

VILLAGE OF LINDENHURST ILLINOIS
2301 E. Sand Lake Road

REGULAR VILLAGE BOARD MEETING MINUTES

July 9, 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, Attorney Greg Jones, Treasurer Art Neubauer, Operations Director Kevin Klahs, Police Chief Tom Jones, and Village Clerk Jody Stoughtenger.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

Minutes from the Regular Board Meeting of June 25, 2018 were presented for approval.

Trustee Chybowski made a motion, seconded by Trustee Suchy, to approve the minutes from the Regular Board Meeting of June 25, 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 first set of July bills presented for payment in the amount of \$618,905.50 for invoices due on or before July 9, 2018.

ROLL CALL

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

Motion carried.

TREASURER’S REPORT

Treasurer Neubauer read the June 2018 Treasurer’s Report. The total for all accounts on June 30, 2018 was \$9,698,521.81.

Trustee Dunham made a motion, seconded by Trustee Suchy, to approve the June 2018 Treasurer’s Report as read.

ROLL CALL

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

Motion carried.

BOARD & STAFF REPORTS

Trustee Czarny attended the Farmer’s Market at Waterford Commons on Grass Lake Road. There was a nice variety of vendors selling vegetables to scissor sharpening. This is a great community event that is held every Friday from 2:00pm - 7:00pm through the first week in September.

Trustee Suchy reported that Concerts in the Park continue to be extremely well attended. ‘The Hair Band Night’ will be performing Wednesday, July 11th from 7-8:30pm at Caboose Park. Trustee Suchy reminded everyone this is a free event and fun for all.

Mayor Marturano attended the Suburban Law Enforcement Academy Graduation. Two new recruits transitioned to officers. They begin on the job training this week.

Chief Jones announced the names of the two new officers that started on the job this week congratulating them on their graduation and welcoming them to the Village.

PUBLIC COMMENT ON AGENDA ITEMS

Resident commented on the Road Resurfacing Program requesting clarification on the documentation supporting the project and the process of awarding the bid. Resident questioned whether the Village or State is funding the project.

NEW BUSINESS

A. Ordinance 18-7-2115: Purchase and Sale Agreement – 0 N. US 45

On October 9, 2017 the Village Board authorized the notice of sale of Village-owned property along US 45 for potential commercial development. By statute the notice of the sale was published three times prior to the bid opening. The notice was published in the Daily Herald on October 12, 19, and 26, 2017. The Village received only one bid for the sale of the property from Only Child Brewing, LLC which was read aloud on November 13, 2017 in accordance with statute.

With no other bids to consider, the Village began negotiating with Only Child the terms and conditions for the sale of the property.

The purchase of the property is for \$1. This, per the purchase and sale agreement, is the only incentive offered to the company throughout the development of the property. Additionally, language is included to protect Village assets.

With the property, Only Child intends to construct a brewpub which shall house a brewing production facility and restaurant that promotes a family friendly atmosphere. With the sale of the property, the Village receives the prospect of a new facility to the community on land that currently does not collect taxes or fees. Furthermore, a new development along US 45 may act as a harbinger for future development along the corridor. The addition of the enterprise in our community is a tremendous opportunity for the Village and Only Child.

Only Child's bid can be accepted by ordinance with $\frac{3}{4}$ vote of all corporate authorities. Upon approval of the sale of the property, the Village shall begin negotiations of a development agreement with zoning processes to follow.

Trustee Dunham made a motion, seconded by Trustee Suchy, to approve Ordinance 18-7-2115: Authorizing the sale of 0 N. US 45 to Only Child Brewery LLC.

ROLL CALL

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

Nays – 0

Motion carried

B. Ordinance 18-7-2116: Authorizing the Disposal of Surplus Property

The Police Department moved furniture and equipment out of the station to get ready for remodeling of the processing area. A list of surplus items to be disposed of or sold via auction was prepared.

Trustee Chybowski made a motion, seconded by Trustee Suchy, to approve Ordinance No. 18-7-2116 allowing for the disposal of surplus property.

ROLL CALL

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

Nays – 0

Motion carried

C. Ordinance 18-7-2117: Lindenhurst Drive Property Transfer from the Lake County Stormwater Management Commission

This ordinance will allow the transfer of four affected properties, 103, 105, 107, and 109 Lindenhurst Drive, from the ownership of the Stormwater Management Commission to the Village, as part of the Lindenhurst Drive Floodwater Mitigation Project.

Trustee Dunham made a motion, seconded by Trustee Chybowski, to approve Ordinance No. 18-7-2117, authorizing the transfer of Lindenhurst Drive Properties 103, 105, 107, and 109 from the Lake County Stormwater Management Agency.

ROLL CALL

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

Nays – 0

Motion carried.

D. Ordinance 18-7-2118: Regulation of and Application for Small Wireless Facilities

The Small Wireless Facilities Deployment Act went into effect on June 1st. The Lake County Municipal League and the Illinois Municipal League lobbied against the act as it diminishes a municipality's ability to regulate the installation of small cell antennas on right-of-way infrastructure. The benefit of the new law is that it allows for greater reliability of data networks and greater competition for service.

The ordinance requires that specific application materials be provided to be permitted to operate. The ordinance also includes the strictest regulations and fees that can be enforced by law. Local governments have until August 1, 2018 to put regulations in place. Regulations will not be allowed after August 1, 2018.

Trustee Suchy made a motion, seconded by Trustee Anderson, to approve Ordinance 18-7-2118 providing for the regulation of and application for small wireless facilities within the Village of Lindenhurst. Staff and village attorney can make modifications to be consistent with the existing right-of-way code.

ROLL CALL

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

Nays – 0

Motion carried.

E. Bid Award: 2018-2019 Road Resurfacing Program – Payne and Dolan - \$833,790

Bids received for the 2018-2019 Road Resurfacing program were over the budgeted amount and the IDOT appropriated amount. In order to stay within budget, two streets were removed from the list.

Staff recommends awarding the bid for the 2018-2019 Road Resurfacing Project to Payne and Dolan of Antioch, IL in a cost not-to-exceed \$833,790. The 2018-2019 resurfacing list is as follows:

Name	Limits	Approximate Length
Brittany Lane	Beck Road to Red Rock Drive	840 ft.
Carriage Lane	Lake Shore Drive to Beck Road	890 ft.
Colony Avenue	Hamilton Drive to Penn Boulevard	1,550 ft.
Green Tree Court	Lake Shore Drive to Cul-de-sac	550 ft.
Hamilton Drive	Penn Boulevard to Constitution Drive	770 ft.
Monroe Drive	Penn Boulevard to Harbor Ridge Way	1,050 ft.
Red Rock Drive (Alternate)	Brittany Lane to Beck Road	1,510 ft.
Shagbark Lane	Red Rock Drive to Cul-de-sac	200 ft.
Surrey Lane	Northgate Road to High Point Drive	890 ft.
TOTAL		8,250 ft.

Trustee Dunham made a motion, seconded by Trustee Chybowski, to award a bid to Payne and Dolan of Antioch, Illinois for the 2018-2019 Road Resurfacing Program in an amount not to exceed \$833,790.

ROLL CALL

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

Motion carried.

PUBLIC COMMENT ON GENERAL ITEMS

Resident inquired if there are plans for construction to resume on Route 45 near Heritage Trails. Resident suggested options to minimize noise from the incoming business. Mayor Marturano explained that the business owner will present plans to the Plan Commission and then to the Board for approval.

Resident commented on the need for the Village to snowplow their subdivision. Mayor Marturano explained that when the subdivision was established the developer did not plan to build the road to Village standards, therefore the homeowner’s association agreed to maintain the roads within their subdivision.

Resident Ed Gallagher announced his candidacy for the Lake County Board. Gallagher questioned the zoning and planning process for Only Child Brewery. Mayor Marturano explained that the business owner will present all planning and zoning to the Plan Commission for discussion. All Plan Commission meetings are open to the public.

Resident commented that the vote required from all corporate authorities was different for the purchase of the Hazelwood lot and the sale of the property along US 45. Village Administrator Johnson explained that the purchase of property and the sale of property are two different statutes.

EXECUTIVE SESSION

None

ADJOURNMENT

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

VOICE VOTE Ayes - 6, Nays - 0

Motion carried.

The meeting was adjourned at 7:41pm.

Date Approved _____

Dominic Marturano, Mayor

Jody Stoughtenger, Village Clerk