

Approved February 28, 2017

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
February 14, 2017

President Wepler called to order a meeting of the Board of Trustees at 8:00 p.m. in the Village Hall, 118 West Cook, Libertyville, Illinois. Those present were: President Terry Wepler, Trustees Richard Moras, Jay Justice, Scott Adams, and Patrick Carey. Absent were Village Clerk Kowal, Trustees Johnson and Garrity.

ITEMS NOT ON THE AGENDA

President Wepler asked if anyone had any public comment regarding any item not listed on the agenda. The following items were addressed at this time:

-Ms. Erica Jarrett, 1380 Lake Street, presented a request that the Village of Libertyville become a Sanctuary City. She and others in attendance had letters to present to the Village Board of Trustees. President Wepler asked that she provide more information about what becoming a Sanctuary City entails. Ms. Jarrett explained her concern was that it appeared the Federal Government intends to request that local entities ask immigration status in their interactions in the functions of police and fire. Her request is that this not be handled in this manner, and that in Libertyville those that live and work should be able to travel without fear in the Village.

President Wepler asked Chief Herdegen if the Police were currently participating in such action. Chief Herdegen responded that the Police Department is not working in any way with State of Federal Agencies to inquire as to immigration status during their routine work. Ms. Jarrett added that the Village of Mundelein had passed an ordinance to become a Sanctuary City and expressed her concern that the public needs to formally know that Libertyville is a Sanctuary City.

-Ms. Carol McKinny, 1044 Harms. Avenue, expressed that she would like Libertyville to be a Sanctuary City and promote this publicly. She indicated that the Declaration of Sanctuary Cities explains that immigration is not the responsibility of local government and that as a community we would not seek out individual's immigration status. It also requests that we treat all human beings with respect, compassion, and all with equal rights. Also that Police will not inquire about status due to unrelated incidents that involve emergency services (police or fire). She also believes a Sanctuary City means we would not cooperate with Federal agencies unless proper documentation was received. She asked if a petition was necessary, and President Wepler asked that he provide more information for the Village Board as to what is involved in becoming a Sanctuary city before any formal action can be considered.

-Ms. Kathryn Wagner, 153 W. Lincoln, said that the downtown restaurant community has grown and is a destination. The restaurant community increase potentially brings more workers and is necessary to provide a safe community for all that visit, and work in Libertyville.

-Lisa Roti, 1212 Victory, said that immigration is a Federal issue and that the laws need to be enforced. She believed that is the responsibility of all levels of government to enforce immigration laws. She also said it is the responsibility of government to defend the citizens who live here. President Weppler asked if she objected to local government not asking immigration status and she said she did object because it is against the law to be in our country illegally.

-Melissa Phillips, stated that she was opposed to local government using local tax dollars to do the work of the Federal government and that this should be funded by the Federal government. Local services should not be tied to immigration status and if that is the policy all individuals should be asked. She indicated her understanding that detaining individuals based on immigration solely was not allowed in Illinois.

-Mary Ann Phillips, explained that a Sanctuary City is a municipality that has adopted a policy that protects unauthorized immigrants by not prosecuting them for violating Federal immigration laws, and ensuring that all residents have access to city services regardless of immigration status. President Weppler added that there are strict State laws regarding profiling and that Libertyville officers follow these laws.

OMNIBUS VOTE AGENDA

President Weppler introduced the Omnibus Vote Agenda and requested items F and J be removed for separate discussion.

OMNIBUS VOTE AGENDA

- A. Minutes of the January 24, 2017 Village Board Meeting
- B. Bills for Approval
- C. **RESOLUTION 17-R-18: Approve Revisions to the Employee Handbook**
- D. **RESOLUTION 17-R-19: Approve Raffle License for Misericordia**
- E. **RESOLUTION 17-R-20: Approve Request for Green Living Fair-Event and Banner**
- G. **RESOLUTION 17-R-21: Approve Change Order No. 1 for 2016 Sanitary & Storm Sewer Cleaning and Televising Project**
- H. **RESOLUTION 17-R-22: Award Contract for 2017 Water Main Improvements Project**
- I. **RESOLUTION 17-R-23: Approve Contract for the Wastewater Treatment Plant Screw Pump Controls**

Trustee Moras moved to adopt items A-E and G-1 listed on the Omnibus Vote Agenda in a single group pursuant to the omnibus vote procedures of the Libertyville Municipal Code. Trustee Justice seconded. President Weppler asked for Board and public comment and none was made. The motion carried on roll call vote as follows:

AYES: Trustees Moras, Justice, Adams, and Carey

NAYS: None

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RESOLUTION 17-R-24: Approve a Request for an Event and Display of a Banner in Cook Park MainStreet First Fridays

President Weppler inquired about the location of the Farmer's Market for the 2017 season. Deputy Administrator Amidei explained that this request was specifically for First Fridays due to the need for approval to obtain special event liquor licenses in time for the event. The remaining 2017 events will be on the agenda for an upcoming Village Board meeting.

Trustee Carey moved to approve the resolution approving a Request for an Event and Display of a Banner in Cook Park for MainStreet First Fridays. Trustee Adams seconded. President Weppler asked if there was any further public comment and none was requested. The motion carried on roll call vote as follows:

AYES: Trustees Moras, Justice, Adams, and Carey

NAYS: None

RESOLUTION 17-R-25: Adopt Revisions to Standards and Details for Public Improvements

The Village's Design Standards and Details for Public Improvements (Administrative Policy 96-01) had not been updated since 1996. Public Works Staff proposed numerous revisions and updates in order to ensure adequate materials are utilized and installed properly in order to prevent maintenance liabilities in the future. The proposed updates and revisions were previously reviewed with the Water & Sewer and Streets Committees at their January 2017 meetings. Both Committees passed unanimous recommendations for their acceptance. Since Committee discussion, a standard revision for sidewalk width has been tabled for further review and discussion.

Staff recommended approval of the resolution to adopt the proposed revisions to the Village's Standards and Details for Public Improvements and amend Administrative Policy 96-01 accordingly.

President Weppler requested Staff remove a recommendation for a 5 foot sidewalk standard. He believed that it should remain as a 4 feet standard and there was no compelling reason to change it, and it is important to maintain impervious surface. He asked the Village Board for questions or comments. Trustee Adams asked if there were different standards for residential and commercial areas and Trustee Moras asked if there were federal regulations related to this standard. Director of Public Works Kendzior reported that there was no difference for residential and commercial and 4 feet was the minimum and 5 feet was the maximum so either dimension would be acceptable. Trustee Adams would prefer 5 foot sidewalks to remain in high traffic commercial areas.

President Weppler asked for further questions and comments and there were none.

Trustee Adams moved to approve the resolution to Adopt Revisions to Standards and Details for Public Improvements. Trustee Moras seconded. President Weppler asked for public comment and none was made. The motion carried on roll call vote as follows:

AYES: Trustees Moras, Justice, Adams, and Carey

NAYS: None

REPORT OF THE PLAN COMMISSION (17-03): Major Adjustment to the Planned Development Plan — 700 E. Park Avenue

At their meeting of January 30, 2017, the Plan Commission heard a request from the Life Storage facility for a Major Adjustment to a Planned Development at 700 E. Park Avenue. The adjustment would allow the replacement of wall signs at the site.

Members of the Plan Commission noted that although Village Code does not allow more than one (1) wall sign per tenant, the current proposal is to reduce the number from four (4) to three (3). The request is a result of a new imaging program for the site. Members concurred with the request and recommended Village Board of Trustees approval with a vote of 6 - 0.

President Wepler asked Director of Community Development Director Spoden if there was an overall reduction in the signage. Director Spoden confirmed that there was a reduction. Karen Dodge, representing the sign company, indicated that the total reduction was 84 square feet.

Trustee Justice moved to approve the report of the Plan Commission (17-03) for a Major Adjustment to the Planned Development Plan at 700 E. Park Avenue. Trustee Carey seconded. President Wepler asked for further Board and public comment and none was made. The motion carried on roll call vote as follows:

AYES: Trustees Moras, Justice, Adams, and Carey

NAYS: None

ORDINANCE 17-0-10: Approve a Major Adjustment to the Planned Development Final Plan (PC 17-03) — 700 E. Park Avenue

President Wepler introduced an ordinance that approved the Major Adjustment to the Planned Development Final Plan at 700 E. Park Avenue. In order to expedite the review process, the petitioner requested that the if the Plan Commission Report was approved by the Village Board that the ordinance be adopted subsequently

Trustee Moras asked Director of Community Development Spoden if this was part of a re-branding effort. Director Spoden indicated it was. Trustee Moras moved to approve the ordinance approving a Major Adjustment to the Planned Development Final Plan at 700 E. Park Avenue and Trustee Adams seconded. President Wepler asked for further Board and public comment and there was none. The motion carried on roll call vote as follows:

AYES: Trustees Moras, Justice, Adams, and Carey

NAYS: None

RESOLUTION 17-R-26: Approve Declaration of a Surplus of Tax Increment Financing (TIF) Funds

President Wepler recused himself due to his property ownership in the TIF District. He asked for a motion to appoint Trustee Moras as President Pro-tern for this item. Trustee Justice motioned and Trustee Adams seconded the motion. The motion to appoint Trustee Moras as President Pro-Tern was approved by a 3-0 vote with Trustee Maras voting present only. President Pro-Tern Moras introduced a Resolution to Declare Surplus TIF Funds. In 2009, the Village entered into intergovernmental agreements with the taxing bodies within the Tax Increment Financing (TIF) area in order to allow the Village to extend the expiration of the TIF from 2010 to 2021. This extension allowed the Village to complete additional parking improvements and construct additional parking areas.

During negotiations of the intergovernmental agreements, it was determined that the Village would not require all of the tax revenues generated in the TIF area and agreed to rebate 70% of all property tax increments to the taxing bodies on an annual basis.

In order to accomplish this rebate, the Village must formally declare these funds surplus and forward the surplus funds to the County Treasurer's Office in order for the Treasurer to reallocate these funds to the affected taxing bodies. For the 2015 tax year, collected during 2016, the Village received \$3,664,442.14 in property taxes for the TIF area. The rebate proposed is \$2,565,110 (70% of the total). The estimated distribution of the surplus to the TIF taxing bodies is attached. The funds that are not declared surplus as well as the Village of Libertyville's portion of the surplus are being used to fund the new Downtown Church Street parking garage.

President Pro-Tern Moras asked if there was any public comment. Andy McDonough, Oaks Subdivision, inquired as to which taxing bodies would be receiving the rebate. He was provided the listing of entities and President Pro-Tern Moras explained how the rebate is established.

Trustee Justice moved to approve the resolution declaring a surplus of tax increment financing (TIF) funds and Trustee Carey seconded. President Pro-tern Moras asked for further Board and public comment and there was none. The motion carried on roll call vote as follows:

AYES: President Pro-Tern Moras, Trustees Justice, Adams, and Carey

NAYS: None

RESOLUTION 17-R-27: Approve Water Main Easement Agreement with Advocate Condell Medical Center

President Wepler explained that the Village Staff has been in discussions with representatives from Advocate Condell Medical Center to acquire a permanent water main easement on their property located at 801 S. Milwaukee Avenue for the installation of a new water main to replace a "chronic breaker" existing public water main on Cleveland Avenue. The proposed easement is necessary because of conflicts with existing underground utilities within the Condell Medical Center property and no

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available public right-of-way. The water main replacement work is scheduled to occur in the 2017 construction season as part of the Underground Improvements Project.

Advocate Condell Medical Center had already approved and executed the proposed Water Main Easement Agreement. The Village Attorney had reviewed and approved the Easement Agreement as well. The Agreement grants the Village the ability to access, install, restore, maintain, repair and replace the proposed water main.

Staff recommended approval of the Resolution authorizing the easement agreement with Advocate Condell Medical Center.

Trustee Moras moved to approve the resolution of a water main easement agreement with Advocate Medical Center. Trustee Carey seconded. President Weppler asked for further Board and public comment and there was none. The motion carried on roll call vote as follows:

AYES: Trustees Moras, Justice, Adams, and Carey

NAYS: None

RESOLUTION 17-R-28: Approve the 2017-2020 Strategic Plan

At the May 24, 2016, Village Board Meeting the Village Board approved a Professional Services Agreement with Northern Illinois University to develop a Strategic Plan for the Village. The consultant has completed all required aspects to compile the plan, and presented the draft report to the Village Board at the November 5, 2016 Committee of the Whole Meeting.

The Following Strategic Priorities were identified from Board workshops, community focus groups and staff work groups:

- a) Financial Sustainability
- b) Infrastructure Sustainability
- c) Maintain Hometown Feel
- d) Economic Development and Redevelopment
- e) Workforce Management and Stability

The Village Administrator has developed strategic initiatives to accomplish the priorities of the Strategic Plan and has assigned Department Head work teams to the initiatives. The Initiatives are attached to the Strategic Plan.

President Weppler asked for further questions and comments. Melissa Phillips asked if the plan would be available on the Village website and President Weppler confirmed it would be. Trustee Carey thanked all residents that participated in the establishment of the Strategic Plan. Andy McDonough asked what the Economic Development and Redevelopment and the Workforce Management and Stability items were about. President Weppler explained the items from the Plan, and Trustee Adams referred him to the Summary on page five of the document.

Trustee Moras gave examples about the items in the Strategic Plan. For example, providing affordable housing and maintaining economic viability of the Motorola site.

Trustee Justice moved to approve the resolution to approve the 2017-2020 Strategic Plan. Trustee Carey seconded. President Weppler asked for further Board and public comment and none was made. The motion carried on roll call vote as follows:

AYES: Trustees Johnson, Moras, Justice, Adams, Garrity, and Carey

NAYS: None

RESOLUTION 17-R-29: Award Contract for 2017 Road Rehabilitation

The Village is in the fifth year of a six year \$20 million Bond program approved in March of 2012 to accelerate the rehabilitation schedule of many roadways within the Village. Public Works Staff coordinated with our consulting engineer, Christopher B. Burke Engineering, Ltd., to prepare plans and specifications and solicit competitive contractor bids for this year's Program. This year's program will rehabilitate approximately 5.5 miles of roadways.

Competitive contractor bids were opened on February 3, 2017. There were four bidders on the project with the following results:

A-Lamp Concrete	\$3,689,833.09
Peter Baker & Son Co.	\$3,993,215.35
Johnson Paving	\$4,023,694.72
Schroeder Asphalt	\$4,061,920.10

The Engineer's Estimate was \$4,024,246.75. The proposed work is anticipated to begin as soon as favorable weather conditions occur and will be completed by September 30, 2017, which will span two Fiscal Year Budgets. There are sufficient funds available to pay for this work.

The FY 2016/17 Road Improvement Fund (RIF) has \$3,500,000 budgeted for the pavement rehabilitation (Account# 41-0000-6-773), which came in under budget at \$3,300,000. Of the \$200,000 remaining on the FY 2016/17 program, \$175,000 is available and will be used for FY 2017/18 Pavement Rehabilitation work to occur prior to May 1, 2017. (The \$25,000 remaining will be used for an Amendment with the Professional Services Agreement with Christopher Burke Engineering). A portion of the work to occur prior to May 1, 2017 will include the milling, widening and resurfacing of the Maple Avenue entrance for the new parking structure to avoid conflicts with the traditional events that are scheduled for the downtown over the summer.

The Draft FY 2017/18 Budget proposes \$3,525,000 in the RIF (Account# 41-00006-773) for the remainder of the proposed work (\$3,514,833.09) that will occur after May 1, 2017.

A-Lamp Concrete Contractors is a large and experienced roadway contractor and has previously successfully completed other pavement rehabilitation projects for the Village.

The Village's consulting engineer and Village staff are confident in A-Lamp Concrete Contractors' ability to complete the job as specified and within the time frame required. Trustee Moras moved to approve the resolution to award the contract for 2017 Road Rehabilitation to A-Lamp Concrete Contractors in the not-to-exceed amount of \$3,689,833.09. Trustee Adams seconded. President Weppler asked for further Board and public comment and none was made. The motion carried on roll call vote as follows:
AYES: Trustees Johnson, Moras, Justice, Adams, Garrity, and Carey
NAYS: None

PETITIONS AND COMMUNICATIONS

President Weppler let the Village Board know that the Village had received a Streetlight Grant from the President's Caucus. He also congratulated the Libertyville High School wrestlers for making it to the State Competition.

Trustee Moras asked when the next Fire & Police Committee meeting would be in regards to the Knollwood Fire Department item. President Weppler indicated that there was no pending discussion or meeting to this effect at this time and provided some background regarding the request made to the Village.

EXECUTIVE SESSION — Litigation: Pending or Imminent [5 ILCS 12012(c)(12)1, Real Estate: Setting Price for Sale/Lease [5 ILCS 120/2(c)(6)1, Personnel: Collective Bargaining [5 ILCS 120/2 (c)(2)j, and Closed Session Minutes Review [5 ILCS 120/2(0(21)]

At 8:53 p.m., Trustee Justice moved to go into Executive Session for discussion of pending or imminent litigation, setting sale/lease price, collective bargaining, and closed session meeting review and Trustee Carey seconded. The motion carried on a roll call vote as follows:

AYES: Trustees Johnson, Moms, Justice, Adams, Garrity, and Carey
NAYS: None

ADJOURNMENT

The Board returned to the regular meeting at 10:03 p.m., and with no further business, Trustee Moras moved to adjourn, Trustee Adams seconded, and the motion carried on a unanimous voice vote.

Respectfully submitted,



Christopher D. Clark
Deputy Village Clerk