

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

**REGULAR VILLAGE BOARD MEETING MINUTES
December 9, 2019
7:00 pm**

CALL TO ORDER

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

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, Operations Director Kevin Klahs, Police Chief Tom Jones, Utility Systems Manager Charles Hernandez, and Village Clerk Jody Stoughtenger.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

Minutes from the Regular Board Meeting of November 11, 2019 were presented for approval. Trustee Suchy requested one correction.

Trustee Suchy made a motion, seconded by Trustee Anderson, to approve the minutes from the Regular Board Meeting of November 11, 2019 as amended.

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 December bills presented for payment in the amount of \$1,121,354.82 for invoices due on or before December 9, 2019.

ROLL CALL

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

Motion carried.

TREASURER’S REPORT

Treasurer Neubauer read the November 2019 Treasurer’s Report. The total for all accounts on November 30, 2019 was \$9,127,035.69.

Trustee Dunham made a motion, seconded by Trustee Czarny, to approve the Treasurer’s Report for November 2019 as read.

ROLL CALL

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

Motion carried.

BOARD & STAFF REPORTS

Trustee Dunham announced the Lindenfest Committee has officially rescheduled Lindenfest from the second week in August to the first week in August. Lake Villa Days has been permanently cancelled allowing the opportunity to hold Lindenfest events without competing with Gurnee Days. Confirmed dates for Lindenfest are as follows:

2020 - August 6, 7, 8 and 9

2021 - August 5, 6, 7 and 8

2022 - August 4, 5, 6 and 7

Mayor Marturano attended the Holiday Tree Lighting at the Park District sharing highlights of the event including a visit from Santa.

Mayor Marturano thanked all the police officers and volunteers who participated in the annual ‘Shop with a Cop’ event at Target in Gurnee. The Mayor also thanked residents and businesses for their donations which benefited 24 local children.

Mayor Marturano attended the Lake County Municipal League Annual Dinner where the Village of Mundelein received the 2019 Innovation Award for a STEM program successfully implemented in their community.

Mayor Marturano had the honor of speaking to a Boy Scout Troop at St. Mark’s Church. Mayor responded to a number of questions from the group.

Mayor Marturano congratulated graduates from the second Citizen’s Academy class.

Operations Director Klahs reported on the status of two State road projects in progress in the Village. Route 45 is 95% complete. Landscape will be installed Spring 2020. Expect lane closures while the work continues during the Spring months. Grand Avenue is 55% complete. Medians will be constructed, and landscape installed Spring 2020. Completion of the Grand Avenue project is expected to be Summer 2020.

Both projects have experienced delays due to record breaking rainfall that impacted Northeastern Illinois January through October. The ground remains saturated and conditions are favorable for flooding to occur in the area early Spring 2020.

Chief Jones provided a summary of recent community outreach programs in which Lindenhurst Police Staff participated:

- Lindenhurst ‘Shop with a Cop’
- Round Lake Beach ‘Shop with a Cop’
- Grayslake ‘Shop with a Cop’
- Presentation to the Kiwanis Club on cannabis legalization and the opioid crisis
- Holiday Tree Lighting Ceremony at the Park District
- Joint presentation with the Fire Department to the Active Adults Group at the Park District themed ‘Helping First Responders Help Them’

Police Officer Gugel will be participating in a training workshop on cultural diversity and procedural justice presented by the University of Chicago Center of Public Safety and Justice. Community member Russ Hoogerhyde will also participate in support of the workshop format.

Chief Jones expressed sincere thanks and appreciation to police officers and staff for volunteering their time to make a difference in the lives of the people in the Lindenhurst community.

Chief Jones announced the police entry level examination is scheduled on January 18, 2020 at 9:00 am at Milburn Middle School. Thank you to the Police Commission for their hard work and efforts to prepare job descriptions and job postings for recruiting applicants.

PUBLIC COMMENT ON AGENDA ITEMS

Representatives from Lucky Lincoln Gaming presented comment on behalf of Lucky Penny’s of Lindenhurst, explaining how the Village could benefit by allowing 6 machines in the gaming establishment.

NEW BUSINESS

A. Ordinance 19-12-2144: Text Amendment for a Fitness Center as a Permitted Use in a Community Business District

The Plan Commission held a public hearing on December 4, 2019 proposing to amend the zoning code to allow fitness centers as a permitted use within the Community Business (CB) district. Staff recommends that fitness centers should be permitted within the CB zone because they are popular uses as a modern retail mix. The ordinance will be broad enough to allow dance studios and private gymnasiums.

Trustee Suchy made a motion, seconded by Trustee Chybowski, to approve Ordinance 19-12-2144 amending the Lindenhurst zoning code for permitted uses within the Community Business District.

ROLL CALL

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

Motion carried.

B. Ordinance 19-12-2145: Amending the Lindenhurst Zoning Code to Prohibit Cannabis Business Establishments

With recreational cannabis becoming legal on January 1, 2020, the Village has had several discussions about the establishment of cannabis businesses within the Lindenhurst community. Staff has recommended to establish village policy prior to January 1st to ensure the best legally defensible position.

On December 4, 2019, the Plan Commission conducted a public hearing on the proposed prohibition of recreational cannabis businesses across all zoning districts. No members of the public were present for comment. After discussion, the Plan Commission unanimously approved the recommendation of the prohibition ordinance to the Village Board.

Trustee Anderson made a motion, seconded by Trustee Czarny, to adopt Ordinance 19-12-2145 amending the Lindenhurst zoning code to prohibit cannabis business establishments across all zoning districts.

ROLL CALL

Ayes – 4 Trustees Anderson, Chybowski, Czarny, and Rosten
Nays – 2 Trustees Dunham and Suchy

Motion carried.

C. Ordinance 19-12-2146: 2019 Tax Levy

On November 11, 2019 the Village Board approved an estimate of tax revenues needed for the FY 2020-2021 budget. Funding levels of each component have been updated while the total estimated levy remains unchanged. The Board should consider a tax levy determination in the amount of \$1,236,463. The ordinance will be sent to Lake County after its adoption.

Trustee Suchy made a motion, seconded by Trustee Dunham, to adopt Ordinance 19-12-2146 establishing the 2019 Tax Levy.

ROLL CALL

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

Motion carried.

D. Ordinance 19-12-2147: Authorizing the Termination of the Terms of Office for the Lindenhurst Sanitary District and Exercise of the Powers of the District by the Village of Lindenhurst Board of Trustees

On July 19, 2019 Governor Pritzker signed into law an amendment of the Sanitary District Act of 1936 on behalf of the Village of Lindenhurst and Lindenhurst Sanitary District. The legislation authorizes the Village of Lindenhurst Board of Trustees to terminate the terms of the Lindenhurst Sanitary District Board of Trustees and appoint themselves to oversee the District. Implementation of this legislation helps create efficiencies in the ownership and

operation of the wastewater treatment plant and related infrastructure. The Village and the Sanitary District shared an intergovernmental agreement in which the Sanitary District acted as owner of the plant and its assets while the Village was charged for the operation of the plant. The ordinance will provide for consistent oversight of the wastewater and savings in operational costs of the District.

Trustee Dunham made a motion, seconded by Trustee Chybowski, to approve Ordinance 19-12-2147 authorizing the termination of the terms of office for the Lindenhurst Sanitary District and exercise of the powers of the district by the Village Board of Trustees.

ROLL CALL

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

Motion carried.

E. Approval: 2020 Public Meeting Dates

According to statute, the Village Board must publish the regular meeting dates of the Village Board and all other boards and commissions. The meeting dates follow the meeting schedule for the boards and commissions as prescribed by ordinance. The schedule also reflects the proposed quarterly meeting dates for the proposed absorption of the Lindenhurst Sanitary District.

Trustee Suchy made a motion, seconded by Trustee Chybowski, to approve the calendar year 2020 public meeting dates.

VOICE VOTE Ayes – 6, Nays – 0

Motion carried.

F. Approval: Revised Rules and Regulations of the Lindenhurst Board of Police Commissioners

An examination of the Rules and Regulations of the Board of Police Commissioners determined that a revision was necessary to reflect current state statute, current operations, and proper disciplinary procedure. Chief Jones outlined an overview

Trustee Dunham made a motion, seconded by Trustee Suchy, to approve the revised rules and regulations of the Lindenhurst Board of Police Commissioners.

ROLL CALL

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

Motion carried.

G. Bid Award: Nonpotable Water System Replacement and Repairs – AMS Mechanical Services – \$125,000

A failure occurred in the basement of the sludge and centrifuge building which flooded much of the room and caused extensive damage to equipment. Public Works used temporary measures to supply the centrifuge with nonpotable water to keep operating as normal while the insurance claim was in process.

The insurance settlement funded the design and bid documents for the repair work. The Village opened bids for the replacement and repair of the system. The lowest bid came from AMS Mechanical Services (AMS) of Woodridge, IL totaling \$125,000. Staff recommends moving forward with AMS to complete the repairs for the sludge and centrifuge building.

Trustee Chybowski made a motion, seconded by Trustee Suchy, to approve the bid from AMS Mechanical of Woodridge, IL in an amount not to exceed \$125,000.

ROLL CALL

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

Nays – 0

Motion carried.

H. Approval: Repair of Water Tower – Lane Tank Co. - \$12,500

Public Works identified a leak within Water Tower #1 located off of Munn Road. Lane Tank Co. conducted an onsite inspection. Results indicated the brackets securing the column pipe needed repair and specialized aerial welding would be required.

The number of companies who perform this type of work are limited. To prevent further damage to the area and additional water loss Staff requests approval of a quote from Lane Tank Co. in an amount not to exceed \$12,500 to be paid from the sewer operations budget.

Trustee Dunham made a motion, seconded by Trustee Anderson, to approve the repair of Water Tower #1 by Lane Tank Company in an amount not to exceed \$12,500.

ROLL CALL

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

Nays – 0

Motion carried.

I. Discussion: Authorization of an Additional Video Gaming Terminal for Licensed Establishments

Mr. Bob Buehler from Chances Bar and Grill addressed the Board with a request to consider amending the ordinance to allow a sixth video gaming machine. Recent changes to the State of Illinois video gaming law allows license holders to have six video gaming machines. The Village ordinance allows up to five machines per license holder.

The Board discussed amending the ordinance in the interest of supporting businesses, mindful of resident interests, without following State statute.

After discussion it was consensus of the Board to move forward with amending the ordinance from five to six machines per establishment, with the understanding that the ordinance does not follow State statute. Staff will draft the amended ordinance accordingly and bring forth to the Village Board at a future meeting.

PUBLIC COMMENT

Resident commented on gambling awareness groups that are available who provide resources to learn about smart and safe gaming.

EXECUTIVE SESSION

None

ADJOURNMENT

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

VOICE VOTE Ayes - 6, Nays - 0

Motion carried.

The meeting was adjourned at 8:31 pm.

Date Approved _____

Dominic Marturano, Mayor

Jody Stoughtenger, Village Clerk