

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

**GURNEE VILLAGE HALL  
MAY 6, 2019**

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**Call to Order**

Mayor Kovarik called the meeting to order at 7:02 p.m.

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**Other Officials in Attendance**

Patrick Muetz, Village Administrator; David Ziegler, Assistant Village Administrator / Community Development Director; Heather Galan, Village Engineer; Bryan Winter, Village Attorney; Brian Gosnell, Finance Director; Christine Palmieri, Director of Human Resources; Chris Velkover, Information Systems Director; Tom Rigwood, Director of Public Works; John Kavanagh, Fire Chief; Brian Smith, Police Chief; Jesse Gonzalez, Deputy Police Chief; Jeremy Gaughan, Police Commander; Willie Meyer, Police Commander; Ellen Dean, Economic Development Director, Jack Linehan, Assistant to the Administrator

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**Roll Call**

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

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**Pledge of Allegiance**

Mayor Kovarik led the Pledge of Allegiance.

Mayor Kovarik read the following statement:

Our sincerest condolences and prayers go out to the families who have lost a loved one and those that are recovering from injuries are in our prayers daily from the terrible work place accident this past Friday.

I am incredibly thankful and proud of the skill and bravery of the Gurnee Fire Department Friday evening. It was our Black Shift led by Battalion Chief David Douglass. Many of our FF's from other shifts rushed in to help, assist or serve as back-up. Chief Kavanagh, thank you for your leadership and management of the department.

I am also thankful the Village Board continues to invest in the best training, resources and equipment for our fire department. Countless hours of planning and training go into preparedness for these types of incidents that we pray never happen. But when they do, we have the absolute best of the best protecting this Village.

That includes the extraordinary handling of an unprecedented number of calls by our communication operators who also stayed laser focused on communicating vital, critical information to our teams at the scene, coordinating coverage of the Village and additional support from outside agencies.

Our police officers were instrumental in securing the scene so the fire department could work and making sure additional personnel were able to access the scene as they arrived.

Our utility team stayed on top of our water distribution system thru the night to ensure there was adequate pressure and no interruption of service with the system under stress.

And I'm appreciative of Jack's efforts and decisions on how much and what information to release to our residents plus managing inquiries and social media with Battalion Chief Heraver. If at any moment it was determined there was the slightest risk to the public we would have been able to make that notification including instructions in a matter of minutes to every single household.

To everyone who responded and worked Friday night into Saturday morning - the Village Board and I are proud and say thank you. And even those not on duty Friday night, every department contributes and supports in some way when police and Fire respond to an emergency - so our pride and thanks extend to the whole team for what all of you do every day to protect this community.

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**A. TRANSITION**  
**BUSINESS**

1. Approval of the minutes from the April 15, 2019 Village Board Meeting.

It was moved by Trustee Thorstenson, seconded by Trustee Garner to approve of the minutes from the April 15, 2019 Village Board Meeting.

**Roll call,**

**AYE: 5- Hood, Thorstenson, Ross, Garner, Balmes**

**NAY: 0- None**

**ABSENT: 1- Jacobs**

**Motion Carried.**

2. Approval of Payroll for period ending April 12, 2019 in the amount of \$796,493.92.

It was moved by Trustee Ross, seconded by Trustee Thorstenson to approve of Payroll for period ending April 12, 2019 in the amount of \$796,493.92.

**Roll call,**

**AYE: 5- Hood, Thorstenson, Ross, Garner, Balmes**

**NAY: 0- None**

**ABSENT: 1- Jacobs**

**Motion Carried.**

3. Approval of Payroll for period ending April 26, 2019 in the amount of \$833,230.08.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of Payroll for period ending April 26, 2019 in the amount of \$833,230.08.

**Roll call,**

**AYE: 5- Hood, Thorstenson, Ross, Garner, Balmes**

**NAY: 0- None**

**ABSENT: 1- Jacobs**

**Motion Carried.**

4. Approval of Bills for the period ending May 6, 2019 in the amount of \$873,196.71.

It was moved by Trustee Thorstenson, seconded by Trustee Garner to approve of Bills for the period ending May 6, 2019 in the amount of \$873,196.71.

**Roll call,**

**AYE: 5- Hood, Thorstenson, Ross, Garner, Balmes**

**NAY: 0- None**

**ABSENT: 1- Jacobs**

**Motion Carried.**

5. Presentation of plaque to Trustee Jacobs.

Trustee Jacobs was unable to attend the meeting as he was out-of-state at his son's college graduation.

6. Administration of the Oath of Office for newly elected official by Judge Diane Winter.

Judge Winter administered the Oath of Office to Trustee Garner, Trustee O'Brien and Trustee Ross. They each brought up members of their family and briefly spoke.

7. Roll Call of newly seated Board by Village Clerk Harris.

**PRESENT: 6- Balmes, Hood, Thorstenson, Ross, Garner, O'Brien**

**ABSENT: 0- 0**

**B. APPROVAL OF  
CONSENT AGENDA**

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

**Roll call,**

**AYE: 6- Balmes, Hood, Thorstenson, Ross, Garner, O'Brien**

**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 Ord. 2019 - 28 removing one Class 1 and one Class 7 Liquor License by amending Section 6-56 of Article II of Chapter 6 of the Gurnee Municipal Code entitled "Alcoholic Beverages".
2. Approval of Engineering Division's recommendation to award 2019 Cracksealing Program to Patriot Pavement Maintenance at a cost not to exceed \$75,000.00 (Lake County Municipal League Cooperative Purchasing Program – 2017 Pricing).
3. Approval of Engineering Division's recommendation to award 2019 Pavement Marking Program to Precision Pavement Marking, Inc. at a cost not to exceed \$50,000.00 (Lake County Municipal League Cooperative Purchasing Program – 2018 Pricing).

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

**Roll call,**

**AYE: 6- Balmes, Hood, Thorstenson, Ross, Garner, O'Brien**

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

**D. PETITIONS AND  
COMMUNICATIONS**

1. Presentation of Gurnee Teacher of the Year awards:
  - Kathy Kibitlewski – Gurnee School District 56
  - Vianey Soriaga – Woodland School District 50
  - Jason Jecmen – Warren Township High School District 121

Colleen Pacquette, Gurnee School District 56 Superintendent, introduced and spoke briefly about Kathy Kibitlewski.

Lori Casey, Woodland School District 50 Associate Superintendent of Education, introduced and spoke briefly about Vianey Soriaga.

John Ahlgrim, Warren Township High School District 121 Superintendent, introduced and spoke briefly about Jason Jecmen.

Mayor Kovarik, Trustee Hood, Don Henderson and State Representative Joyce Mason presented each teacher with a plaque. In recognition of their achievements, Mr. Henderson also presented each recipient with a check from the Donald Henderson Foundation.

2. Administration of oath of office for the promotion of Deputy Police Chief Brian Smith to Police Chief.

Mayor Kovarik administered the Oath of Office and Chief Smith briefly spoke introducing his family and thanking everyone that came out to support him.

3. Administration of oath of office for the promotion of Police Commander Jesse Gonzalez to Deputy Police Chief.

Mayor Kovarik administered the Oath of Office and Deputy Chief Gonzalez introduced his family and briefly spoke.

4. Approval of staff and advisory board appointments as recommended by Mayor Kovarik:

Village Staff:

Village Administrator: Patrick Muetz

Community Development Dir/Asst Village Administrator: David Ziegler

Village Engineer: Heather Galan

Public Works Director: Tom Rigwood

Police Chief: Brian Smith

Fire Chief/ ESDA Director: John Kavanagh

Finance Director: Brian Gosnell

Treasurer: Patrick Muetz

IMRF Agent: Brian Gosnell

Budget Officer: Patrick Muetz

Village Attorney: Bryan Winter  
Deputy Village Clerk: Donna Dallas

Planning and Zoning Board:  
Board Member – Term Expiring 4/30/21 Tim Garrity  
Board Member – Term Expiring 4/30/21 Josh Pejsach  
Board Member – Term Expiring 4/30/21 Laura Rielly  
Board Member – Term Expiring 4/30/21 David Nordentoft

Civil Service Commission:  
Commissioner – Term Expiring 4/30/22 Diane Summers

Ethics Commission:  
Commissioner – Term Expiring 4/30/22 Robert Monahan

Police Pension Board:  
Board Member – Term Expiring 4/30/21 John Moenter

Fire Pension Board:  
Board Member – Term Expiring 4/30/21 Mary Jo Kollross

Administrative Hearing Officer:  
Term Expiring 4/30/20 Yolanda Torrez

It was moved by Trustee Balmes, seconded by Trustee Ross to approve of staff and advisory board appointments as recommended by Mayor Kovarik.

**Roll call,**

**AYE: 6- Balmes, Hood, Thorstenson, Ross, Garner, O'Brien**

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

5. Approval of Proclamation designating May 2019 as "Building Safety Month" in the Village of Gurnee.

Mayor Kovarik read into record.

It was moved by Trustee Garner, seconded by Trustee Thorstenson to approve of a Proclamation designating May 2019 as "Building Safety Month" in the Village of Gurnee.

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

6. Approval of Proclamation designating May 12 - 18, 2019 as "National Police Week" in the Village of Gurnee.

Mayor Kovarik read into record.

It was moved by Trustee O'Brien, seconded by Trustee Ross to approve of a Proclamation designating May 12 - 18, 2019 as "National Police Week" in the Village of Gurnee.

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

7. Approval of Proclamation designating May 19 - 25, 2019 as "National Public Works Week" in the Village of Gurnee.

Mayor Kovarik read into record.

It was moved by Trustee Balmes, seconded by Trustee O'Brien to approve of a Proclamation designating May 19 - 25, 2019 as "National Public Works Week" in the Village of Gurnee.

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

**E. REPORTS**

1. Report by Assistant to the Administrator Jack Linehan – Residential Refuse and Recycling Contract Renewal.

Assistant to the Village Administrator Jack Linehan presented the Waste Management (WM) renewal proposal. The most recent contract was approved in May of 2014 and had a five-year term. Per the current agreement, the Village has the option to renew service if

it determines it is in the best interest of the community. Staff worked in conjunction the Village of Grayslake and Warren Township to secure joint pricing. The Solid Waste Agency of Lake County (SWALCO) assisted the group by performing a review of surrounding community pricing and service levels. The review of recent RFPs in the area did not indicate favorable pricing. Based on this review, combined with the Village's experience with WM, staff determined it made financial sense to negotiate a contract extension.

Assistant to the Village Administrator Linehan highlighted the contract details as:

- Rate reduction of \$0.30 in Year 1 base refuse rates due to the elimination of the RecycleBank program. Usage rate continues to decline and rewards continue to regress in quality.
- Refuse, recycling, stickers, and special pick-up rates are frozen for Year 1.
- Rate increase of 2.5% annually after Year 1.
- Reduction of Landscape Subscription rate by nearly \$10/year to match the rate Grayslake residents receive.
- Options to include food scraps/organics with landscape waste at no additional charge.
- No fuel surcharge.
- Customer service standards, minimum insurance requirements and right to audit provisions.
- Addition of option for an E-Recycling container in the event local drop-off locations close and Gurnee is left without nearby options.
- Addition of option for winter season compost containers.
- Fixed pricing in the event of emergency community cleanup.
- Continuation of fall leaf vac service, spring unlimited landscape waste collection, and unlimited donations to Village for special events such as Gurnee Days and Beer Fest.

Assistant to the Village Administrator Linehan explained that the final renewal of the contract will be brought to the Village Board on May 20<sup>th</sup> for a vote.

Trustee Thorstenson commented that the Gurnee Days committee is considering doing an electronics recycling event during the festival and felt this may tie in to their goals.

Trustee O'Brien asked if there was currently a risk that the Village of Grayslake may close their electronic recycling center.

Mr. Linehan commented that there is always a risk as Grayslake has a significant volume of recycling that is brought to the facility. Recycling markets have increased and cathode ray tube (CRT) television sets are becoming less prevalent, which accounted for a large percentage of weight of e-recycling volume.

Trustee Garner asked how the food scrapping program currently works for Gurnee.

Assistant to the Village Administrator Linehan explained the current mixed ride-along program.

Mayor Kovarik asked how many commercial businesses were using the food scrap program.

Assistant to the Village Administrator Linehan mentioned there was currently one commercial user.

Mayor Kovarik asked if there was enough direction for staff to proceed, and indicated the contract would be up for approval at the next Village Board Meeting

2. Report from Fire Chief John Kavanagh on AB Specialty Silicone response and the Fire Department's preparedness for events of this nature.

Chief Kavanagh stated he would review the two large incidents that recently took place. The first with the ammonia leak, the second being the AB Specialty Silicone incident.

Chief Kavanagh stated the Department responded to the ammonia leak via MABAS, while the explosion resulted in a full response as it was unsure where the exact location was at first. It was then discovered it occurred just outside the Village's boundary by a few hundred feet in Waukegan. As a result, Waukegan was in control of the incident and Gurnee provided support. He stated Gurnee brought in extra firefighters to assist. In addition, Assistant to the Administrator Linehan responded to the Fire Department to provide public information support. This included disseminating information and having a reverse 911 call ready to send out if it was warranted. Gurnee crews worked from 9:30pm until 4:30am the following morning. Other area departments provided support to calls that occurred outside of this event. Chief Kavanagh then provided some information on action the Department takes throughout the year related to higher risk facilities including training, communication and facility review.

Trustee Balmes asked what occurred first, a fire or explosion.

Chief Kavanagh said it is still under investigation and under the jurisdiction of Waukegan and he does not want to speculate which was first.

Trustee Hood asked the Chief to speak about the Department's knowledge of chemicals on-site.

Chief Kavanagh said pre-plans of buildings are available electronically to the Department, but material safety data sheets are still on paper.

Trustee Garner commended the Department on its efforts.

Trustee Thorstenson echoed Trustee Garners comments and asked about an after-action review.

Chief Kavanagh said Waukegan will be in charge of this and if one occurs the Village will participate.

Mayor Kovarik stated inspections take place on a regular basis to help ensure safety.

Trustee Balmes asked if police vehicles are equipment with masks that can be utilized during chemical leaks.

Chief Kavanagh said that the ammonia leak was initially reported as a car accident. He stated the Fire Department did utilize SCBA and the police do have respirators but were moved back as they are not properly equipped to handle an event of that nature.

Trustee O'Brien stated he appreciates all the hard work that went into dealing with these events.

**F. OLD BUSINESS**

None.

**G. NEW BUSINESS**

1. Approval of Ord. 2019 - 29 authorizing execution of a one-year contract extension with MC Squared Energy Services for the provision of 100% renewable electricity for the Village of Gurnee's Electrical Aggregation Program under a ComEd price-match program.

Assistant to the Village Administrator Jack Linehan presented the one-year renewal proposal and the result of bids. The Village received four bids for a fixed rate proposal, and one bid for a green energy price-match. Due to the competitive nature of the market, Mr. Linehan noted that the option of a price match program would be financially competitive.

Assistant to Village Administrator Linehan highlighted how the program of renewable energy credits would work. It was explained that MC Squared will purchase renewable energy credits for 100% of residential and small customers that are in the aggregation program. It was estimated that the environmental impact of this program would save the equivalent of 76 million pounds of coal burned annually.

Mr. Linehan also explained that the Village of Gurnee would be recognized by the EPA as a "Green Power Partner" community. This program recognizes municipalities that exceed the EPA guidelines for buying renewable energy.

Mayor Kovarik mentioned that green energy was an important component of the 2009 Strategic Plan and a priority of the community to find opportunities to be more environmentally-friendly.

Trustee Garner expressed concern that it is a seamless switch.

Assistant to the Administrator Linehan mentioned he felt the switch to the green energy program would be an easy transition, as MC Squared has been the current vendor for since 2017.

Trustee O'Brien asked if the Village would be ranked in the top 10 nationally for the EPA Green Power Partner program or just in Illinois.

Assistant to the Administrator Linehan mentioned that Gurnee would most likely be in the top 10 by percentage of green power users nationally due to the nature of the opt-out program.

Trustee O'Brien mentioned that he is excited that we are able to offer this program at zero additional cost to residents for wind energy farmed in the Midwest.

Mayor Kovarik mentioned that it is very creative and ties in to our goals and objectives.

Village Administrator Muetz mentioned that pricing is only valid for 24 hours, so approval is needed. In prior bids, the Village Administrator was authorized to sign the contract on behalf of the Village Board.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of Ord. 2019 - 29 authorizing execution of a one-year contract extension with MC Squared Energy Services for the provision of 100% renewable electricity for the Village of Gurnee's Electrical Aggregation Program under a ComEd price-match program.

**Roll call,**

**AYE: 6- Balmes, Hood, Thorstenson, Ross, Garner, O'Brien**

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

2. Approval of Ord. 2019 - 30 authorizing an amendment to the Professional Services Agreement between the Village of Gurnee and Strand Associates related to design engineering services for the Knowles Road Water Tower in an amount not to exceed \$10,000.00.

Administrator Muetz said Strand Associates have been heavily involved in the Knowles Road Water Tower project as they prepared the plans and the contract documents for the bidding process and have been the design engineer reviewing the majority of the shop drawings. During the construction phase there has been more back and forth between the contractor, Village and Strand which has used funding from the first amendment to this contract. He reminded the Village Board the overall project is \$6 million and we want to ensure it is built right.

It was moved by Trustee Balmes, seconded by Trustee Ross to approve of Ord. 2019 - 30 authorizing an amendment to the Professional Services Agreement between the Village of Gurnee and Strand Associates related to design engineering services for the Knowles Road Water Tower in an amount not to exceed \$10,000.00.

**Roll call,**

**AYE: 6- Balmes, Hood, Thorstenson, Ross, Garner, O'Brien**

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

3. Approval of Ord. 2019 - 31 authorizing a change order to the Professional Services Agreement between the Village of Gurnee and Patrick Engineering for the Quiet Zone study and improvements in the amount of \$6,000.00.

Administrator Muetz said since 2016 staff has been working towards implementing a rail road Quiet Zone (QZ) at the Grandville crossing. The Quiet Zone would eliminate the need for trains to sound horns when approaching this at-grade crossing. Patrick Engineering has evaluated the risk caused by the absence of a train horn, evaluated alternative designs for the QZ and applied for and secured a state grant to perform the improvements to update the safety equipment. The Village believes it makes sense to hold a diagnostic meeting at the crossing to determine what safety equipment is on-site, what additional safety equipment may be needed and if grant funding will be needed. Staff believes the appropriate equipment is already in place, but we need Patrick Engineering to work with the railroad to coordinate and confirm our suspicions. If the equipment is in-place, the state grant will not be needed. If it's not in-place, the grant will be required. In either case, he stated the effort will move forward.

It was moved by Trustee Ross, seconded by Trustee Thorstenson to approve of Ord. 2019 - 31 authorizing a change order to the Professional Services Agreement between the Village of Gurnee and Patrick Engineering for the Quiet Zone study and improvements in the amount of \$6,000.00.

**Roll call,**

**AYE: 6- Balmes, Hood, Thorstenson, Ross, Garner, O'Brien**

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

4. Approval of Engineering Division's recommendation to award 2019 Ferndale Street Water Main Replacement project to the low bidder, Campanella & Sons, at a cost of \$804,314.41.

Administrator Muetz said included in the FY 19/20 Approved Budget is the replacement of water main along Ferndale between Routes 41 and 132. This section of water main is part of the original cast iron system dating back to the 1960's and has a significant break history. The project includes installation of a replacement water main as well as storm sewer improvements along the length of the project. The Village opened bids on April 24th. Six bids were received ranging from approximately \$804,000 to \$1.3 million. The low bidder was Campanella & Sons at \$804,314.41. Staff has contracted with Campanella on many projects over the year and is recommending this water main replacement project be awarded to them.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of Engineering Division's recommendation to award 2019 Ferndale Street Water Main Replacement project to the low bidder, Campanella & Sons, at a cost of \$804,314.41.

**Roll call,**

**AYE: 6- Balmes, Hood, Thorstenson, Ross, Garner, O'Brien**

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

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**H. PUBLIC COMMENT**

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

Ms. Pomiotlo said residents were first made aware of ethylene oxide six months ago. She stated to date no ambient air monitoring has taken place. She continued to state on Friday, a massive explosion took place AB Specialty Silicone which resulted in her deciding to evacuate her family from her home. Ms. Pomiotlo stated the ethylene oxide is explosive and she has many questions after Friday's event. She concluded that she feels a deep discomfort knowing that industrial businesses are located near neighborhoods and hopes that safety is the primary concern for all of these businesses.



**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 8:46 p.m.

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**Andrew Harris,  
Village Clerk**