

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

**GURNEE VILLAGE HALL  
AUGUST 19, 2019**

---

**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; Heather Galan, Village Engineer; Joe Menges, Acting Village Attorney; Brian Gosnell, Finance Director; Tom Rigwood, Director of Public Works; John Kavanagh, Fire Chief; Brian Smith, Police Chief; Jeremy Gaughan, Police Commander; Ellen Dean, Economic Development Director, Jack Linehan, Assistant to the Administrator

---

**Roll Call**

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

---

**Pledge of Allegiance**

Mayor Kovarik led the Pledge of Allegiance.

Mayor Kovarik said thank you on the behalf of the Board to everyone involved in making Gurnee Days fabulous. She said the event requires many extra hours and she appreciates all the extra effort.

---

**A. APPROVAL OF CONSENT AGENDA**

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

**Roll call,**

**AYE: 6- Thorstenson, Ross, Garner, O'Brien, Balmes, Hood**  
**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 the minutes from the Executive (Closed) Session meeting on August 6, 2018, January 7, 2019, March 4, 2019, April 15, 2019 and July 1, 2019.
2. Approval for public release of minutes from Executive (Closed) Session meeting on August 6, 2018, March 4, 2019, April 15, 2019 and July 1, 2019.
3. Approval of minutes from the August 5, 2019 Village Board meeting.
4. Approval of recommendation from the Fire Department to purchase a 2020 Chevrolet Tahoe from the low bidder, Raymond Chevrolet, at a cost of \$35,638.73.
5. Approval of Payroll for period ending August 2, 2019 in the amount of \$895,341.10.
6. Approval of Bills for the period ending August 19, 2019 in the amount of \$2,319,557.09.

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

**C. PETITIONS AND COMMUNICATIONS**

1. Acceptance of Trustee Thorstenson’s resignation from the Economic Development Committee.
2. Approval of Mayor Kovarik’s recommendation to appoint Trustee Hood as Chair of the Economic Development Committee.

It was moved by Trustee Balmes, seconded by Trustee O’Brien to approve of Mayor Kovarik’s recommendation to appoint Trustee Hood as Chair of the Economic Development Committee.

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

3. Acceptance of Trustee Hood’s resignation from the Northeast Lake County Consolidated Emergency Telephone System Board.
4. Approval of Mayor Kovarik’s recommendation to appoint Trustee Garner to the Northeast Lake County Consolidated Emergency Telephone System Board.

It was moved by Trustee Balmes, seconded by Trustee O’Brien to approve of Mayor Kovarik’s recommendation to appoint Trustee Garner to the Northeast Lake County Consolidated Emergency Telephone System Board.

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

**D. REPORTS**

None.

**E. OLD BUSINESS**

None.

**F. NEW BUSINESS**

1. Approval of Ord. 2019 - 55 adding one Class 7 Liquor License by amending Section 6-56 of the Gurnee Municipal Code entitled “Alcoholic Beverages”. (AHA Sushi – 5101 Washington Street).

Administrator Muetz said AHA Sushi has historically held a Class 7 (sale of both beer and wine for consumption only on the premises where sold). AHA did not reapply for a State liquor license by the required due date. As a result, they were not able to obtain a Village license for 19/20 as having a State license is a prerequisite. Therefore, when the Village conducted its annual audit and Municipal Code amendment to ensure the number issued and Code match, one Class 7 was removed. AHA has since received a State license and as such has reapplied with the Village. All information related to the application is consistent with the prior licenses held. The Police Department has reviewed the application and found nothing to prohibit issuing a license. AHA has proven to be a responsible license holder in the past.

Trustee Thorstenson asked if the internal process to align the number of licenses issued and the Municipal Code should be modified to avoid similar instances in the future.

Administrator Muetz stated in the future staff will be more diligent in following up with those who have not applied and will slow the reconciliation process.

It was moved by Trustee Thorstenson, seconded by Trustee Ross to approve of Ord. 2019 - 55 adding one Class 7 Liquor License by amending Section 6-56 of the Gurnee Municipal Code entitled “Alcoholic Beverages”. (AHA Sushi – 5101 Washington Street).

**Roll call,**

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

2. Approval of request from Mr. Ron Gryzik to extend Ashbury Woods Final Planned Unit Development authorization for a two-year period to August 21, 2021.

Administrator Muetz said Ashbury Woods is an 18 residential unit Planned Unit Development that was initially annexed and approved in 2007. Due to the downturn in the housing market, the developer, Ron Gryzik, has not started the project. Final PUD approval was granted on August 21, 2017 with a two-year timeframe to commence work on the project. The applicant is requesting an additional two-year extension to begin construction on the project.

Mayor Kovarik asked if we have a limit on how many times an extension can be filed.

Mr. Ziegler said there is no limit on how many times a petitioner can apply for an extension. He said each time however it must come before the Board for a vote.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of request from Mr. Ron Gryzik to extend Ashbury Woods Final Planned Unit Development authorization for a two-year period to August 21, 2021.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

3. Approval of recommendation from the Planning Division to remand Trio Car Wash Variations and Special Use Permit requests back to the Planning and Zoning Board for re-review as a result of changes to the redevelopment plan.

Administrator Muetz said the owners on the Citgo Station on East Grand have submitted plans to redevelop it and expand onto two parcels to the west and one parcel to the southwest to create an L-shaped lot that will contain only a car wash. All but the existing car wash equipment room will be demolished. Requests for Variations and Special Use permits were before the Planning and Zoning Board (PZB) on July 17th. There were eight favorable recommendations, three unfavorable and one no recommendation (tie vote). Since that meeting, the applicant has submitted new plans showing revisions to multiple plan elements. Based on the number of revisions on their impact on the site plan, staff is recommending the request be remanding back to the PZB for re-review. The applicant is in agreement with this recommendation.

It was moved by Trustee Balmes, seconded by Trustee O'Brien to approve of recommendation from the Planning Division to remand Trio Car Wash Variations and Special Use Permit requests back to the Planning and Zoning Board for re-review as a result of changes to the redevelopment plan.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

4. Approval of recommendation from the Engineering Division to award the Delany Road Water Main Replacement Project (between Old Grand Avenue and Route 41) to the low bidder, Lenny Hoffman Excavating, at a cost of \$724,374.00.

Administrator Muetz said the FY 19/20 Approved Budget includes funding for water main replacement. Water main replacement is currently underway along Ferndale Avenue. Also planned for this fiscal year is Delany between Old Grand and 41. This stretch has a significant break history and is part of the original system dating back to the 1960s. The Engineering Division received five bids for the work. Lenny Hoffman Excavating was the low bidder at \$724,374.00. We have used Lenny Hoffman in the past with good results. Staff is anxious to get this work started prior to the arrival of colder weather and the closure of asphalt plants.

Trustee Garner asked how confident are we that the work will be completed before winter arrives.

Village Engineer Ms. Galan said a completion date has been included in the contract and if it is not met penalties can be assessed.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve of recommendation from the Engineering Division to award the Delany Road Water Main Replacement Project (between Old Grand Avenue and Route 41) to the low bidder, Lenny Hoffman Excavating, at a cost of \$724,374.00.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

5. Approval of 2019 Trick or Treating hours – Saturday, October 26th from 2:00 – 5:00 pm.

Administrator Muetz said annually we set Trick or Treat hours. Comparable to last year, the recommendation is for this to take place the Saturday before Halloween from 2:00 – 5:00 pm.

Mayor Kovarik said this has been discussed with Chief Smith and this is the day and time being recommended.

Trustee Balmes said she believes Trick-or-Treating should be held on Halloween night and sees no reason it can't be. She said that if isn't possible the next choice would be to hold it on Sunday like the surrounding communities.

Mayor Kovarik said Snickers is running a national campaign / petition to have Trick-or-Treating held on the Saturday prior to Halloween nationwide.

It was moved by Trustee Hood, seconded by Trustee Thorstenson to approve of 2019 Trick or Treating hours – Saturday, October 26th from 2:00 – 5:00 pm.

**Roll call,**

**AYE: 5- Thorstenson, Ross, Garner, O'Brien, Hood**

**NAY: 1- Balmes**

**ABSENT: 0- None**

**Motion Carried.**

---

**G. PUBLIC COMMENT**

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

Mr. Tanka provided a summary of the proposal from Medline to increase its stack height in Waukegan. He said the Waukegan Planning Board is forwarding an unfavorable recommendation to the City Council and he encourages residents to attend the Waukegan Council meeting on September 3<sup>rd</sup>.

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

Ms. Surufka provided a summary of action in Georgia related to ethylene oxide. She then provided the Village Board an update of developments in Willowbrook, IL. She concluded by providing information on a recent blood draw event held by the University of Illinois at Chicago.

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

Mr. Sindermann asked how he could play a video at the future Village Board meeting for the Trustees to view. He stated he believes the Village has withheld information related to a Freedom of Information Act (FOIA) request. Mr. Sindermann stated he has already discussed the matter with Chief Smith and he wants the Village Board to be aware of the issue and his concern. He continued to state that he wants to give the Village Board an opportunity to address his concerns as he believes the response from staff has been deficient.

Mayor Kovarik stated if the matter is appropriate for the Village Board to vote on, the Police Chief will recommend it be included on a future

agenda.

Administrator Muetz stated that if Mr. Sindermann feels information has been withheld, he should submit that concern to the Illinois Attorney General Public Access Councilor's office. Muetz continued to state that the Village Board is not responsible for coordinating FOIA responses.

Mr. Sindermann stated he understands the FOIA appeal process but still feels it is important for the Village Board to review his concerns.

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

Ms. Surufka asked for clarification on agenda items.

**Jacqueline Walton**  
**705 Chandler Road**  
**Gurnee, IL**

Ms. Walton asked why EtO was not included on the agenda, why there is not back and forth interaction regarding it at the meetings and what action the Village is taking.

Mayor Kovarik stated if she left her contact information, the Village would follow-up with her directly.

---

**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 7:34 p.m.

---

**Andrew Harris,**  
**Village Clerk**