

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES
October 9, 2018

President Wepler 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 Wepler, Trustees Donna Johnson, Richard Moras, Jay Justice, Scott Adams, Peter Garrity, and Patrick Carey.

OATHS OF OFFICE

President Wepler issued the Oath of Office to Matthew Goze who was promoted to the rank of Lieutenant in the Libertyville Police Department.

President Wepler issued the Oath of Office to Jason Kapusinski who was promoted to the rank of Sergeant.

President Wepler thanked members of the Police and Fire Commission for their diligence in interviewing and recommending candidates.

ITEMS NOT ON THE AGENDA

President Wepler 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 Wepler introduced the Omnibus Vote Agenda and asked if there were any items to be removed for separate discussion. He removed item 3E until the next regular Board meeting.

Omnibus Vote Agenda

- A. Minutes of the September 25, 2018 Village Board Meeting
- B. Bills for Approval
- C. **RESOLUTION NO. 18-R-191:** A Resolution to Approve a Request for the Display of a Banner in Cook Park – High School District 128
- D. **RESOLUTION NO. 18-R-192:** A Resolution to Approve an Intergovernmental Agreement for Regional 911 Consolidation Project
- E. Consideration of a Resolution to Authorize the Mayor to Sign a Memorandum of Understanding with the Lake County Health Department
- F. **RESOLUTION NO. 18-R-193:** A Resolution to Approve a Special Event – Pumpkin Fest
- G. **RESOLUTION NO. 18-R-194:** A Resolution to Approve a Special Event – Dog Days of Summer

Trustee Johnson moved to adopt items A-D and F-G 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 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

REPORT OF THE PLAN COMMISSION (PC 18-12) Review and Approval of an Urban Forestry Management Plan

President Wepler stated that Advocate Condell Medical Center is requesting approval of an Urban Forestry Management Plan for the campus. At the request of the Village Board of Trustees, Advocate Condell hired the Laflin Design Group to complete the plan. Two thousand and nine (2,009) trees were inventoried with condition and form ratings given to each. An eight (8) year plan was devised to prune all trees in that period of time while removing dead trees and planting new ones. The Plan Commission heard the request at their September 24, 2018 meeting and a motion was passed by unanimous vote to recommend Village Board of Trustees approval, subject to the following development conditions:

1. That six (6) trees be planted in the parking lot islands at the Centre Club in 2018.
2. That a commitment be made if an existing tree on the approved planting list is removed because it is dead, diseased, or dying, that it be replaced with another tree from that list (one-for-one replacement).
3. That representatives of Advocate Condell Medical Center and Staff meet twice a year to review plans for projected projects and for projects completed in relation to implementing the Urban Forest Management Plans.
4. That priority be given to pruning, removal of dead trees and replacements, and planting of shrubs in the perimeter landscape buffer adjacent to the residential properties.
5. That a commitment on timing of clean-up of the swale and catch basin at the southeast corner of the site be made prior to Village Board of Trustees action on this item.

President Wepler requested that a time limit be established for removal of dead or dying trees. He also requested that items 4a and 4b be discussed simultaneously. He then thanked Condell for the excellent job of preparing the forestry plan. He asked for questions and comments.

Advocate Condell's President Michael Ploszek addressed the Village Board. He thanked the Board for the opportunity to present the plan and assured them that Condell wanted to be a trusted partner. He noted there would be twice-yearly meetings between Condell and the Village, and he promised to solidify the relationship. President Wepler explained the current misunderstanding was not the fault of the current administration.

Mr. Jim Kokaska representing Advocate Condell noted that the proposed plan had been before the ARC and the Plan Commission, and he noted updates addressed after the last Village Board meeting. He introduced Katrina Laflin, a certified arborist, to present the Urban Forest Management Plan. Ms. Laflin's presentation included the following:

- Care of old and new trees
- Removal of non-native species
- Review of the tree inventory
- Semi-annual meetings between the Village and Advocate Condell
- Inventory report and analysis
- Rating system, including condition and form
- Species diversity with no single species over 10% of the total
- Tree removal and maintenance
- Outline of plans for each of the years of the plan
- Use of an approved species list

President Weppler asked Ms. Laflin for a replacement timeline, and she explained that replacement should take place during the current growing season and according to plant availability. It was determined that 12 months would be a reasonable time for replacement.

Mr. Kokaska updated the Village Board on work completed since the last meeting. Mr. Jeff Fahs, HDR Architects, provided updated renderings of the proposed entryway. He noted the addition of a mow line and short native plants to the detention basin. He added that the steep embankment along Milwaukee Avenue would have sod, ground cover, and shrubs.

Trustee Garrity asked if undesirable species would be eliminated, and Mr. Kokaska stated the elimination is part of the eight-year plan. Trustee Garrity noted that he appreciated the work done and stated that he liked the plan. He also reviewed that Plan Commission condition #5 had been addressed by Condell.

Trustee Johnson acknowledged the budget constraints and asked for the addition of 12 months to condition #2.

Trustee Carey moved to approve the Urban Forestry Management Plan and Trustee Johnson seconded subject to the following development conditions:

1. That six (6) trees be planted in the parking lot islands at the Centre Club in 2018.
2. That a commitment be made if an existing tree on the approved planting list is removed because it is dead, diseased, or dying, that it be replaced with another tree from that list (one-for-one replacement) within twelve (12) months.
3. That representatives of Advocate Condell Medical Center and Staff meet twice a year to review plans for projected projects and for projects completed in relation to implementing the Urban Forest Management Plans.
4. That priority be given to pruning, removal of dead trees and replacements, and planting of shrubs in the perimeter landscape buffer adjacent to the residential properties.

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 PLAN COMMISSION (PC 18-10) Amendment to the Planned Development Master Plan

President Weppler explained that Advocate Condell is proposing to construct a new entrance sign and associated landscaping walls in the public right-of-way at Condell Drive and Milwaukee Avenue. The sign would be placed in the median, approximately 30 feet in height at grade. The proposal requires an amendment to the Planned Development at the site.

The Plan Commission heard the request at the meeting of August 27, 2018, and recommended approval with a vote of 6 - 1, with the dissenter noting concerns about the proposed size of the sign. At the September 11, 2018 meeting, the Village Board of Trustees reviewed the Report of the Plan Commission and continued this request to the October 9, 2018 meeting to allow the

petitioner to complete work on an Urban Forestry Management Plan for the site. That Plan was presented at the meeting on October 9, 2018, and is Agenda Item No. 4a.

Trustee Garrity moved to approve the Amendment to the Planned Development Master Plan for Advocate Condell Medical Center, 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

RESOLUTION NO. 18-R-195: A Resolution to Approve an Amendment to the Professional Services Agreement with Christopher B. Burke Engineering, Ltd. for the Charles Brown Reservoir Restoration Project

President Wepler explained that on May 22, 2018, the Village Board approved a professional services agreement with Christopher B. Burke Engineering, Ltd. (CBBEL) for design engineering services for the Charles Brown Reservoir Restoration project. The original cost for these services was \$70,760. The scope of services included surveying, utility coordination, wetland analysis, geotechnical investigation, evaluation of the pump station and the preparation of plans, specifications and bidding documents.

Following the approval of the agreement, the Village was made aware of the possibility of funds being available for the construction of the project through the Illinois Environmental Protection Agency (IEPA) 319 Grant Program. The Village directed CBBEL to prepare the required grant application and supporting documentation. This work was outside the agreement's scope of services and resulted in additional fees in the amount of \$3,063.50. An invoice detailing their services was included. The Village was recently notified by the Lake County Stormwater Management Commission, the local agency that administers the IEPA 319 Grant, that the Village had been approved for approximately \$135,000 in funding. The current construction estimate for the project is

\$1,278,000. The proposed amendment to the CBBEL professional services agreement in the amount of \$3,063.50 is for the additional design engineering services associated with the IEPA Grant Application.

Sufficient funding is available in the Project Fund, Account #40-0000-0-774 for the proposed amendment to the CBBEL professional services agreement. The new adjusted total agreement amount will be \$73,824.

Staff recommended adoption of the Resolution for approval of an amendment to the professional services agreement with Christopher B. Burke Engineering, Ltd. in the amount of \$3,063.50 for the additional engineering services to prepare the IEPA 319 Grant Application for the Charles Brown Reservoir Restoration project. President Wepler then asked for questions and comments and there were none.

Trustee Justice moved to approve the resolution to approve and Amendment to the Professional Services Agreement with Christopher B. Burke, Ltd., and 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

RESOLUTION NO. 18-R-196: A Resolution to Award a Contract to Twin Supplies, Ltd. for LED Light Upgrades at Fire Station #3

President Weppler noted that Staff submitted a proposal to ComEd to upgrade the lighting at Fire Station #3 using their “Small Facilities for Public Sector Customers with under 100 KW demand” energy efficiency incentive program. ComEd approved the Village’s energy efficiency incentives project on September 18, 2018 after project bids were received. ComEd estimated a cost savings of \$9,288.17 annually and a projected return on investment of 1.08 years if the Village were to upgrade Fire Station #3 to LED lights. In 2017, the Village spent \$11,101.22 for electricity at Fire Station #3.

On August 21, 2018, staff solicited proposals for the LED upgrade project. On September 14, 2018, three bids for the project were received and opened. The lowest responsible bidder was Twin Supplies Ltd with an out of pocket cost to the Village of \$9,986. The bids are summarized below which include the incentives from ComEd:

Bidder	Gross Project Cost	Estimated ComEd Incentives	Total Net Cost to Village After Incentives
Twin Supplies, Ltd	\$31,607.80	\$21,621.80	\$9,986.00
Imperial Lighting	\$29,819.76	\$13,994.93	\$15,824.83
Eco Lighting Services and Technology	\$35,207.00	\$13,994.93	\$21,212.07

This project was not budgeted in the Fiscal Year 2018/19 Budget, however as grants become available that may provide cost savings staff pursues them. Sufficient funding is available in the Public Building Improvement Fund - Fire Stations Account # 46-0000-0-794 for this project. Completing this work will provide significant electrical cost savings in future years.

Staff recommended approval of the resolution to award the contract to Twin Supplies Ltd. for the LED Upgrade project at Fire Station #3. The Mayor asked for questions and comments.

Trustee Justice asked if other stations could benefit from the program, but Administrator Amidei stated the program is for the station outside the Village. Trustee Garrity asked if the incentives were reasonable, and Public Works Director Paul Kendzior said that they were.

Trustee Johnson moved to approve the resolution to award a contract to Twin Supplies, Ltd. for LED light upgrades at Fire Station #3, and Trustee Garrity 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

ORDINANCE NO. 18-O-55: An Ordinance to Amend Chapter 9 of the Municipal Code Regarding Environmental Preservation

President Weppler explained that Chapter Nine (9) of the municipal code titled, Environmental Preservation also known as the Tree Preservation Ordinance, was referred to the Special Projects Committee by the Village Board earlier this year. In order to prepare for the Committee meeting, Staff reviewed ten neighboring community's tree preservation ordinances to determine common preservation practices. A breakdown of the different ordinances was presented to staff to discuss recommendations for modifications to consider with the Committee. Staff also reviewed current practices in order to improve the tree preservation process.

The proposed changes and draft ordinance were presented to the Special Projects Committee at their June 21st and August 14th meetings to discuss the research and proposed changes to the ordinance. At the first meeting, Staff presented a new tree classification and replacement schedule. With the schedule, tree species are grouped into different categories based on the species traits. The category also defines the replacement requirement for tree removals. As an example, group A trees must be replaced with three (3) trees, group B trees with two (2) trees, group C trees with one (1) tree and group D trees requires no replacements. Regardless of the tree grouping, no replacement is required if the tree was severely damaged (due to natural causes), diseased, dying or dead. The classification system increases the amount of tree replacements based on the type of tree that is removed.

At the August Committee meeting, a final draft ordinance was presented to the Committee. The main changes in the draft ordinance are the formatted layout of the chapter and language changes to the Development guidelines. By including the tree permit stipulations and guidelines under the site development section, developments will now need to meet replacement requirements for trees that are removed. The Committee also desired to have replacements required when a tree was determined to be dead or in a dying state. After discussion, the decision to require one tree replacement for dead or dying trees in group A only was agreed upon. The Special Projects Committee recommended Village Board approval of the draft ordinance with a 3-0 vote and the Village Attorney has since completed review of the proposed changes.

Upon further review of the draft ordinance by Staff, it was determined that the requirement of replacement trees having a diameter of 2.5 inches was not feasible due to available stock. Staff recommended a minimum replacement diameter of 1.5 inches. This recommendation is consistent with the diameter of trees the Village has been able to provide through the 50/50 parkway tree planting program.

Staff recommended approval of the Ordinance to amend Chapter Nine of the Libertyville Municipal Code for the environmental and tree preservation regulations.

Trustee Garrity moved to approve the ordinance to amend Chapter 9 of the Municipal Code regarding Environmental Preservations. Trustee Adams 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

PETITIONS AND COMMUNICATIONS

President Wepler announced the following:

- The Fire Department will hold a Fire Prevention Open House on Saturday, October 13, 2018 from 1:00 to 4:00 p.m. at Fire Station One
- The Historic Preservation Commission will meet at 5:00 p.m. on Monday, October 15, 2018
- The Appearance Review Commission will meet at 7:00 p.m. on Monday, October 15, 2018
- The Fire and Police committee will NOT meet on Tuesday, October 16, 2018
- The Sustain Libertyville Commission will meet on Wednesday, October 17, 2018
- The Economic Development Commission will meet at 7:30 a.m. on Wednesday, October 17, 2018
- The Libertyville Arts Commission will meet at 2:00 p.m. on Monday, October 22, 2018
- The Plan Commission/Zoning Board of Appeals will meet at 7:00 p.m. on Monday, October 22, 2018
- The Committee of the Whole will meet at 6:30 p.m. on Tuesday, October 23, 2018
- The Streets Committee will NOT meet at 7:00 p.m. on Tuesday, October 23, 2018
- The Village Board will meet at 8:00 p.m. on October 23, 2018
- The Committee of the Whole will meet at 6:00 p.m. on Tuesday, October 30, 2018 to continue the discussion on the draft stormwater management plan
- The Committee of the Whole will meet at 8:00 a.m. on Saturday, November 3, 2018 to discuss the draft Capital Improvement Plan and related funding options.

President Wepler referred the American Legion's request to begin a Queen of Hearts game to the License and Permits Committee.

Administrator Amidei noted that the *Village Views* would be delivered this week.

ADJOURNMENT

With no further business to come before Village Board, Trustee Johnson moved to adjourn at 8:59 p.m., and Trustee Carey seconded. The motion carried on a unanimous voice vote.

Respectfully submitted

Sally A. Kowal, Deputy Clerk

Sally A. Kowal
Village Clerk