown for the 2019 program includes 17% rated as "Failed", 55% rated as "Poor" and 28% rated as "Fair." Payne & Dolan was the low bidder at \$3.47 million. The Engineer's estimate for the program was \$3.61 million.

Mayor Kovarik asked about work on Meadowlark

Mr. Muetz said extensive patching will be conducted this year, followed by asphalt overlay the following year.

It was moved by Trustee Balmes, seconded by Trustee Ross to approve of Engineering Division's recommendation to award the 2019 Street Resurfacing Program to the low bidder, Payne & Dolan, at a cost of \$3,476,672.00.

Roll call,

AYE: 4- Balmes, Hood, Thorstenson, Ross

NAY: 0- None

ABSENT: 2- Jacobs, Garner

Motion Carried.

G. PUBLIC COMMENT

**Diane Surufka
1336 Sunrise Ln
Gurnee, IL**

Ms. Surufka stated she is concerned about the Toro Sprayer that was approved earlier in the meeting as she googled it and it appears it uses diesel fuel. She then expressed concerns about the condition of the curbs along Lawson Drive. She stated there are drainage issues and asked if the contractor approved earlier on the agenda was the same contractor from last year. Staff responded no. She stated she remains concerned about drainage flow along Lawson near Sunrise.

**Jolanta Pomiotlo
4981 South Rd
Gurnee, IL**

Ms. Pomiotlo stated she remains concerned about ethylene oxide. She stated federal agencies will not assist and are loosening regulations instead of tightening them. She then provided an update on state legislation. Ms. Pomiotlo then stated she is concerned that the Lake County Health Department testing plan is inadequate. She continued to mention public education events she has participated in. She concluded by sharing what she believes are five facts about ethylene oxide.

Mayor Kovarik stated the EPA has been cooperative, testing advice is coming from experts and not citizens and residents should rely on the Village's website for information not newspaper articles. She continued to say the Village is very well informed and has remained in constant contact with federal and state officials.

**Eric Sindermann
5011 Prairie Oak Rd
Gurnee, IL**

Mr. Sindermann stated he and his sister are again submitting FOIA requests to the Gurnee Police Department. He stated he is concerned the Police Department will not honor it and believes the Department continues to withhold information. He then provided the Village Board a copy of the requests.

H. EXECUTIVE SESSION

Adjournment to Executive Session

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

5 ILCS 120/2 2 (c) (6) which states: The setting of a price for sale or lease of property owned by the public body.

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

Roll call,

AYE: 4- Balmes, Hood, Thorstenson, Ross

NAY: 0- None

ABSENT: 2- Jacobs, Garner

Motion Carried.

Recall to Order

Mayor Kovarik adjourned the meeting into Executive Session at 8:08p.m.

Mayor Kovarik recalled the meeting to order at 8:18 p.m.

PRESENT: 4- Balmes, Hood, Thorstenson, Ross

ABSENT: 2- Jacobs, Garner

Closing Comments

None.

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 8:19 p.m.

**Andrew Harris,
Village Clerk**