

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

**GURNEE VILLAGE HALL
APRIL 12, 2021**

Call to Order

Mayor Kovarik called the meeting to order at 7:03 p.m.

Other Officials in Attendance

Patrick Muetz, Village Administrator; David Ziegler, Assistant Village Administrator / Community Development Director; Bryan Winter, Village Attorney; Heather Galan, Acting Public Works Director/Village Engineer; Brian Gosnell, Finance Director; John Kavanagh, Fire Chief; Brian Smith, Police Chief; 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 congratulated those recently elected including Gurnee's new Mayor-elect Hood.

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 March 1, 2021 and March 15, 2021 meetings.
2. Approval of Ord. 2021 – 21 authorizing an Intergovernmental Agreement between Lake County and the Village of Gurnee for animal care and control services.
3. Approval of setting the following bid dates:
 - May 10, 2021 – Floodplain Property Demolition Project – 4609, 4611, 4617 and 4625 Old Grand Avenue
 - May 24, 2021 – Cemetery Road Monopole Construction Project
4. Approval of Payroll for period ending March 12, 2021 in the amount of \$801,485.19.
5. Approval of Payroll for period ending March 26, 2021 in the amount of \$813,946.90.
6. Approval of Bills for the period ending April 12, 2021 in the amount of \$2,410,610.63.

It was moved by Trustee Ross, seconded by Trustee Garner 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. Presentation of a Proclamation by Lake County Board Chair Sandy Hart.

Lake County Board Chair Sandy Hart read into the record a Resolution offering sincere appreciation to Mayor Kovarik for her

years of service to the Village of Gurnee and Lake County.

2. Approval of Proclamation designating April 11 - 17, 2021 as “National Public Safety Telecommunicators Week” in the Village of Gurnee.

It was moved by Trustee O'Brien, seconded by Trustee Thorstenson to approve of Proclamation designating April 11 - 17, 2021 as “National Public Safety Telecommunicators Week” in the Village of Gurnee.

Voice Vote: ALL AYE: Motion Carried.

D. REPORTS

1. Presentation by Assistant to the Administrator Jack Linehan – Village of Gurnee Electrical Aggregation Program.

Assistant to the Administrator Jack Linehan gave an Electrical Aggregation Program presentation to the Board stating at its conclusion he would like direction on how to move forward. The presentation included the following:

Program History and How It Works

- 2012 Referendum: Opt-out program to aggregate all residents
 - 2012-2018: Winning bidder provided rate lower than ComEd, saving average resident \$425 over that period
 - 2018/2019: Rate no longer lower than ComEd
 - No community-wide opt-out, so whatever rate we would select could be risky
 - 2019: MC Squared offers EcoGreen Program
 - 100% renewable certificates for everyone in not opted-out
 - Price match guaranteed with ComEd's rate
 - 2020: Eligo Energy matches the EcoGreen Program
 - Same program
 - Differentiator was a civic contribution
 - Used towards general fund capital in 2020
 - Could be dedicated to green initiatives

According to our energy consumption data, by utilizing Eligo 100% Green Community Aggregation program for one-year, Gurnee used 107,887,000 kWh of renewable energy in 2019/2020. This ranked Gurnee as #83 nationally by the US EPA in total renewable energy used by a community and the Village was recognized as a Green Power Community.

For the 21/22 Program two bids from MC Squared and Eligo. Eligo is offering a \$192,952 Civic Contribution for 100% renewable energy compared to MC Squared offer of a \$25,000.

Mr. Linehan then reviewed the pros and cons of the offers including:

- 100% Renewable vs Mixed Renewable
 - Pros of choosing 100% renewable:
 - Positive environmental impact
 - Clearer purpose of program
 - Cons:
 - Smaller civic contribution
 - Less competition in options
- Eligo vs MC Squared
 - MC Squared:
 - 5 Star rated company by ICC
 - Call center out of Chicago
 - Largest Green Energy provider for Illinois aggregation programs
 - Best civic contribution for 0% or 5% renewable energy
 - Eligo Energy
 - Current Company
 - 4 Star rated
 - Some history of poor customer practices, but recent history stronger

- Call center international
- Best civic contribution for renewable energy program

Mr. Linehan concluded by stating regardless of the choice taxpayers will receive 100% renewable energy for the same price as ComEd's energy and the Village will receive Civic Contribution funds for projects that benefit the community.

Questions:

Trustee Ross asked under what scenario someone would contact the call center. Assistant to the Administrator Linehan stated this typically occurs during the enrollment/opt-out period.

Trustee Thorstenson asked if the Village does not change vendors, do all residents still receive a notification. Assistant to the Administrator Linehan stated the notification would go to a much smaller group, not the entire community.

Trustee O'Brien stated the concerns about customer service that were discussed last year seemed to have been resolved and not an issue. He then asked how will the civic contribution be used. Assistant to the Administrator Linehan stated it was put towards capital this past year, however, the Board could decide how it would like to use this funding.

Trustee Garner stated Eligo seemed to do well last year. Therefore, since they are offering a larger civic contribution, he would be inclined to continue with them.

Trustee Hood agreed with Trustee Garner.

The Mayor asked the Board what level of green energy it would prefer. The consensus was 100% green energy. The consensus was to select Eligo energy's offer for 100% renewable energy.

Trustee Ross asked if the figures would change before the next Village Board meeting. Assistant to the Administrator Linehan stated no.

Assistant to the Administrator Linehan asked if the Board was comfortable with a multi-year agreement. The consensus was yes.

E. OLD BUSINESS

None.

F. NEW BUSINESS

1. Approval of Ord. 2021 – 22 approving a Redevelopment Agreement between the Village of Gurnee and Kensington Development Group LLC for property located at 7735 Grand Avenue, Gurnee, Illinois.

Public Hearing Item. Administrator Muetz provided a brief summary stating the Village has an opportunity to secure a Cooper's Hawk restaurant at the former Low's site however financial assistance is required to bring the project to fruition. The assistance would be provided to Kensington Development and totals \$1.5 million. It is comprised of two parts:

- A Direct Contribution of \$600,000 paid upon opening of Cooper's Hawk, no later than November 1, 2023. This funding will come from unspent Economic Development Reserve funding.
- Sales Tax Rebate of up to \$900,000 over a maximum of six years. This funding will be generated by Cooper's Hawk and consist of rebating 100% State Shared Sales Tax and 50% of the Home Rule Sales Tax.

Administrator Muetz stated the Village would retain the remaining 50% of the Home Rule Sales Tax, as well as 100% of the Food & Beverage Tax. The project investment at the site is estimated at \$7.5 million.

It was moved by Trustee Ross, seconded by Trustee O'Brien to approve of Ord. 2021 – 22 approving a Redevelopment Agreement between the Village of Gurnee and Kensington Development Group LLC for property located at 7735 Grand Avenue, 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. 2021 – 23 approving the annual budget of the Village of Gurnee, County of Lake, State of Illinois, for the Fiscal Year beginning May 1, 2021 and ending April 30, 2022.

Public Hearing Item.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve of Ord. 2021 – 23 approving the annual budget of the Village of Gurnee, County of Lake, State of Illinois, for the Fiscal Year beginning May 1, 2021 and ending April 30, 2022.

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

3. Approval of Ord. 2021 – 24 granting a Variation pursuant to the Gurnee Zoning Ordinance for property located at the northwest corner of Eastwood Avenue and Cohasset Court (756 Cohasset Court and 4360 Eastwood Avenue).

Assistant Village Administrator Ziegler said the owners of 756 Cohasset Court are seeking a variation to allow the establishment of the front lot line on a corner lot to be the lot line having the longer frontage on a street. The owners recently purchased the vacant lot immediately south of their home (the NW corner of Cohasset and Eastwood). They consolidated the two lots, creating a larger corner lot and plan to install an in-ground pool to the south of their existing home. The Zoning Ordinance stipulates that the front lot line of a corner lot is the shortest street lot line of a corner lot abutting a street. With the consolidation of these two lots, the front yard (shorter frontage of a corner lot) would switch from the east to the south, along Eastwood Avenue. Pools are not allowed in front yards, so the owners are requesting a variation to allow the establishment of the front lot line on a corner lot to be the lot line having the longer frontage on a street. Assistant Village Administrator Ziegler stated the Planning & Zoning Board is forwarding a 4-3 favorable recommendation.

It was moved by Trustee Hood, seconded by Trustee O'Brien to approve of Ord. 2021 – 24 granting a Variation pursuant to the Gurnee Zoning Ordinance for property located at the northwest corner of Eastwood Avenue and Cohasset Court (756 Cohasset Court and 4360 Eastwood Avenue).

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

4. Approval of Ord. 2021 – 25 annexing property to the Village of Gurnee, approximately .94 acres located at 15629 W. Grand Avenue and 35391 N. Spruce Street in unincorporated Lake County, Illinois.

Assistant Village Administrator Ziegler said staff has been working to annex properties that are located in the County, but completely surrounded by the Village. He stated 15629 W. Grand Avenue and 35391 Spruce Street will both be forced annexations. He continued to state all of the proper notices to the property owners, other taxing bodies, as well as a notice in the newspaper has been completed. The properties will be assigned a new address, as a municipal

resident, versus the 5-digit address for unincorporated parcels. The property tax rate for the parcels will go down, as the Warren Waukegan Fire Protection District portion of the property tax bill will be removed.

Mayor Kovarik asked about the signage that is currently in place at 15629 W Grand Avenue.

Assistant Administrator Ziegler said the signage is not permitted and once the property is annexed the Village can enforce its regulations.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of Ord. 2021 – 25 annexing property to the Village of Gurnee, approximately .94 acres located at 15629 W. Grand Avenue and 35391 N. Spruce Street in unincorporated Lake County, Illinois.

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

5. Approval of Ord. 2021 – 26 amending Chapter 10 of the Gurnee Municipal Code and adding Sections 10-70 through 10-78 and amending Chapter 32, Section 32-32 to establish a Raffle License Fee.

Attorney Winter said the Village recently received an inquiry from the American Legion about holding an online Queen of Hearts Raffle. He said he reviewed the Village's raffle regulations to ensure they are up-to-date and in-line with State regulations. He said the Village's current regulations are contained in Ordinance 2002-17 and never included in the Municipal Code to make that more accessible to the public. Attorney Winter said he reviewed the 2002 regulations and current State regulations. The result is an updated version of the 2002 regulations that will be added to the Municipal Code Chapter 10.

It was moved by Trustee Thorstenson, seconded by Trustee Garner to approve of Ord. 2021 – 26 amending Chapter 10 of the Gurnee Municipal Code and adding Sections 10-70 through 10-78 and amending Chapter 32, Section 32-32 to establish a Raffle License Fee.

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

6. Approval of request from Public Works Department to waive bidding requirements and purchase central hydraulic system, hook lift system, dump body, snow plow, wing plow, tailgate spreader and spreader control system from Bonnell Industries, at a cost not to exceed \$303,007.00 (Public Works Department Units #264 & #272).

Administrator Muetz said multiple capital purchases were delayed or eliminated in FY 20/21 in response to the pandemic. The FY 20/21 Budget included the replacement of two Public Works plow trucks. Late in the fiscal year staff reviewed revenues and expenditures and recommended purchasing the truck chassis, but delaying the upfitting until FY 21/22. The chassis have been delivered and the upfitting is included in the proposed budget. As in the past, staff is requesting to waive the formal bidding requirements and award the upfitting to Bonnell Industries. Bonnell has been our upfitter of choice since 2011. Due to territorial sales related to this equipment, the Village has used Staller hook-lift systems which are provided and installed by Bonnell. The equipment requested is the same equipment the Village has been standardizing our snow and ice control trucks with over the past nine years. Staff has been very pleased with the quality of the equipment, the professional installation, and responsiveness to its needs.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve of request from Public Works Department to waive bidding requirements and purchase central hydraulic system, hook lift system, dump body, snow plow, wing plow, tailgate spreader and spreader control system from Bonnell Industries, at a cost not to exceed \$303,007.00 (Public Works Department Units #264 & #272).

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

7. Approval of Police Department request to purchase four 2022 Chevrolet Tahoe State bid contract vehicles at a cost of \$162,952.00.

Administrator Muetz said the FY 21/22 Budget includes the replacement of four police squads. The Department is requesting Chevrolet Tahoes through the Illinois Joint Purchasing Contract. The cost of the purchase is \$162,952.00. He reminded the Board that \$226,000 was budgeted for police patrol vehicle purchases in FY 21/22. The difference covers the upfitting of the squads with all the necessary public safety equipment. The vehicles being replaced will be removed from the fleet. Typically, they are stepped-down to Community Development for use, however, the squads currently used by Community Development are in better shape than the four scheduled for replacement. Therefore, the four squads will be sent to auction.

It was moved by Trustee Ross, seconded by Trustee Garner to approve of Police Department request to purchase four 2022 Chevrolet Tahoe State bid contract vehicles at a cost of \$162,952.00.

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

8. Approval of request from Fire Department to waive bidding requirements and utilize the HGACBuy Ambulance Contract No. AM20XA09 to purchase a Road Rescue Ambulance including Stryker Power-LOAD patient lift system from Fire Service Inc. at a cost of \$259,368.00.

Administrator Muetz said included in the FY 21/22 Budget includes the replacement of an ambulance. The Fire Department operates four ambulances, with one additional ambulance set aside to cover calls when one of the primary units is out of service for maintenance or unscheduled repairs. By maintaining five ambulances, the Department is able to stretch the useful life of each ambulance to 10 years; therefore, an ambulance is replaced every two years. Staff is recommending the Village once again take advantage of HGACBuy Fire Service Ambulance Contract No. AM20XA09 to purchase an ambulance from Fire Service Inc. HGACBuy is a government cooperative purchasing pool that the Village is a member. Fire Service, Inc. is the current preferred manufacturer of the Village's fire equipment. The Village has partnered with them on successfully building and placing in service multiple pieces of equipment. To meet the specific needs of the Fire Department a Stryker Power-LOAD patient lifting system is being requested in conjunction with the ambulance.

It was moved by Trustee Garner, seconded by Trustee Thorstenson to approve of request from Fire Department to waive bidding requirements and utilize the HGACBuy Ambulance Contract No. AM20XA09 to purchase a Road Rescue Ambulance including Stryker Power-LOAD patient lift system from Fire Service Inc. at a cost of \$259,368.00.

Roll call,

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

- 9. Approval of request from Fire Department to waive bidding requirements and purchase Power-PRO XT Stretcher and Stair-PRO Stair Chair from Stryker at a cost of \$28,211.04.

Administrator Muetz said along with the ambulance and power-load system, the accompanying Power-PRO XT Stretcher will be needed. Our other ambulances are equipped with these stretchers and they have been great for our firefighters and patients. The Stair-PRO Stair Chair is a piece of equipment used to transport patients on stairs. Due to the Village's experience with the prior units, as well as a desire to maintain consistency, the Department is requesting to waive the formally bidding process and purchase the equipment from Stryker at a cost of \$28,211.04.

It was moved by Trustee Ross, seconded by Trustee O'Brien to approve of request from Fire Department to waive bidding requirements and purchase Power-PRO XT Stretcher and Stair-PRO Stair Chair from Stryker at a cost of \$28,211.04.

Roll call,

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

G. PUBLIC COMMENT

Ryan Horath
4981 South Road
Gurnee, IL

Mr. Horath stated he had a few errors he would like to correct. The first was Vice Mayor position. He stated he has reviewed the ordinance and it does not mention Pro-Tem duties. He stated he will continue to bring up this issue until it is addressed. The second issue related to Chicago and the powers it has. He stated Chicago does not have special powers. He then referenced various court cases and the Illinois Constitution. Next Mr. Horath discussed the memo from Klein, Thorpe and Jenkins. He said the memo is inaccurate, misrepresents cases and is offensive to him since he assisted in drafting the language of SB1854. The last issue Mr. Horath addressed was fence line monitoring and HB2385. He stated the proposed legislation recently failed due to the IEPA and Director Kim. He stated fence line monitoring will identify issues. He then reviewed a case involving DePue, IL. Mr. Horath concluded by stating that the focus will now shift from the State back to the local level and that Representative Mayfield has stated that local leaders could end this issue.

Mayor Kovarik stated she did not say the City of Chicago has special powers. She stated it has an Air Pollution Board, which Gurnee does not have. She continued to state that she finds it interesting Mr. Horath does not reference the memo from an attorney assisting his group that said it would be a 50/50 chance of prevailing in court and that someone would need to set the precedence. Mayor Kovarik stated Mr. Horath does not have a law license and has not practiced municipal law. She continued to state the Village is not going to enter a lawsuit based on his opinion. Mayor Kovarik concluded by stating that if Mr. Horath is correct then she expects the Mayor-elect of Waukegan will take immediate action to shutdown Medline on May 4th. If Waukegan is successful in this, she anticipates the Gurnee Village Board would consider taking similar action.

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 8:14 p.m.

Andrew Harris,
Village Clerk