

**VILLAGE OF LINDENHURST ILLINOIS**  
**2301 E. Sand Lake Road**

**REGULAR VILLAGE BOARD MEETING MINUTES**  
**June 25, 2018**  
**7:00pm**

**CALL TO ORDER**

Mayor Marturano called the Regular Village Board meeting to order at 7:00pm.

**ROLL CALL**

Present were Mayor Dominic Marturano and Trustees Bill Anderson, Patty Chybowski, Dawn Czarny, Pat Dunham, Heath Rosten, and Dawn Suchy.

Also in attendance were Village Administrator Clay Johnson, Village Attorney Julie Tappendorf, Treasurer Art Neubauer, Utility Systems Manager Charles Hernandez, and Village Clerk Jody Stoughtenger.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE MINUTES**

Minutes from the Regular Board Meeting of June 11, 2018 were presented for approval.

Trustee Suchy made a motion, seconded by Trustee Chybowski, to approve the minutes from the Regular Board Meeting of June 11, 2018.

**VOICE VOTE** Ayes - 6, Nays – 0

Motion carried.

**BILLS PRESENTED FOR PAYMENT**

Trustee Dunham made a motion, seconded by Trustee Anderson, to approve the second set of June bills presented for payment in the amount of \$284,961.02 for invoices due on or before June 25, 2018.

**ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy  
Nays – 0

Motion carried.

## **BOARD & STAFF REPORTS**

Trustee Suchy announced that Jim and Barb Stout were awarded the 2017 Community Service Award from the Lindenhurst Park District.

Trustee Suchy reported that Concerts in the Park continue to be well attended. 'Pirates Over 40' will be performing on Wednesday, June 27<sup>th</sup> from 7-8:30pm at Parkman Pavilion.

Trusty Suchy shared a heartfelt story from a resident in distress as a result of the E.R.I.N program. Thanks to the Police Department and Public Works for their quick response.

Mayor Marturano reported on the Milburn Bypass project. Preconstruction is underway. Estimated completion is July 2019. The Village asked IDOT to provide updates regarding traffic patterns and potential detours. The Village plans to keep residents informed via the Village website. Expect updates to the Grand Avenue Improvement Project as IDOT communicates progress.

Administrator Johnson shared information from the first training session conducted by Nixle, the community mass messaging service. Nixle keeps residents up-to-date with relevant information from local public safety department and schools. Residents who want to sign up with Nixle should text 888777 with their zip code to receive emergency notifications. Residents can also sign up via the Village website.

Administrator Johnson reminded residents of the Citizens' Academy, the newest effort to educate residents on Village operations. Applications to participate are being accepted through August. Classes will run from September 5<sup>th</sup> through November 14<sup>th</sup>. Classes will be approximately two hours. Class size will range from 8-15 participants.

Administrator Johnson informed the Board and Public of the new guide/brochure created as a resource of information to anyone interested in understanding the roles and responsibilities of the Village Board and Village Board meetings. Brochures will be available at Village Hall and Village Board Meetings.

## **PUBLIC COMMENT ON AGENDA ITEMS**

Resident and business owner of Anna's Fire and Twisted Cow provided an overview of the fast casual, family oriented, upscale restaurant and ice cream parlor. Target opening date is July 5<sup>th</sup>.

Resident requested clarification on the purchase price and supporting documentation for the Public Works replacement vehicle.

## **NEW BUSINESS**

### **A. Ordinance 18-6-2112: Amending the Number of Liquor License Increasing the Number of Class E License by One for Anna’s Fire**

The Village received a request to increase the number of Class E liquor licenses to accommodate the opening of the new Anna’s Fire restaurant at 2234 E. Grand Avenue. Class E licenses allow for the sale of beer and wine by a business primarily serving food in which beverages are only to be consumed on the premises. Class E licenses do not allow for video gaming at the establishment.

The Village evaluates each application for liquor licenses on a case by case basis only allowing enough licenses for those businesses currently in operation. To allow for a new license to be issued, the Village Board must amend the ordinance to add the new available license. Should the Board grant the request to Anna’s Fire, they will need to approve the enclosed ordinance allowing for the new Class E license.

Trustee Czarny made a motion, seconded by Trustee Suchy, to approve Ordinance 18-6-2112: Amending the Number of Class E Liquor Licenses by Increasing the available number of license by one for Anna’s Fire restaurant.

### **ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy  
Nays – 0

Motion carried

### **B. Ordinance 18-6-2113: Approving a Setback Variation, Site and Architectural Plans for 2081 E. Grand Avenue – Taco Bell**

At a special meeting called for Wednesday, June 13, the Plan Commission heard a request from petitioners representing Bell Great Lakes, LLC (Taco Bell) to build within the required 75-foot setback from Grand Avenue. Due to the expansion of the Grand Avenue right-of-way, the setback on each side of Grand Avenue will extend deeper into adjacent lots, and in many cases, create a legal, nonconforming use with many structures. While Taco Bell would be able to operate as a nonconforming use under its current conditions, owners of the property wish to raze the building and build a new structure using their new corporate model. Building this new structure and including a covered patio extending from the face of the building, require the owners to seek relief from the Plan Commission for violating the new setback.

The Plan Commission favorably recommended the variation to the Village Board after a noticed public hearing. It was determined that conforming to the setback would constitute a hardship for the petitioner and that granting the variation would not negatively affect surrounding properties. The Plan Commission also reviewed and approved the site and architectural plans for the new Taco Bell.

The developmental standards variance must be approved by the Village Board before being granted. The ordinance includes the following conditions:

1. Resurface and restripe the parking lot
2. Spot repairs to the curbing on the property
3. Repairs to the retention pond south of the property
4. Install landscaping in accordance with the landscape plans; replace existing plants that are more than 50% dead or already dead

Trustee Chybowski made a motion, seconded by Trustee Dunham, to approve Ordinance 18-6-2113: Approving a Setback Variation, Site and Architectural Plans for 2081 E. Grand Avenue.

#### **ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy

Nays – 0

Motion carried

#### **C. Ordinance 18-6-2114: Purchase of a Vacant Lot at 1802 Hazelwood Drive**

On October 23, 2017, the Village Board approved a Memorandum of Understanding (MOU) with the Lake County Forest Preserve District (LCFPD) outlining a partnership to acquire property and build a trail connection from Hazelwood Drive to the Hastings Lake Forest Preserve. In the MOU it states that the Village will be responsible for the acquisition of the property while the LCFPD provides the material and labor for construction of the path. LCFPD have indicated that the estimated, total direct and in-kind costs for their installation of the path is \$62,828. As part of that agreement, the Village moved forward with negotiating for the purchase of the vacant lot located at 1802 Hazelwood Drive.

The ordinance and contract proposes a cost for the parcel of \$51,000. The Lindenhurst Park District would like to partner in the development of the trail connection by contributing \$12,500 toward the acquisition cost of the property. The \$51,000 purchase cost is included in the FY 2019 Community Capital budget. With the Lindenhurst Park District's contribution, the net cost to the Village is \$38,500.

The project came about from residents in the area approaching the Village and Forest Preserve about the possibility of a trail connection to Hastings Lake. The Forest Preserve District estimates that approximately 2,900 residents of 1,040 homes will be served by the connection. The vacant lot is often used by residents of the area as an informal cut-through to the forest preserve property. The ordinance needs to be approved by at least 2/3 majority vote of all corporate authorities.

Trustee Dunham made a motion, seconded by Trustee Anderson, to approve Ordinance No. 18-6-2114, authorizing appropriations the purchase of 1802 Hazelwood Drive.

**ROLL CALL**

Ayes – 5 Mayor Marturano and Trustees Anderson, Chybowski, Dunham, and Suchy  
Nays – 2 Trustees Czarny and Rosten

Motion carried.

**D. Approval: 2017 Police Pension Report**

Each year the Village Board is required to adopt a report from the Police Pension Board on certain aspects of the Police Pension Funds financial position. The fund has assets which have a market value of \$7,685,613 and total disbursements totaling \$929,398. The funded ratio of the Police Pension Fund is 87.11%, which is a strong financial position and one of the highest funding ratios in the state.

Trustee Suchy made a motion, seconded by Trustee Dunham, to approve the 2017 Police Pension Report.

**ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy  
Nays – 0

Motion carried.

**E. Approval: Contract with Bayless Communications, Inc.**

The Village has had a relationship with Dave Bayless and Bayless Communications for coordinated message delivery. That arrangement is being formalized with a letter of engagement including the scope of work and hourly fee. Bayless Communications is used only on an as needed basis.

Trustee Suchy made a motion, seconded by Trustee Chybowski, to authorize the Village Administrator to execute a letter of engagement with Bayless Communications, Inc.

**ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy  
Nays – 0

Motion carried.

**F. Approval: Task Order #1 – Wastewater Treatment Plant Influent Sanitary Pipe Replacement**

Public Works employees noticed a slight sinkhole at the entrance of the Wastewater Treatment Plant and began to investigate. After televising the influent sanitary sewer pipes, it was discovered that a specific section of pipe was exhibiting a leak in the top of the pipe and was badly corroded. Strand Engineering prepared a design for the repair of the problem, Task Order #1.

Task Order #1 includes design of the concept plan, preparation of bidding materials, and construction related services – including up to twenty (20) hours of construction observation. The total cost of this work is not to exceed \$12,800.

Trustee Dunham made a motion, seconded by Trustee Suchy, to authorize the Village Administrator to execute Task Order #1 with Strand Engineering for design, bid document preparation, and construction observation for the Wastewater Treatment Plant Influent Sanitary Sewer Pipe Replacement in an amount not to exceed \$12,800.

**ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy  
Nays – 0

Motion carried.

**G. Bid Award: Police Department Processing Area Remodel – Orbis Construction - \$144,500**

On May 14<sup>th</sup>, Village Board and staff received direction to rebid the project. Changes were made to the scope of the project and the project was advertised again.

On June 12<sup>th</sup>, five contractors submitted new bids for the Police Department Processing Area Remodel. Of those bids, Orbis Construction Company provided the lowest bid. Kluber Architects reviewed the bids, recommending the Village award a contract for the project to Orbis Construction in the amount of \$144,500. This amount is approximately \$52,000 under budget. Staff recommends moving forward with the bid from Orbis Construction in an amount not to exceed \$144,500. The bid is well within budget, therefore there is no need to accept alternates.

Trustee Chybowski made a motion, seconded by Trustee Dunham, to accept the base bid and authorize the Village Administrator to execute a contract with Orbis Construction of McHenry, Illinois in an amount not to exceed \$144,500.

**ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy  
Nays – 0

Motion carried.

**H. Bid Award: Public Works Replacement Vehicle - \$30,700**

The Village sought three bids for the scheduled replacement of a Public Works truck. Kunes Ford Country Auto Group presented the lowest cost option for the truck at \$30,700 for immediate delivery. The total cost of purchase and outfitting was \$8,811 below budget. Staff requests that the Village Board waive the formal bid process and award the purchase of a Ford F250 Super Duty truck to Kunes Ford.

Trustee Suchy made a motion, seconded by Trustee Dunham, to waive the formal bid process and authorize the purchase of a Ford F250 Super Duty from Kunes Ford in an amount not to exceed \$30,700.

**ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy  
Nays – 0

Motion carried.

**I. Bid Award: Building Permit Software Upgrade – BS&A Software - \$36,995**

Staff considered various options when upgrading the building permit software. The current program “Black Bear” has long gone without updates and support. The Village began with the program in 1999 and has not received an upgrade since 2009. Potential problems with the program could cause the loss of historic data and the ability to issue permits timely.

The staff viewed demonstrations on two versions of building permit software – one from Tyler Technologies utilized and promoted by Lake County and BS&A the current financial package software provider. Both presented a vast upgrade to the current program and both provide greater functionality. The advantage of moving forward with the Tyler Technologies software is its adoption and promotion by Lake County Planning Department. With this package, the Building Permit Coordinator would be able to directly input permits and schedule inspections with Lake County without duplicate entry. The disadvantage is that money received for permits at the counter, whether they are inspected by the County or Village, must be reconciled with the financial software. The advantage to the BS&A software eliminates the duplicate entry and permit fee reconciling into the financial software. In addition, the familiar formatting of BS&A would minimize the learning curve of the new system.

There are also cost differences between the two options. With Tyler Technologies, Lake County would take the lead in coordinating the upgrade so that it may communicate between the two agencies for a fee of \$12,500. Other costs were based on negotiated prices between Lake County and Tyler Technologies. Based on twelve (12) licenses, the cost to move to Tyler Technologies (Year 1) is:

<b>Tyler Technologies</b>	
<b>Item</b>	<b>Cost</b>
<b>12 System Licenses</b>	\$29,856.00
<b>Maintenance and Hosting</b>	\$14,270.40
<b>Lake County Coordination Cost</b>	\$12,500.00
<b>Total Estimated Cost</b>	<b>\$56,626.40</b>

The cost proposal from BS&A, which includes training, is:

<b>BS&amp;A Software</b>	
<b>Item</b>	<b>Cost</b>
<b>Applications</b>	\$8,740.00
<b>Data Conversions</b>	\$7,430.00
<b>Custom Import</b>	\$1,500.00
<b>Project Management</b>	\$6,750.00
<b>Implementation, Training and Travel</b>	\$12,575.00
<b>Total</b>	<b>\$35,420.00</b>

BS&A presents a significant upgrade in functionality of current system at a lower cost versus Lake County. Efficiency would improve with the ability to input permits and accept payments. This system would better prepare for the future so the Village can look to add remote code enforcement, inspection, or online permit applications. The staff recommends moving forward with BS&A at a cost not to exceed \$35,420 to be paid from Community Capital. This amount is \$20,580 under budget.

Trustee Dunham made a motion, seconded by Trustee Czarny, to approve a proposal from BS&A Software for the upgrade of the building permit software package in an amount not to exceed \$36,995.

**ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy  
Nays – 0

Motion carried.

**PUBLIC COMMENT ON GENERAL ITEMS**

Resident commented on the purchase of the vacant lot at Hazelwood Drive, requesting the Village provide a barrier between residential properties and the vacant lot. The resident requested additional police patrol through the area as well.

Resident commented on the hazards of speeding and the need for speed bumps on Beck Road.

Lake County Board member Tom Weber provided an update on current events in Lake County:

- The Bess Bower Dunn Museum is open to the public
- Lakewood Forest Preserve will host Civil War Days June 30<sup>th</sup>-July 1<sup>st</sup>
- Tax payer advocates will be available at the University Center at the College of Lake County to assist residents with understanding their property tax assessment and offer guidance to file an appeal

Resident commented on the pricing for the building permit software upgrade.

**EXECUTIVE SESSION**

Mayor Marturano informed the Board and Public that the purpose of Executive Session was to discuss the Sale or Lease of Public Property, pursuant to 5 ILCS 120/2(c)(6). Mayor Marturano added there will be no formal action taken as a result of discussions during Executive Session when the Regular Session reconvenes.

Trustee Chybowski made a motion, seconded by Trustee Suchy, to move into Executive Session to discuss the Purchase or Lease of Real Estate, pursuant to 5 ILCS 120/2(c)(5).

**ROLL CALL**

Ayes – 6 Trustees Anderson, Chybowski, Czarny, Dunham, Rosten, and Suchy  
Nays – 0

Motion carried.

The Regular Village Board Meeting moved into Executive Session at 8:06pm.

**RETURN TO REGULAR SESSION**

The Regular Board Meeting reconvened at 8:32pm.

**COMMENTS**

Administrator Johnson informed the Board that Chief Jones is communicating directly with the Resident with regard to speeding on Beck Road and the request for speed bumps. Police have increased speed limit enforcement over the past 30 days. Speed bumps are not an option on Beck Road and an explanation will be emailed to the Resident.

**ADJOURNMENT**

Trustee Chybowski made a motion, seconded by Trustee Dunham, to adjourn the meeting.

**VOICE VOTE** Ayes - 6, Nays - 0

Motion carried.

The meeting was adjourned at 8:35pm.

Date Approved \_\_\_\_\_

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**Dominic Marturano, Mayor**

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**Jody Stoughtenger, Village Clerk**