

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

**GURNEE VILLAGE HALL  
AUGUST 5, 2019**

**Call to Order**

Mayor Kovarik called the meeting to order at 6:59 p.m.

**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; 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; Tracy Velkover, Planning Manager; Ellen Dean, Economic Development Director, Jack Linehan, Assistant to the Administrator

**Roll Call**

**PRESENT: 6-Hood, Thorstenson, Ross, Garner, O'Brien, Balmes**  
**ABSENT: 0- None**

**Pledge of Allegiance**

Mayor Kovarik led the Pledge of Allegiance.

Mayor Kovarik asked for a moment of silence for the past weekend's tragedies in El Paso, TX and Dayton, OH.

**A. APPROVAL OF CONSENT AGENDA**

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

**Roll call,**

**AYE: 6- Hood, Thorstenson, Ross, Garner, O'Brien, Balmes**  
**NAY: 0- None**  
**ABSENT: 0- None**  
**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 July 15, 2019 Village Board meeting.
2. Approval of request from Mayor Kovarik to attend the 2019 SmartCity Expo in Atlanta, GA from September 11 – 13, 2019 at a cost not to exceed \$1,800.00.
3. Approval of recommendation from the Public Works Department to award the Northwestern Water Tower Back-up Generator Project to the low bidder, Pieper Power, in the amount of \$29,350.00.
4. Approval of recommendation from the Public Works Department to award the South Storage Building Trench Drain Replacement Project to the low bidder, Camosy Construction, in the amount of \$37,000.00.
5. Approval of setting a bid date of August 23, 2019 for 2019 Police Mobile Data Computer Replacement Project.
6. Approval of a fireworks permit for Gurnee Days on August 10, 2019.
7. Approval of Payroll for period ending July 19, 2019 in the amount of \$868,734.99.
8. Approval of Bills for the period ending August 5, 2019 in the amount of \$1,735,461.03.

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

**Roll call,**

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

**C. PETITIONS AND COMMUNICATIONS**

1. Approval of Proclamation honoring Cheryl and Dave Ross for being selected the 2019 Gurnee Days Honorees.

Mayor Kovarik read into record.

It was moved by Trustee Garner, seconded by Trustee O'Brien to approve the Proclamation honoring Cheryl and Dave Ross for being selected the 2019 Gurnee Days Honorees.

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

2. Presentation of Gurnee Police Officer of the Year Award to Officer Patrick Murray and Police Civilian of the Year Award to Records Assistant Juli Lambrecht.

Chief Smith and Deputy Chief Gonzalez presented the awards. Chief Smith spoke briefly about the recipients' contributions to the Gurnee Police Department.

**D. REPORTS**

None.

**E. OLD BUSINESS**

None.

**F. NEW BUSINESS**

1. Approval of Ord. 2019 - 51 authorizing the execution of an Asset Purchase Agreement between the Village of Gurnee and Vogue Tower Partners LLC for the sale of two Village cell towers located at 0 Brookhaven Road and 1151 Kilbourne Road, Gurnee, Illinois.

Public Hearing item.

It was moved by Trustee Garner, seconded by Trustee Ross to approve of Ord. 2019 - 51 authorizing the execution of an Asset Purchase Agreement between the Village of Gurnee and Vogue Tower Partners LLC for the sale of two Village cell towers located at 0 Brookhaven Road and 1151 Kilbourne Road, Gurnee, Illinois.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

2. Approval of Ord. 2019 - 52 authorizing the execution of a ground lease agreement between the Village of Gurnee and Vogue Tower Partners LLC with respect to property located at 0 Brookhaven Road and 1151 Kilbourne Road, Gurnee, Illinois.

Public Hearing item.

It was moved by Trustee Balmes, seconded by Trustee O'Brien to approve of Ord. 2019 - 52 authorizing the execution of a ground lease agreement between the Village of Gurnee and Vogue Tower Partners LLC with respect to property located at 0 Brookhaven Road and 1151 Kilbourne Road, Gurnee, Illinois.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

3. Approval of Ord. 2019 - 53 granting a Major Modification to the Special Use Permit for 1700 Nations Drive pursuant to the Gurnee Zoning Ordinance.

Administrator Muetz said Great Wolf Lodge received approval to sell day passes on a temporary basis as it worked through the Planning & Zoning Board (PZB) Public Hearing process to receive a recommendation on a Major Amendment to its Special Use Permit. Similar to the presentation before the Village Board on June 17th, parameters have been developed to control day pass sales. These parameters have been memorialized in the Major Amendment. A

public hearing on the request was conducted before the PZB on July 17th. Following testimony, the PZB is forwarding a unanimous favorable recommendation. Muetz concluded by stating during the 45-day temporary sales period the Village has not received any calls from surrounding properties regarding the sales negatively impacting area.

Steve Jacobsen, Vice President Domestic Development for Great Wolf Resorts, provide the Village Board a summary of the 45-day trial period. He stated there we no operational issues as a result of the day passes and the promotion drove more room sales due to pricing levels. Over the trial period a total of 713 passes were sold with prices ranging from \$50 per pass to \$75 depending on date. He concluded by stating the parameters discussed June 17<sup>th</sup> have been included in the Major Amendment.

Trustee Garner thanked Mr. Jacobsen for his thoroughness, adding it helps the Village Board in the decision-making process.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of Ord. 2019 - 53 granting a Major Modification to the Special Use Permit for 1700 Nations Drive pursuant to the Gurnee Zoning Ordinance.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

4. Approval of Ord. 2019 - 54 amending Chapter 78 of the Gurnee Municipal Code by amending Section 78-41 entitled "Use of Motor Vehicles for Unlawful Purposes" and repealing Section 78-73 entitled "Use of Mobile Electronic Devices Prohibited While Operating a Motor Vehicle."

Chief Smith said the Police Department is requesting two sections of the Gurnee Municipal Code be updated.

Chief Smith stated the first request is an amendment related to administrative vehicle seizures when a driver's license has been suspended for unpaid child support. The Police Department has the ability to seize and impound vehicles when a driver has a suspended or revoked license or has been driving under the influence. The practice when seizing/impounding vehicles related to suspension or revocation is to only seize/impound when the suspension/revocation is related to public safety. The Department does not seize/impound when a license has been suspended/revoked for items such as unpaid parking tickets and emission suspensions as these are not public safety related. A suspension/revocation for unpaid child support is similarly not a public safety issue. As such, the Department is requesting the Municipal Code be updated to include language that states the Police Department will not seize/impound for failure to pay child support.

The second requested amendment is due to changes in state law related to the use of mobile electronic devices while operating a vehicle. Effective July 1st drivers caught using electronic communication devices while driving will be issued a state citation with a progressive fine schedule. Therefore, it is appropriate to eliminate the local prohibition language in the Municipal Code.

Trustee O'Brien asked about cell phone usage while driving and the consequences.

Chief Smith explained the new law and said a license could be suspended by the State for multiple violations.

It was moved by Trustee Garner, seconded by Trustee O'Brien to approve of Ord. 2019 - 54 amending Chapter 78 of the Gurnee Municipal Code by amending Section 78-41 entitled "Use of Motor Vehicles for Unlawful Purposes" and repealing Section 78-73 entitled "Use of Mobile Electronic Devices Prohibited While Operating a Motor Vehicle."

**Roll call,**

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

5. Approval of recommendation from the Police Department to purchase of 24 in-car video systems and related services for Gurnee Police squads from Axon Enterprise, Inc. at a five-year total cost of \$183,187.20.

Police Chief Smith said each police squad has a combined mobile data computer and in-car camera. The in-car camera systems and mobile data computers operate on Windows 7 which becomes unsupported at the end of the year. As such, the Department has been researching mobile data computer and in-car camera systems as separate but compatible components. The Department reviewed solutions from the current in-car camera/computer supplier (Coban), as well as the Department's current body camera system provider (Axon). Axon offers a cloud-based system where evidence to be stored off-site (similar to body camera footage) and pulled when needed. This will eliminate some manual processes at the Police Department. Chief Smith continued to state that having the in-car camera and body-worn camera systems provided by the same vendor has other operational benefits. The FY 19/20 Budget includes \$160,000. Axon's five-year cost is \$183,187.20. The first year Axon cost is \$32,179.20; years two through five are \$37,752.00 annually.

Mayor Kovarik asked if the Village conducts a formal financial risk assessment on the provider.

Mr. Muetz explained Axon is a worldwide company formerly known as Taser International. It is well established and if for some reason it went out of business many police departments across the country, as well as outside the US, would be impacted. He stated staff will look into a formal assessment procedure in the future based on contract size or operational impact.

It was moved by Trustee Balmes, seconded by Trustee O'Brien to approve of recommendation from the Police Department to purchase of 24 in-car video systems and related services for Gurnee Police squads from Axon Enterprise, Inc. at a five-year total cost of \$183,187.20.

**Roll call,**

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

**G. PUBLIC COMMENT**

**Lenny Petrovic**  
**3712 Grove Avenue**  
**Gurnee, IL**

Mr. Petrovic stated there is a traffic issue at the northwest corner of Grove and Belle Plaine Avenues. He stated the resident parks his vehicles towards the end of the driveway and this obstructs the line of sight to when looking to the north. He believes this is a safety issue.

Mayor Kovarik stated she would visit the site.

Administrator Muetz stated he has visited the site and the line of sight is not obstructed.

**Paul Moss**  
**1012 Cheswick Dr**  
**Gurnee, IL**

Mr. Moss expressed concerns about vegetation on the detention pond behind his home that is part of the Bittersweet Golf Course. He also expressed concerns about the roundabout at Dada and Almond.

Mayor Kovarik stated the Village recently met with Bittersweet to discuss the course. She continued to state further improvements will be installed at the roundabout.

Administrator Muetz provided more information on both of these topics.

**Soh Tanka**  
17599 W. Dartmoor  
Grayslake, IL

Mr. Tanka stated he felt that the air testing that has taken place to date is inadequate. He also expressed concerns about the lack of information in the Keeping Posted newsletter and the action Gurnee has taken compared to other communities. He ended by encouraging residents to attend a meeting in Waukegan regarding Medline's stack height.

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

Ms. Surufka stated she is concerned about the lack of canisters for air monitoring and the stack height proposal being considered by Waukegan. She concluded by discussing property disclosures.

**Sarah Crawford**  
5886 Hancock Lane  
Gurnee, IL

Ms. Crawford stated she knew the Medline results would be high, Vantage results should be lower since improvements have been installed and no detect results are not acceptable. She concluded by stating elected officials need to protect residents.

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

Ms. Pomiotlo stated that emissions must be banned. She then shared information on proposed action in Willowbrook and the state of Georgia. She concluded by discussing the stack in Waukegan and restating that emissions must be banned.

**Arienne Doherty**  
901 Clarke Drive  
Gurnee, IL

Ms. Doherty stated she is a cancer survivor and her doctor told her Gurnee is not a good place for her. She continued to reference the Heather Ridge Umbrella Association meeting and comments made by Mayor Kovarik.

Mayor Kovarik stated Ms. Doherty's summary of her comments is inaccurate.

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**H. EXECUTIVE SESSION**

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

5 ILCS 120/2 (c) (21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

**Adjournment to Executive Session**

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

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

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

**Recall to Order**

Mayor Kovarik recalled the meeting to order at 8:16 p.m.

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

**ABSENT: 0- None**

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**Closing Comments**

None.

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**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 8:17 p.m.

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**Andrew Harris,**  
Village Clerk