

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

**GURNEE VILLAGE HALL
MARCH 2, 2020**

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; Bryan Winter, Village Attorney; Heather Galan, Village Engineer; Brian Gosnell, Finance Director; Christopher Velkover, Information Systems Director; Christine Palmieri, Director of Human Resources; Tom Rigwood, Director of Public Works; John Kavanagh, Fire Chief; Brian Smith, Police Chief; Jeremy Gaughan, Police Commander; John Petersen, Director of Support Services; Phil Brunell Communications Supervisor; Ellen Dean, Economic Development Director; Jack Linehan, Assistant to the Administrator

Roll Call

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

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: 6-O'Brien, Balmes, Hood, Thorstenson, Ross, Garner
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 February 17, 2020 meeting.
2. Approval of request to allow Economic Development Director Ellen Dean to attend the International Council of Shopping Centers RECon in Las Vegas, NV from May 17 - 19, 2020 at a cost not to exceed \$2,100.00.
3. Approval of setting bid date of April 9, 2020 for 2020 Street Maintenance Program.
4. Approval of Payroll for period ending February 14, 2020 in the amount of \$853,821.86.
5. Approval of Bills for the period ending March 2, 2020 in the amount of \$347,745.17.

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

C. PETITIONS AND COMMUNICATIONS

None.

D. REPORTS

None.

E. OLD BUSINESS

None.

F. NEW BUSINESS

1. Approval of Ord. 2020–11 approving an Intergovernmental Agreement by and between the Village of Gurnee and the Warren-Waukegan Fire Protection District of Lake County, Illinois.

Fire Chief John Kavanagh stated the Village of Gurnee Fire Department has provided fire protection and ambulance services to the Warren Waukegan Fire Protection District dating back to 1931, with the first contract approved around 1977. The current contract for service is set to expire on April 30, 2020. Both sides have been very happy with the terms of the agreement. The most significant change is the addition of quarterly payments towards Fire Station #3. The District has agreed to payments totaling \$2 million over a two-year period to help fund the Station. This is in addition to the quarterly payments for service. The District will consider the contract at its March 18th Board meeting. He concluded by stating the relationship between the Village and District continues to be very strong and mutually beneficial. This is demonstrated by the lack of changes needed to the contract.

Mayor Kovarik recognized District President Marty Klauber and thank him for the continued partnership and support.

It was moved by Trustee Ross seconded by Trustee Thorstenson to approve an Intergovernmental Agreement by and between the Village of Gurnee and the Warren-Waukegan Fire Protection District of Lake County, Illinois.

Roll call,

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

NAY: 0-None

ABSENT: 0-None

Motion Carried.

2. Approval of Ord. 2020-12 authorizing the execution of a First Amendment to the Intergovernmental Agreement for Dispatch Services by and between the Village of Gurnee and the City of Zion.

Village Administrator Muetz gave an overview stating that in December 2016 the Village Board approved an Intergovernmental Agreement with the City of Zion whereby the Gurnee provides certain emergency telephone answering, computer aided dispatching, mass call system activation and police and fire radio dispatch services. Dispatching for Zion went live July 2017. Since that time Gurnee and Zion has worked together to make operational investments and adjustments to meet the needs of both parties while keeping service levels high. The agreement had a five-year term (expires April 30, 2022) with an annual cost of approximately \$900,000 with an annual CPI escalator. Through its membership on the NLCC-ESTB Zion has been preparing to replace police and fire radios. Zion and the NLCC-ETSB will share in the expense. Due to financial constraints Zion plans on spreading the portion it's responsible for over a number of years, which as proposed would extend beyond the term of the current contract. Extending beyond the term is not ideal and as such Gurnee used this as an opportunity to open up the contract. Upon review, both sides agreed there are no provisions that need to be updated other than the term and cost. Gurnee proposed extending the current term another three years, which takes the expiration to April 20, 2025. In exchange for this request, Gurnee also proposed to freeze the contract price for FY 20/21. This would result in the price being \$915,000 for two consecutive years (FY 19/20 and FY 20/21). Following FY 20/21 the annual cost would be adjusted by the CPI, with the increase being no lower than 1% and no higher than 3.5%. Gurnee has reviewed its expenses related to dispatching for Zion and is comfortable the annual expense paid by Zion is covering costs.

It was moved by Trustee Balmes seconded by Trustee O'Brien to approve the execution of a First Amendment to the Intergovernmental Agreement for Dispatch Services by and between the Village of Gurnee and the City of Zion.

Roll call,

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

NAY: 0-None

ABSENT: 0-None

Motion Carried.

3. Approval of Ord. 2020-13 authorizing the execution of an Intergovernmental Agreement between the County of Lake and the Village of Gurnee for the transfer of real properties south of Grand Avenue (State Route 132).

Village Administrator Muetz gave an overview stating that this past summer Community Development and Engineering staff were approached by representatives from the Lake County Division of Transportation (LCDOT) asking if the Village had interest in two parcels located along Grand Avenue. Both parcels are located south of Grand with one abutting the Canadian Pacific rail road tracks on the east side and the other further to the east. These are undeveloped properties which the Village owns undeveloped property next to each of these parcels. The County has no use for the two properties in this stretch and is agreeable to turning them over to the Village for free. Since we have abutting parcels and there is no cost to acquiring the County land, we are agreeable to accept the properties. If the Village ever desires to lease, sell and/or change of use of these properties, written approval would be required by the LCDOT County Engineer.

It was moved by Trustee Balmes seconded by Trustee Garner to approve an Intergovernmental Agreement between the County of Lake and the Village of Gurnee for the transfer of real properties south of Grand Avenue (State Route 132).

Roll call,

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

NAY: 0-None

ABSENT: 0-None

Motion Carried.

4. Approval of Ord. 2020-14 authorizing the execution of an Intergovernmental Agreement entitled "Gurnee Days Operating Agreement" with the Gurnee Park District.

The Mayor gave an opening statement regarding Gurnee Days sustainability issues, volunteers, expenses and revenues.

Trustee Thorstenson, a long-time Gurnee Days committee member, compared Gurnee Days to a neighboring community's events, spoke about operating revenues and emphasized the loss of core committee members.

Trustee Balmes, a member of Gurnee Days for thirty-years, expressed her concern regarding financial accountability, Park District control, budget and other unknown items not covered in the agreement before her for consideration.

Attorney Winter reminded the Board that the agreement is renewable and noted that the agreement separates the tasks to the different entities.

Trustee Cheryl Ross stated when she first heard about the change, she understood that the change would not be substantial and basically stay the same for a couple years; however, the agreement does not indicate any financial accountability.

Kraig Owens, Gurnee Park District Construction and Risk Management Supervisor and former Gurnee Days President, responded to Trustee Ross' questions regarding the financials being part of the Agreement and deferred to Park District Executive Director Susie Kuruvilla for other concerns.

Village Attorney Winters emphasized that agreement could be enhanced if needed.

It was moved by Trustee O'Brien seconded by Trustee Thorstenson

to approve an Intergovernmental Agreement entitled "Gurnee Days Operating Agreement" with the Gurnee Park District.

Roll call,

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

NAY: 1-Balmes

ABSENT: 0-None

Motion Carried.

The Mayor further stated that Village Administrator Muetz would work with the Park District to set up some type of amendment so that there's accounting, including revenues and expenditures from the Village and Park District that would be available for public viewing.

5. Continuation of Budget Workshop #1: Fiscal Year 2020/2021 Budget Presentation.

See March 2, 2020 Budget Workshop #1 Minutes.

G. PUBLIC COMMENT

**Ryan Horath
4981 South Rd.
Gurnee, IL**

Mr. Horath provided comments in response to the memo from Klein, Thorpe and Jenkins to the Village related to home rule authority and ethylene oxide emissions. In summary, Mr. Horath stated the firm has misinterpreted the Illinois Constitution, has provided no new information and should retract the memo. He continued to share information regarding the State and US Constitution. He concluded by stating the Village is at a high risk of having lawsuits filed against it.

Mayor Kovarik stated she wanted the record to reflect that Mr. Horath does have a legal degree and but by choice does not have an active legal license. She continued to state Mr. Horath has not practiced or litigated municipal law.

Mr. Horath responded to the Mayor's comments.

**Jim Sanchez
4903 Darlene Dr.
Gurnee, IL**

Mr. Sanchez stated the Village and community groups should be working together to address resident concerns. He stated he believes other taxing bodies are waiting for direction from the Village. He concluded by stating he does not want ethylene oxide in the Village and Gurnee should work with groups like Willowbrook did.

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

Ms. Surufka stated this is an open meeting and she is having a hard time hearing. She requested the Village look into the audio issue. She continued to state the Mayor's comments are concerning and she is confused by the interaction.

**Adrienne Doherty
901 Clark Dr.
Gurnee, IL**

Ms. Doherty thanked Public Works and Fire for the service they provide the community. She stated she thinks about ethylene oxide daily and is concerned about it. She encouraged everyone to work together, stating efforts do not need to be divisive.

**Ryan Horath
4981 South Rd.
Gurnee, IL**

Mr. Horath stated he comes to Village Board meetings and speaks because he cares and wants to see results. He concluded by sharing some information related to potential lawsuits from the legal seminar he attended.

Attorney Winter stated the Village continues to review the issue in light of current state legislation. He continued to state Klein, Thorpe and Jenkins was hired by the Village due to its reputation, as well as previous work with Willowbrook. Attorney Winter stated the firm represent many communities in northern Illinois. He concluded by stating he has reviewed the memo and agrees with the methodology.

**Adrienne Doherty
901 Clark Dr.
Gurnee, IL**

Ms. Doherty stated it would be nice to see a back and forth discussion regarding ethylene oxide.

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 8:56 p.m.

**Andrew Harris,
Village Clerk**