

VILLAGE OF LIBERTYVILLE  
BOARD OF TRUSTEES  
June 26, 2018

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

**PROCLAMATION:** President Weppler read a proclamation commending Alex Tam and Ethan Burkhart for their outstanding accomplishments and successful season in Boys' Track and Field at the IHSA State Tournament. Both boys were Libertyville High School state qualifiers.

**EMPLOYEE RECOGNITIONS:** President Weppler recognized the following Village Employees for the years of service:

Marty Wittrock, 15 years  
Edward Swider, 15 years  
Michele Farm, 10 years  
Charles Bell, 46 years

**ITEMS NOT ON THE AGENDA**

President Weppler asked if anyone had anything to bring before the Village Board that was not already listed on the agenda. There were no items.

**OMNIBUS VOTE AGENDA**

President Weppler introduced the Omnibus Vote Agenda and asked if there were any items to be removed for separate discussion. Trustee Garrity expressed concern with the developer's delay on Item 3H. Administrator Amidei explained that it was a financial issue.

Omnibus Vote Agenda

- A. Minutes of the June 12, 2018 Village Board Meeting
- B. Bills for Approval
- C. **RESOLUTION NO. 18-R-125:** A Resolution to Approve a Raffle License for the Knights of Columbus – Dog Days of Summer
- D. **RESOLUTION NO. 18-R-126:** A Resolution to Approve a Request for the Display of a Banner in Cook Park – Dog Days of Summer
- E. **RESOLUTION NO. 18-R-127:** A Resolution to Approve an Amended PACE Dial-A-Ride Agreement
- F. **RESOLUTION NO. 18-R-128:** A Resolution to Purchase a Public Works Replacement Truck (Unit #319) from Rush Truck Center of Northern Illinois
- G. **RESOLUTION NO. 18-R-129:** A Resolution to Purchase a Replacement Public Works Backhoe Unit #326

- H. Consideration of a Request to Extend the Approval for a Preliminary Plat of Subdivision for Station Square – Trimm Property
- I. **RESOLUTION NO. 18-R-130:** A Resolution to Amend the Proposal for Fire and EMS Services to the Rockland Fire Protection District
- J. **RESOLUTION NO. 18-R-131:** A Resolution to Approve the Use of Village Property – Y-Not Project
- K. **RESOLUTION NO. 18-R-132:** A Resolution to Approve Contract Change Order No. 1 with Buhrman Design Group, Inc. for the Annual Landscape & Mowing Program
- L. **RESOLUTION NO. 18-R-133:** A Resolution to Award a Contract to House of Doors, Inc. for the Fire Station No. 1 Overhead Door Replacement Project
- M. **RESOLUTION NO. 18-R-134:** A Resolution Amending the ICMA 457 Retirement Plan
- N. **RESOLUTION NO. 18-R-135:** A Resolution Amending the Nationwide 457 Retirement Plan
- O. **RESOLUTION NO. 18-R-136:** A Resolution Authorizing the Director of Public Works to Sign IEPA Water Pollution Control Loan Program Documents
- P. **ORDINANCE NO. 18-O-30:** An Ordinance Authorizing to Borrow Funds from the IEPA Water Pollution Control Loan Program
- Q. ARC Report

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

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

NAYS: None

**REPORT OF THE ZONING BOARD OF APPEALS (ZBA18-03, Variation to Increase Lot Coverage) – Jim and Sandy Berklan, Applicants, 532 Ames Street**

President Weppler reported that the owners of 532 Ames Street are proposing to construct a new landing with steps to the rear of their residence. The construction will bring the site over lot coverage requirements and a variation is required. Members of the Zoning Board of Appeals reviewed the construction, along with the replacement of an existing concrete slab and determined it would actually lessen the amount of impervious surface at the site by 3 square feet. A motion to recommend Village Board of Trustees approval passed with a vote of 6 - 0. President Weppler asked for questions and comments and there was none. The applicant was present, and President Weppler thanked him for his patience with the variation process.

Trustee Moras moved to approve the variation to increase lot coverage at 532 Ames, Street, and Trustee Justice seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

NAYS: None

**ORDINANCE NO. 18-O-31: An Ordinance Granting a Variation for Lot Coverage (ZBA 18-03) at 532 Ames Street – Jim and Sandy Berklan, Applicants**

President Wepler explained the ordinance presented would grant a variation for lot coverage to construct a new landing with steps at 532 Ames Street. In order to expedite the review process, it was requested if the Village Board approved this request, the ordinance would be adopted at their June 26, 2018 meeting. Staff recommended the Village Board approve the ordinance.

Trustee Johnson moved to approve the ordinance, and Trustee Adams seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

NAYS: None

**AN AGREEMENT FOR CONSENT BETWEEN THE VILLAGE OF LIBERTYVILLE AND ADVOCATE CONDELL**

President Wepler explained that Advocate Condell is proposing signage and landscaping wall improvements at their Milwaukee Avenue entrance. The proposal includes a new sign to be located on the landscaped median of Condell Drive and landscaping walls at the intersection. The proposal will require an amendment to the Planned Development for the property.

As shown on the concept plan, the improvements would be partially on Village of Libertyville right-of-way property. In order for Advocate Condell to apply for the amendment, the Village Board of Trustees must approve the action as an affected property owner.

Staff recommended approval of the consent form to allow Advocate Condell to apply for the amendment to the Planned Development. President Wepler then asked for questions or comments.

Attorney for the applicant, James Babowice, as well as an Advocate representative and their design architect were present to answer questions.

Although there were no issues with the entrance improvements, President Weppler asked why no requested tree plan had ever been submitted. The Advocate Representative noted that trees had been added at the Center Club.

Trustee Garrity explained the Village Board had continued to grant approvals to Advocate, but the request for a comprehensive landscape plan had never been addressed. He stated the Village wanted to know the plan for tree replacement and other future plans for the Advocate campus. He also stated the orange fencing visible from Milwaukee Avenue is an eyesore. He added that Advocate had failed to follow through on requests, and the Village Board could not continue to approve Advocate requests with outstanding items. He noted the difficulty with Advocate complying with the refuse program as another example. He stressed that Advocate must fulfill its commitments.

James Babowice, attorney for Advocate, stated that a five-year plan would be presented at the August Plan Commission meeting, and the landscape plan could be updated at the same time.

President Weppler stated that Advocate had made assurances in the past but continues to delay. He noted the entrance plan was beautiful, but he reiterated the need for a long-term plan.

Trustee Johnson concurred with the President Weppler, stating that the Village wanted to be a good partner, but a detailed campus plan is required. The Advocate representative stated there is ongoing assessment of the landscaping. Trustee Johnson stated there needed to be an overall long-term campus plan.

Trustee Garrity stated there has been no one for one tree replacement. He added that near the Center Club pine trees have become overgrown and are impeding drainage. He added the comprehensive plan is required.

The Advocate representative assured the Board the plan would be addressed. He also stated the orange fencing is an IDOT decision, but a decision is pending. Director of Community Development John Spoden stated the Village is working with Advocate as a team to get the fence resolved.

Trustee Adams asked if the intersection at Valley Park had ever been resolved by IDOT. Director Spoden said he would look into it.

James Babowice stated there was a July 6 deadline for the five-year plan to be presented at the Plan Commission, and the Advocate Representative stated he wanted to make sure everything was prepared. President Weppler stated there would be no problem presenting at the September Plan Commission meeting. The Advocate representative

apologized for the delay in presenting the requested information and thanked Director Spoden for his help.

Trustee Johnson moved to approve the agreement for consent between the Village of Libertyville and Advocate Condell. Trustee Carey seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

AYES: Trustees Moras, Adams, Garrity, and Carey

NAYS: Trustee Justice

ABSTAIN: Trustee Johnson

### **A REQUEST FOR REMOVAL OF TREES FOR THE RIVA RIDGE UMBRELLA ASSOCIATION**

President Wepler stated that at the April 24, 2018 meeting, the Village Board of Trustees reviewed a request from the Riva Ridge Homeowners' Association to remove trees at the site. At the conclusion of the discussion, the Village Board deferred the item to allow the Association to create a Master Plan for trees and landscaping.

The Association is in concurrence with the request and has initiated the process. However, due to the amount of time necessary to complete the plan, the Association is requesting authority to remove the dead trees at the site.

Staff recommended approval of the request, subject to the review and confirmation of the Village Arborist. President Wepler stated that he, Trustee Carey, and the Homeowners' Association had held a productive meeting. He asked for questions and comments.

Trustee Moras noted the initial overplanting was part of the problem. Trustee Johnson concurred, noting the overgrowth and overpopulation was causing root problems as well. Trustee Garrity agreed with the short-term plan, but he reiterated the need for an overall plan. Trustee Carey noted the diseased ash trees and Austrian pines called for a new, more viable approach.

Mike Payne of the HOA Board assured the Village Board that a comprehensive plan would be completed. He suggested that trees removed could be replaced in other places, and Trustee Garrity suggested joint parkway planting.

Trustee Johnson moved to approve the request for removal of trees for the Riva Ridge Umbrella Association, and Trustee Adams seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

NAYS: None  
ABSTAIN: Trustee Carey

**ORDINANCE NO. 18-O-32: An Ordinance Approving an Amendment to the Planned Development Final Plan (PC 18-05) at 1755, 1795, 1801, and 1851 Butterfield Road – PharmaLogistics, Ltd., Applicant**

President Wepler stated the ordinance presented would approve an Amendment to the Planned Development Final Plan at 1755, 1795, 1801 and 1851 N. Butterfield Road. The Village Board approved this request at the June 12, 2018 meeting with the understanding that an ordinance would be drafted for the Village Board to consider for approval at the June 26, 2018 meeting. Staff recommended the Village Board approve the ordinance. President Wepler asked for questions and comments and there was none.

Trustee Justice moved to approve the ordinance approving an amendment to the Planned Development Final Plan (PC 18-05), and Trustee Johnson seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

**ORDINANCE NO. 18-O-33: An Ordinance Approving an Amendment to the Site Plan Permit (PC-06) at 1755, 1795, 1801, and 1851 Butterfield Road – PharmaLogistics, Ltd., Applicant**

President Wepler presented the ordinance that would approve an amendment to the Site Plan Permit for PharmaLogistics, Ltd. at 1755, 1795, 1801 and 1851 N. Butterfield Road. The Village Board approved this request at their June 12, 2018, meeting with the understanding that an ordinance would be drafted for the Village Board to approve at their June 26, 2018, meeting. Staff recommended the Village Board approve the ordinance.

Trustee Garrity moved to approve the ordinance approving an amendment to the Site Plan Permit (PC 18-06), and Trustee Carey seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

**RESOLUTION NO. 18-R-137: A Resolution to Approve a Contract Renewal with Advanced Cleaning Systems, Inc. for the Total Contract Amount of \$281,265.00**

President Wepler explained that after years with a firm that was not able to meet the janitorial demands of the Village, Staff investigated alternatives to find a firm that suited the needs of the Village in a cost competitive way. Through Municipal Purchasing Initiative (MPI), Advanced Cleaning Services, Inc. was determined to be the best fit for the Village and entered into a one (1) year Contract with them in May of 2017.

The original contract was agreed upon in the amount of \$278,565.00, with the option to extend the contract for two (2) additional years at an increase based on CPI or 2%, whichever is less. Throughout the year, it was determined that an increase in the number of basketball courts cleaned at the Sports Complex was needed. Advanced Cleaning is requesting an additional \$225.00 a month (\$2,700.00 total) in the new contract for these additional services. Advanced has proposed to waive the Annual Price Increase of CPI or 2% if the Village agrees to enter into another year with them.

Village Staff recommended approval of the resolution to award the contract renewal to Advanced Cleaning Systems, Inc., increase the amount by \$2,700.00 for a total contract amount of \$281,265.00, and authorize the execution of the contract by the Village Administrator. President Wepler asked for any questions or comments.

Trustee Justice asked why there was a contingency, and Administrator Amidei stated that the contingency would cover windows or any items not covered in the contract. Director Kowal noted the importance of the service.

Trustee Johnson moved to approve the resolution to approve a contract renewal with Advanced Cleaning Systems, Inc. for the total contract amount of \$281,265.00. Trustee Moras seconded. President Wepler asked for further Board or public comment and there was none. The motion carried on roll call vote as follows:

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

NAYS: None

**ORDINANCE NO. 18-O-34: An Ordinance Approving an Amendment to the Lease Agreement with Larry Lentz**

President Wepler stated Larry Lentz had requested an amendment to his lease for the leased space at the Libertyville Sports Complex. The ordinance would approve the amended lease with the agreed upon terms. The amendment decreases the amount of the monthly rent from \$4,512.38/month, to \$2,809/month retroactive to June 1, 2018. Mr. Lentz is current with his June rent payment, however confirmation of the payment of real estate taxes and building permit fees will be necessary prior to execution of the lease on behalf of the Village.

This lease amendment also provides for renewal of the lease agreement after six (6) months with a written amendment executed by both parties and will be conditional on the

Tenant complying with all terms of the lease and lease amendment.

Staff recommended the Village Board approve the ordinance to authorize President Weppler to execute the Lease Amendment. President Weppler asked for questions and comments and there was none.

Trustee Carey moved to approve the ordinance approving an amendment to the Lease Agreement with Larry Lentz, and Trustee Johnson seconded. President Weppler asked for further Board or public comment. 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 announced the following:

- The Parks and Recreation Commission will not meet at 6:00 p.m. on Tuesday, July 3, 2018
- Village Hall and all non-emergency offices will be closed on Wednesday, July 4, 2018 for Independence Day
- The Village Band will perform at 7:30 p.m. on Wednesday, July 4, 2018 in Butler Lake Park, with a fireworks display starting at 9:30 p.m.
- Dog Days of Summer Event will be held in downtown Libertyville Thursday, July 6 through Sunday, July 8, 2018
- The Zoning Board of Appeals will meet at 7:00 p.m. on Monday, July 9, 2018
- The Water and Sewer Committee will meet at 7:00 p.m. on Tuesday, July 10, 2018
- The Village Board will meet at 8:00 p.m. on Tuesday, July 10, 2018

President Weppler noted the success of this summer's Libertyville Days. Trustee Moras wished everyone a Happy 4<sup>th</sup> of July, noting the emphasis on "indivisible" in the Pledge of Allegiance. Trustee Garrity noted the last meeting of Finance Director Patrice Sutton, and everyone thanked her for her time in Libertyville and wished her well.

#### **EXECUTIVE SESSION**

**Closed Session Minutes, Review [5 ILCS 120/2(c)(21)]**

**Litigation: Pending or Imminent [5 ILCS12//2(c)(11)]**

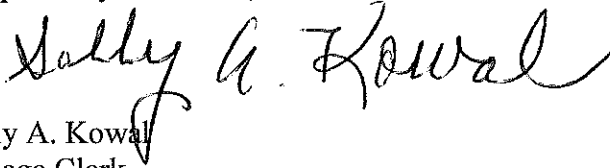
President Weppler noted the need for the Village Board to meet in Executive Session. Trustee Carey moved to go into Executive Session at 8:56 p.m., and Trustee Johnson seconded. The motion carried on a unanimous voice vote.



**ADJOURNMENT**

The Village Board returned to the regular meeting at 9:17 p.m., and with no further business to come before Village Board, Trustee Johnson moved to adjourn, and Trustee Adams seconded. The motion carried on a unanimous voice vote.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sally A. Kowal". The signature is written in black ink and is positioned above the typed name and title.

Sally A. Kowal  
Village Clerk