

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

**GURNEE VILLAGE HALL
JANUARY 6, 2020**

Call to Order

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

Other Officials in Attendance

Patrick Muetz, Village Administrator; David Ziegler, Assistant Village Administrator / Community Development Director; Heather Galan, Village Engineer; Bryan Winter, Village Attorney; Brian Gosnell, Finance Director; Christine Palmieri, Director of Human Resources; Tom Rigwood, Director of Public Works; John Kavanagh, Fire Chief; Jesse Gonzalez, Deputy Police Chief; Willie Meyer, Police Commander; John Peterson, Support Services Director; 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.

**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 December 16, 2019 meeting.
2. Approval of Ord. 2020 - 01 amending the Village of Gurnee Personnel Policy Manual (Cannabis Regulation and Tax Act and Workplace Transparency Act updates).
3. Approval of setting a bid date of January 27, 2020 for Police Department Phase 1 Carpet Replacement Project.
4. Approval of setting a bid date of February 10, 2020 for Depot Road Path Extension Project.
5. Approval of Payroll for period ending December 20, 2019 in the amount of \$845,378.37.
6. Approval of Bills for the period ending January 6, 2020 in the amount of \$393,604.83.

It was moved by Trustee Garner, seconded by Trustee Balmes 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 a Proclamation designating January 20, 2020 as Dr. Martin Luther King, Jr. Day in the Village of Gurnee.

Mayor Kovarik read into record.

It was moved by Trustee Thorstenson, seconded by Trustee Ross to approve of a Proclamation designating January 20, 2020 as Dr. Martin Luther King, Jr. Day in the Village of Gurnee.

Voice Vote: ALL AYE: Motion Carried.

D. REPORTS

1. Report by Finance Director Brian Gosnell – Public Act 101-0610 Pension Consolidation Legislation.

Finance Director Gosnell presented the following Power Point presentation to the Board regarding Public Act 101-0610 - Police & Fire Pension Consolidation:

Task Force

- February 11, 2019 – Pension Consolidation Feasibility Task Force
- Explore and make recommendations for consolidation of pension funds in order to achieve the greatest value for pensioners and taxpayers.
 - Suburban & Downstate Police & Fire Pension Plans
 - Cook County & City of Chicago Pension Plans
 - Illinois Statewide Pension Systems & Other Pension Plans
- 10 Members
 - IAFF/AFFI, FOP, AFL-CIO, IML, Governor's Office, Municipal Representative
- October 10, 2019 – Report to Governor JB Pritzker, Illinois Pension Consolidation Feasibility Task Force

Task Force Report

- 649 individual plans, with own Investment Managers, Consultants, Auditors, Actuaries.
- Most Police and Fire funds are too small to get benefit of equity investing due to policy/cash flow needs.
- Gurnee Police \$57m
- Gurnee Fire \$42m
- Consolidation of investments benefits smaller funds.
- Gurnee funding level in top tier
- Average statewide is 55% funded
- Gurnee Police is 72.1% funded
- Gurnee Fire is 74.8% funded
- Recommendations
 - Consolidate Suburban & Downstate Police & Fire Pension Plan Assets
 - Review Consolidation of Suburban & Downstate Police & Fire Pension Plan Benefit Administration; Review Other State & Local Plans to Determine Advantages of Consolidation

Legislation

- December 18, 2019
 - Senate Bill 1300 → Public Act 101-0610
 - Consolidation Into 2 Investment Funds
 - No State "Sweeps"
 - Tier 2 Benefit Enhancements
 - Establish Transition Boards (12 Months)
 - Establish Permanent Boards
 - Adopt Actuarial Assumptions
 - 3-year Smoothing of Spikes
 - Selection of CIO, Fiduciary Counsel, Consultant
 - Board Rules
 - Investment Policies
 - Transfer of Assets (30 Days Following Permanent Board Elections)
 - Local Boards Remain
 - Benefit Determinations and Training
 - Reduced Training Requirements

Conclusion

- Did it solve the underfunding problem? Time will tell.
- Importance of actuarial assumptions and smoothing period.
- Unanswered questions
 - Administration of benefit distributions?
 - Actuarial assumptions?

Questions:

Trustee Thorstenson asked about the impact of Tier 2 benefit enhancements to local assumptions and expectations.

Director Gosnell stated they could impact the local contribution, but hopefully any impact would be offset by increased returns.

Mayor Kovarik stated consolidation should open up additional investment opportunities.

Trustee O'Brien asked what the potential negatives are for Gurnee.

Director Gosnell stated in the short term there will be costs that are still unknown, but in the long-term there should be savings on administrative costs.

Trustee Balmes expressed concerns about the State sweeping funds.

Director Gosnell stated the current legislation as written prohibits that.

Trustee Garner asked for clarification on consolidating the 649 funds and how that impacts benefits that are paid out.

Director Gosnell provided further clarification and stated the current benefits have not been changed by this legislation. He continued to clarify that the Gurnee Police and Fire Fund assets will not be used to supplement other pension funds as the funds will remain segregated.

Trustee Ross echoed Trustee Balmes' concerns regarding State sweeps and that if such legislation is ever proposed the Village should be strongly against it.

E. OLD BUSINESS

None.

F. NEW BUSINESS

1. Approval of Ord. 2020 - 02 authorizing a Professional Service Agreement to provide Gurnee's Got It! promotional marketing services between the Village of Gurnee, Illinois and Lynn G. Designs.

Economic Development Director Dean provided an update on the construction of Alpha Media's four radio stations – WXLC/WIIL/WLIP/WKRS – at Gurnee Mills and indicated that broadcast operations are expected to begin in February. She reminded the Board of the provisions of the Trade Agreement between the Village of Gurnee and Alpha Media that was adopted in conjunction with a Redevelopment Agreement between the Village of Gurnee and Gurnee Mills to renovate tenant space for the radio stations, both approved May 20, 2019.

Trade Agreement deliverables include both reoccurring (weekly Gurnee's Got It segment on WXLC morning show, monthly bank of 40 commercials on WXLC/WIIL/WLIP/WKRS, minimum 32 events/year at Gurnee Mills – trade value of \$129,000 per year for three years) and one-time (11-week Ad Run – 24 stations in midwest markets: St. Louis, Des Moines, Minneapolis, Aurora/Joliet - trade value \$107,250) marketing opportunities.

In order to fully utilize the in-kind advertising and promotions negotiated as part of the Trade Agreement, Director Dean stated professional marketing and public relations services were deemed necessary. A Communications Subcommittee identified five marketing/public relations firms; interviewed four; and solicited proposals from three firms. The Subcommittee is recommending a six-month contract with Lynn G. Designs at a cost of \$22,650.

Director Dean stated Principal Lynn Granstrom is a Gurnee resident and graphic designer whose clients include University of Chicago, NorthShore University HealthSystem, Abbott, and AbbVie, as well as several Gurnee retail businesses. For this contract, she will be collaborating with Molly Woulfe, currently Senior Communications Specialist for University of Chicago Medicine, with past experience as Entertainment Writer/Reporter for the Times of Northwest Indiana and Copley News Service.

Director Dean then summarized the services that will be provided during the six-month contract, including a six-month media calendar, 15 Gurnee's Got It live radio shows, graphic ads, Facebook posts and radio commercials. She then noted that Visit Lake County will be providing programming for one week per month of live radio programs and will assist with the messaging and targeting of the 11 weeks of Midwest advertising which, because of the wide geographic reach, will be most effectively used to promote the Village's large tourist attractions.

Trustee Hood and Garner stated they believe this arrangement will be of great benefit to the Village and commended staff for its efforts.

Trustee Thorstenson asked about the utilization of the stage.

Director Dean stated a minimum of 32 events will be held annually but based on conversations with Gurnee Mills and Alpha Media expects it to be more than that.

It was moved by Trustee Garner, seconded by Trustee Ross to approve of Ord. 2020 - 02 authorizing a Professional Service Agreement to provide Gurnee's Got It! promotional marketing services between the Village of Gurnee, Illinois and Lynn G. Designs.

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

2. Approval of Ord. 2020 - 03 amending Chapter 46 and other provisions of the Gurnee Municipal Code by adding sections concerning cannabis possession and other cannabis related offenses.

Administrator Muetz said on June 25, 2019, Governor Pritzker signed the Cannabis Regulation and Tax Act (CRTA) legalizing and regulating the production, consumption and sale of cannabis in Illinois. This law became effective January 1, 2020. CRTA provides for lawful personal possession by Illinois residents at least 21 years of age of various cannabis products based on the type, with lower amounts for non-residents. Prohibitions include using cannabis in a public place, possession by those under 21 years old and possessing more than allowed under the CRTA. Gurnee's current (Pre-CRTA) ordinances include local regulations which need to be amended for consistency with the new state law. The proposed amendments to the Gurnee Municipal Code mirror the state statutes by incorporating those laws by reference into the Code with some additional clarifying language to make enforcement of the regulations more user-friendly for the police. While updating the Code to remain in compliance with state statutes, the Department is recommending the fines for certain cannabis-related offenses be adjusted. The proposed adjustment would take initial fines from \$100 to \$200 and from \$200 to \$300 for those that pay more than 35 days after the ticket is issued or liability is determined. The request for the increase is two-fold: 1) The Department will see an increase in training expenses now that Adult Use Cannabis has become legal. The fine increase will help offset some of these costs; and 2) The Department has not updated its fines since 2014 and is currently reviewing fines and expects a recommendation to the Village Board in the near future. Since this section of the Code was being updated, the Department is recommending the fine increase now rather than at a future date with other recommendations. Attorney Winter worked in conjunction with the Department to draft the amendment.

It was moved by Trustee Balmes, seconded by Trustee O'Brien to approve of Ord. 2020 - 03 amending Chapter 46 and other provisions of the Gurnee Municipal Code by adding sections concerning cannabis possession and other cannabis related offenses.

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

3. Approval of awarding the Police Department Building Automation Systems Upgrade Project to the low bidder, Trane Inc., at a cost of \$39,500.00.

Administrator Muetz said included in the FY 19/20 Approved Budget is funding to upgrade the system that controls the HVAC for the Police Station. The system currently in place is original to the building (17 years old). The system is controlled via the original desktop computer and software from when the building was constructed. This is a legacy system that is becoming increasingly difficult to find replacement parts when a repair is needed. In addition, it does not offer staff the ability to access the system outside of that work station, which includes the inability for Trane to remotely troubleshoot the system. The Department reached out to five firms requesting proposals to update the control system. Three firms responded with proposals, of which, Trane was the low bidder. In addition, Trane is the current equipment provider and has been providing support to the Village for a number of years. Therefore, staff is recommending the automation upgrade project be awarded to Trane at a cost of \$39,500.00.

Trustee O'Brien asked if the upgrade will include smart technology that may potentially lead to energy savings.

Administrator Muetz said yes.

Trustee Garner said he is concerned we are putting a new HVAC control equipment system on the old system.

John Peterson, Support Services Director, said this request is to upgrade to a new control system because the old system doesn't have the technology to talk with individual components.

Trustee Garner asked how old the current system is.

Director Peterson said 17 years.

Trustee Garner asked how long do they typically last.

Administrator Muetz said individual components of the HVAC system have been replaced over the past 17 years, however the system that controls them has not.

Trustee Garner asked for confirmation that over time you can replace individual components without having to replace the automation system.

Administrator Muetz stated that is correct.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of awarding the Police Department Building Automation Systems Upgrade Project to the low bidder, Trane Inc., at a cost of \$39,500.00.

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

4. Approval of entering into a Schedule Support Agreement with Trane, Inc. at an annual cost of \$8,164.00.

Administrator Muetz said in conjunction with the automation system upgrade, Trane offers an annual 1-year Scheduled Support Agreement. By upgrading the automation system to a dedicated controller-based system with a web interface, the addition of a scheduled support agreement is important because it includes six

on-site inspections, ongoing system support, remote inspections, software upgrades, alarm notifications, discounted labor/parts and ongoing training for staff on the operation of the program. The agreement covers 71 pieces of HVAC equipment. The biggest advantage to this agreement is the ability for Trane to remotely access the Department's HVAC control system. Currently, the option does not exist and on-site service calls are costly and can add up very quickly. The annual discounted pre-payment plan pricing is \$8,164.00. The Police Department is recommending the Village enter into this support agreement.

It was moved by Trustee Balmes, seconded by Trustee Garner to approve of entering into a Schedule Support Agreement with Trane, Inc. at an annual cost of \$8,164.00.

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

5. Approval of awarding the Bittersweet Golf Course Phase 1 Tree Removal Project to Monster Tree Service of Lake County at a cost not to exceed \$50,000.00.

Administrator Muetz said the Village recently transferred money within the budget to allow the first phase of tree work at Bittersweet Golf Course. The first phase will focus on removing trees that have been deemed a safety hazard. Future phases will focus on trimming trees and non-hazardous removals. Identifying hazardous trees was a combined effort between golf course and Village staff. Once the list was developed, the golf course sought proposals from three separate firms. These proposals were then reviewed by Public Works staff. Following review, staff determined that Monster Tree Service of Lake County provided the most competitive quote. The quote is structured as not to exceed \$50,000. This amount will allow the removal of approximately 35 trees deemed safety hazards. The Village has worked with Monster Tree in the past and been happy with the work performed. This project will be supervised by both golf course and Public Works staff.

It was moved by Trustee Balmes, seconded by Trustee Thorstenson to approve of awarding the Bittersweet Golf Course Phase 1 Tree Removal Project to Monster Tree Service of Lake County at a cost not to exceed \$50,000.00.

Roll call,

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

NAY: 0- None

ABSENT: 0- None

Motion Carried.

G. PUBLIC COMMENT

**Sarah Crawford
5886 Hancock Ln.
Gurnee, IL**

Ms. Crawford stated she has been attending Village Board meetings for a year and is disappointed in her perceived lack of action to date related to ethylene oxide. She then highlighted four items; 1) an online petition; 2) ambient air sampling results from November; 3) people moving out of Gurnee; and 4) a session at the library on Sunday, January 12, 2020. She ended by urging the Village Board to use Home Rule authority to address ethylene oxide concerns.

**Liz Dorman
1174 S. Talcott Dr.
Waukegan, IL**

Ms. Dorman stated she was recently personally affected by cancer. She stated that businesses emitting ethylene oxide need to move out of the area. She continued to state she would like to sell her home and move but it is not an option. She concluded her statement by urging the Village Board to use Home Rule authority to address ethylene oxide concerns.

**Saray Thornton
1988 Liberty Ln.
Gurnee, IL**

Ms. Thornton stated the Village needs to exercise Home Rule authority and ban ethylene oxide emissions. She stated she recently visited her child's pediatrician and the doctor expressed concerns over ethylene oxide. She concluded by asking the Village Board to act now.

Susan Henning
2116 Westfield Dr.
Gurnee, IL

Ms. Henning stated she is concerned about ethylene oxide. She stated she has lived near Vantage for over 25 years and does not have a choice in the air she breathes. She then highlighted ambient air sampling results from November. She urged the Village Board to use Home Rule authority to address ethylene oxide concerns.

Jolanta Pomiotlo
4981 South Rd.
Gurnee, IL

Ms. Pomiotlo stated "local governments are given ultimate authority on most issues" and therefore the Village should exercise Home Rule authority. She continued to state that Senate Bills 1852 and 1854 are not enough. Ms. Pomiotlo then shared what she believes are shortcomings in these two pieces of approved legislation. She ended by urging the Village Board to use Home Rule authority to address ethylene oxide concerns.

Closing Comments

None.

Adjournment

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

Voice Vote: ALL AYE: Motion Carried.

Mayor Kovarik adjourned the meeting at 8:09 p.m.

Andrew Harris,
Village Clerk