

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

**GURNEE VILLAGE HALL  
APRIL 6, 2020**

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**Call to Order**

Mayor Kovarik called the meeting to order at 7:00 p.m.

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**Other Officials in Attendance**

Patrick Muetz, Village Administrator; David Ziegler, Assistant Village Administrator/Community Development Director; Bryan Winter, Village Attorney; Brian Gosnell, Finance Director; John Kavanagh, Fire Chief; Brian Smith, Police Chief; Jack Linehan, Assistant to the Administrator

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**Roll Call**

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

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**Pledge of Allegiance**

Mayor Kovarik led the Pledge of Allegiance.

The Mayor thanked Staff for a good job in keeping Village employees safe while supporting residents and businesses during the COVID-19 pandemic.

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**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.**

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**B. CONSENT  
AGENDA /  
OMNIBUS VOTE**

Village Administrator Muetz informed the Board that items 3 through 6 were all publically bid projects and all recommendations are for the low bidder.

The Village Administrator read the consent agenda for an omnibus vote as follows:

1. Approval of minutes from the March 23, 2020 Village Board meeting.
2. Approval of Ord. 2020–24 extending a moratorium on the establishment of smoke, vape or hookah shops and/or lounges.
3. Approval of awarding the 2020 Old Grand Water Main Replacement Phase 1 Project (Ferndale Street to First Street) to the low bidder, Joel Kennedy Constructing Corp., at a cost of \$971,500.00.
4. Approval of awarding the 2020 Ferndale Reconstruction Project (Grand Avenue to Route 41) to the low bidder, J.A. Johnson Paving, at a cost of \$570,800.00.
5. Approval of awarding the Westgate Sanitary Lift Station Pump Replacement Project to the low bidder, Grundfos CBS, Inc. at a cost of \$25,300.00.
6. Approval of Police Department request to purchase five 2020 Chevrolet Tahoe State bid contract vehicles at a cost of \$190,940.00.
7. Approval of request to dispose of certain documents as authorized by the State of Illinois Local Records Commission.
8. Approval of Community Service Officer Armando Martinez's request to participate in the Village's tuition assistance program in pursuit of an Associate of Arts degree at the College of Lake County.
9. Approval of Payroll for period ending March 27, 2020 in the amount of \$820,952.60.
10. Approval of Bills for the period ending April 6, 2020, 2020 in the amount of \$688,284.15.

It was moved by Trustee Garner, seconded by Trustee Thorstenson 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. Approval of Proclamation designating April 12 - 18, 2020 as "National Public Safety Telecommunicators Week" in the Village of Gurnee.

It was moved by Trustee Garner, seconded by Trustee Ross to approve designating April 12 - 18, 2020 as "National Public Safety Telecommunicators Week" in the Village of Gurnee.

**Voice Vote: ALL AYE: Motion Carried.**

2. Approval of Proclamation designating April, 2020 as "9-1-1 Education Month" in the Village of Gurnee.

It was moved by Trustee Balmes, seconded by Trustee O'Brien to approve designating April, 2020 as "9-1-1 Education Month" in the Village of Gurnee.

**Voice Vote: ALL AYE: Motion Carried.**

3. Approval of Proclamation designating April, 2020 as "Child Abuse Prevention Month" and recognizing the Blue Kids Lake County Project.

It was moved by Trustee O'Brien, seconded by Trustee Ross to approve designating April, 2020 as "Child Abuse Prevention Month" in the Village of Gurnee and recognizing the Blue Kids Lake County Project.

**Voice Vote: ALL AYE: Motion Carried.**

**D. REPORTS**

**Gurnee Electrical Aggregation Program Renewal**

1. 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

According to our energy consumption data, by utilizing MC Squared's 100% Green Community Aggregation program for one-year, Gurnee used 93,748,000 kWh of renewable energy in 2019/2020. This ranked Gurnee as #30 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 20/21 Program in addition to MC Squared the Village received a bid from Eligo Energy. Eligo is offering a \$175,000 Civic Contribution compared to MC Squared offer of a \$50,000.

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

- MC Squared
  - Pros:
    - Current Company of 4-years
    - Call centers out of Chicago
    - Founded the EcoGreen Program

- Quality customer services
- 5-Star Company
- Cons:
  - Offer of \$50,000 Civic Contribution
- Eligo Energy
  - Pros:
    - Offer of ~\$175,000 Civic Contribution
    - Recent clients include Aurora, IL and Arlington Heights, IL
    - Call centers out of Chicago
    - 4-Star Company
  - Cons:
    - Cited in 2019 by Attorney General for misleading door-to-door sales practices
    - Company contends this was from a 3<sup>rd</sup> party sales firm that has since been fired
    - Risk of negative PR: Arlington Heights' deal lead to a story regarding Eligo's history
- Civic Contribution to Consider
  - Can be used to fund various initiatives
    - Blue Ribbon Commission Projects
  - Arlington Heights, IL is using funds for electric car charging stations in their downtown
  - Capital Fund / General Funding

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/Comments:

Trustee Hood stated that it would be worth it to receive the extra funds in light of the current economic situation.

Trustee Garner stated that because they have been fined in the past, they would less likely receive a citation again and be worth the risk.

Trustee O'Brien concurred with Trustees Hood and Garner. He also asked about the 4-star rating and our expectation of the level of service.

Mr. Linehan stated that their rating is based on the company in its entirety. However, they have an aggregation division with a dedicated staff and dedicated email and phone number, which is important to our residents in providing a higher level of service.

Trustee Thorstenson asked whether or not customer comments impacted their 4-star rating or if it's an aggregate of their services.

Mr. Linehan stated that some of their rating does come from the Illinois Commerce Commission. He further stated that a lot of their rating comes from door to door sales; however, aggregation is a different program.

Trustee Ross asked if they are still in the Green Energy system.

Mr. Linehan stated that it would be 100% renewable energy credits.

Trustee Balmes emphasized the Civic Contribution designation.

Village Administrator Muetz clarified.

Trustee O'Brien stated that we should make it clear that there is no additional cost for either company to the residents.

Following discussion Assistant to the Village Administrator Linehan will present an agreement with Eligo Energy for a one-year, 100% renewable Electric Aggregation contract recommendation for final approval at the Monday, April 20<sup>th</sup>, 2020 Village Board meeting.

**EtO Sampling**

Village Administrator Muetz informed the Board that since Medline was back up and running, the ambient air sampling has resumed and will continue for the next 30 days.

**E. OLD BUSINESS**

None.

**F. NEW BUSINESS**

1. Approval of Res. 2020-04 declaring a local state of emergency in the Village of Gurnee due to Coronavirus Disease 2019 (declared and executed by Mayor Kovarik on March 18, 2020).

Mayor Kovarik briefly summarized the Resolution.

It was moved by Trustee O'Brien, seconded by Trustee Ross to approve Res. 2020-04 declaring a local state of emergency in the Village of Gurnee due to Coronavirus Disease 2019 (declared and executed by Mayor Kovarik on March 18, 2020).

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

2. Approval of Res. 2020-05 authorizing maintenance and improvements of streets and highways under the Illinois Highway Code (2020 Motor Fuel Tax Program).

Village Administrator Muetz stated the FY 20/21 Proposed Budget does not include the use of MFT funds to support the Road Program. The program is instead supported by Capital Fund reserves, Home Rule Sales Tax and a transfer from the General Fund. To maintain the Road Program as designed in the FY 20/21 Capital Plan, staff is proposing utilizing MFT funds to offset the anticipated drop in Home Rule Sales Tax receipts and conserve General Fund revenues. The plan is to not transfer the \$675,000 from the General Fund to the Capital Fund and instead use Motor Fuel Tax funds to fill the gap. While the Village has been using MFT funds every other year to supplement the program, staff feels it's best to conserve General Fund revenue and rather use MFT funds, which are restricted to roadway improvements. To be able to use MFT funds, the Village must approve this IDOT Resolution. Staff anticipates bringing a budget amendment forward at the April 20th Village Board Meeting to provide for the use of these funds, along with other measures, as the first round of budget adjustments in response to the COVID-19 crisis.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve the Res. 2020-05 authorizing maintenance and improvements of streets and highways under the Illinois Highway Code (2020 Motor Fuel Tax Program).

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

3. Approval of Res. 2020-06 authorizing an emergency appropriation to GolfVisions Management, Inc. for operations at the Village's Bittersweet Golf Course.

Village Administrator Muetz gave a review stating that per the Governor's Executive Order dated March 20, 2020, Bittersweet Golf Course was ordered to close as it is not an essential business. While it initially appeared golf courses may be allowed to remain open during the order, after numerous conflicting decisions it was ultimately decided they must close. As such, Bittersweet will need operational assistance. While Golf Visions has been able to make operational adjustments to stretch reserves over the winter months, the mandated closure is projected to exhaust funds leaving the course unable to make upcoming payroll payments. As such, it has requested assistance. Funding for capital improvements has been budgeted in the Golf Fund. Staff is proposing that a portion of this funding, not to exceed \$50,000, be made available to assist the

course during the closure. The funding would be then be paid back to the Village by the course in the future. While Bittersweet has only requested \$17,000, staff is seeking authority for up to \$50,000 and will only transfer what is needed to the course.

Questions/Comments:

Trustee Garner asked if we have looked at a “worst-case scenario” that exceeds \$50,000.

Village Administrator Muetz stated that if GolfVisions’ needs exceed \$50,000 a discussion would come before the Board for discussion.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve Res. 2020-06 authorizing an emergency appropriation to GolfVisions Management, Inc. for operations at the Village’s Bittersweet Golf Course.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

4. Approval of Ord. 2020-25 approving the annual budget of the Village of Gurnee, County of Lake, State of Illinois, for the Fiscal Year beginning May 1, 2020 and ending April 30, 2021.

Mayor Kovarik stated this was discussed during the Public Hearing before the Board meeting.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve the the annual budget of the Village of Gurnee, County of Lake, State of Illinois, for the Fiscal Year beginning May 1, 2020 and ending April 30, 2021.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

5. Approval of Ord. 2020-26 approving the purchase of real estate located at 4609, 4611, 4617 and 4625 Old Grand Avenue, Gurnee, Illinois.

Village Administrator Muetz stated the Village was approached by the property manager for 4609 - 4625 Old Grand Avenue who stated the owner was interested in selling it. The site is just under one acre and contains two buildings with multiple tenants, most notably Dairy Queen in the rear building and a salon in the front building. The structures rank #5 and #7 on the Village’s floodplain property priority list and have a fair market value of \$381,000. Staff was interested in pursuing this property and received concurrence from the Village Board during the January 27, 2020 Executive Session. Staff subsequently reached out to the property owner and after some negotiations was able to reach to a purchase price of \$275,000. While this was an unbudgeted expense FY 19/20 Capital Fund surplus is projected to exceed this amount and therefore will fully cover the cost without exceeding approved budget amounts.

It was moved by Trustee Ross, seconded by Trustee Garner to approve the purchase of real estate located at 4609, 4611, 4617 and 4625 Old Grand Avenue, Gurnee, Illinois.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

6. Approval of Ord. 2020-27 granting a Special Use Permit pursuant to the Gurnee Zoning Ordinance for 4710 – 5710 West Des Plaines Place to allow the establishment and operation of a vehicle

dealership with outdoor sales, storage and repair.

Assistant Village Administrator David Ziegler gave a review stating that the land is the former AAA Tent Masters property located at 4710-5710 Des Plaines Place. BTE Motors is seeking approval to have outside activity (sales, storage, display, and repair) associated with the sale of pre-owned motor coach buses. Buses that come to the site are parked/stored north of the building located at 5710 W. Des Plaines Place. No more than 3-4 buses will be located on the north half of this lot. Any work required to the buses in order to prepare them for sale occurs in this area. Work done to buses on-site is limited to work inside the bus and replacement of luggage racks. The southern half of this lot is maintained for employee and customer parking. Once the buses are ready for display and sale, they will be moved to a proposed new 7,156 sq. ft. parking lot located east of the building. Up to five buses can be parked in this proposed parking. The petitioner, Anthony Vaccarello on behalf of BTE Motors was available, via conference, call for any questions.

Questions/Comments:

Trustee Garner asked if the overall property would look significantly better aesthetically.

Mr. Ziegler stated the applicant only has control of the one story building but the hanger structure is the responsibility of the property owner. Mr. Ziegler stated new landscaping will be added around the parking lot.

Trustee O'Brien stated that once completed, the addition would be a nice revenue generator for the Village.

It was moved by Trustee Hood, seconded by Trustee O'Brien to grant a Special Use Permit pursuant to the Gurnee Zoning Ordinance for 4710 – 5710 West Des Plaines Place to allow the establishment and operation of a vehicle dealership with outdoor sales, storage and repair.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0- None**

**Motion Carried.**

**G. PUBLIC COMMENT**

None.

**H. EXECUTIVE SESSION**

The Village Attorney stated that tonight's Executive Session will reference:

5 ILCS 120/2 2 (c) (1) which states: The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body of legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body to determine its validity.

**Adjournment to Executive Session**

It was moved by Trustee Garner seconded by Trustee Thorstenson to adjourn the meeting into Executive Session.

**Roll call,**

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

**NAY: 0- None**

**ABSENT: 0 -None**

**Motion Carried.**

Mayor Kovarik adjourned the meeting into Executive Session at 7:45 p.m.

**Recall to Order**

Mayor Kovarik recalled the meeting to order at 8:05 p.m.

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

**ABSENT: 0- None**

**Closing Comments**

None.

**Adjournment**

It was moved by Trustee Garner, seconded by Trustee Thorstenson to adjourn the meeting.

**Voice Vote: ALL AYE: Motion Carried.**

Mayor Kovarik adjourned the meeting at 8:10 p.m.

**Donna R. Dallas,  
Deputy Clerk**