

The 2961<sup>st</sup> Regular Meeting of the Board of Trustees of the Village of Mundelein was held Monday, May 11, 2009 at 1000 North Midlothian Road, Mundelein. Mayor Kessler called the meeting to order at 7:02 pm.

2961<sup>st</sup> Regular Meeting

---

Clerk Dahlstrom took the roll. It indicated these members present: Trustees Meier, Nutschnig, Semple, Sullivan, and Voss; absent: none. Village attendance: Village Administrator Lobaito, Assistant Village Administrator Flynn, Chief Rose, MPD; Chief Sashko, MFD; Finance Director Hatton, Engineer Emmerich, Director of Public Works Miller, Director of Building Schubkegel Sr., and Attorney Marino.

Attendance

---

Mayor Kessler the Pledge of Allegiance.

Pledge of Allegiance

---

**Motion** by Voss, seconded by Nutschnig to approve the Minutes of the Regular Village Board Meeting of April 27, 2009. Upon roll call vote, the vote was as follows: Ayes: Voss, Nutschnig, Meier, Semple, and Sullivan; nays: none; absent and not voting: none. Motion carried.

Motion to Approve the Minutes of Regular Board Meeting of 04.2709

---

Mayor Kessler opened the meeting to the floor for public commentary.

Floor Opened to Public

Mr. Mel Withrow, 600 McKinley Avenue, stated Deputy Chief O'Brien handled the incident regarding the house fire in a very professional manner. Mr. Withrow stated many people are hurting due to the economy and there shouldn't be anyone who goes without food. Libertyville Township has a food program that you can get food twice per month. Fremont Township also has a food program that with an appointment, food is available. The State of Illinois has a LINK card in Park City. Mr. Withrow stated some of these programs also provide rental assistance and he encourages his tenants to get help before the eviction process begins. Mayor Kessler thanked Mr. Withrow for the information.

Food Programs & Rental Assistance Programs

No other comments were made. The public commentary was closed.

Floor Closed to Public

---

Clerk Dahlstrom reported the official canvassing completed by the Lake County Clerk's Office was held April 22, 2009 and the final results are as follows:

04.07.09 Consolidated Election Final Votes

Mayor –	
Kenneth H. Kessler	2,421 votes – 100%
Clerk –	
Esmie M. Dahlstrom	2,170 votes – 100%
Trustee – 2-year unexpired term	
Robin Meier	2,151 votes – 100%
Trustee – 4-year term	
Ray Semple	1,722 votes – 26.66%
Jim Nutschnig	1,605 votes – 24.85%
Steve Lentz	1,597 votes – 24.72%

04.07.09 Consolidated  
Election Final Votes  
(Continued)

Steve "Chip" Cancelli 1,536 votes – 23.78%

Judge Daniel Shanes thanked the Board for inviting him to administer the oaths of office and read a quote from Martin Luther King to encourage and support the elected officials.

Oath of Office Administered

Judge Shanes administered the oath of office to Mayor Kessler, Clerk Dahlstrom, Trustee Meier, Trustee Lentz, Trustee Nutschnig, and Trustee Semple.

Mayor's Report

**Motion** by Sullivan, seconded by Nutschnig to reappoint John Gallagher to the Police Pension Board Commission. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Nutschnig, Lentz, Meier, Semple, and Voss; nays: none; absent and not voting: none. Motion carried.

Reappointment to Police  
Pension Board – J. Gallagher

Lake County Branch Court –  
105 & 205 Route 83

**Motion** by Voss, seconded by Nutschnig to accept the Plan Commission's recommendation as stated on the Staff Report dated May 11, 2009. Upon roll call vote, the vote was as follows: Ayes: Voss, Nutschnig, Lentz, Meier, Semple, and Sullivan; nays: none; absent and not voting: none. Motion carried.

**Motion** by Voss, seconded by Meier to accept the Plan Commission's Findings of Fact. Upon roll call vote, the vote was as follows: Ayes: Voss, Meier, Lentz, Nutschnig, Semple, and Sullivan; nays: none; absent and not voting: none. Motion carried.

**Motion** by Voss, seconded by Nutschnig to direct staff to prepare an Ordinance Granting a Rezoning from C-2 Commercial District to Public Use District pursuant to the requirements of Section 20.44 for the property at 205 Route 83.

Trustee Voss asked what the rezoning would do to the taxes. Attorney Marino stated since the County already owns the property it is already a tax-free property.

Trustee Sullivan asked if the function of the branch court has changed therefore requiring additional parking. Mr. Matt Guarnery, 18 North County Street, Waukegan stated it is not so much the function of the branch, but upon moving into the branch court in 2004, it was determined high volume calls would require additional parking. Solutions were looked at and this property became available for parking. Additional discussions were held regarding the future court and parking expansion.

Upon roll call vote, the vote was as follows: Ayes: Voss, Nutschnig, Lentz, Meier, Semple, and Sullivan; nays: none; absent and not voting: none. Motion carried.

**Motion** by Voss, seconded by Meier to direct staff to prepare an

Ordinance Granting a Rezoning from R-1 One-Family Dwelling District to Public Use District pursuant to the requirements of Section 20.44 for the property at 105 Route 83. Upon roll call vote, the vote was as follows: Ayes: Voss, Meier, Lentz, Nutschnig, Semple, and Sullivan; nays: none; absent and not voting: none. Motion carried.

Mayor's Report (Continued)

Lake County Branch Court –  
105 & 205 Route 83  
(Continued)

**Motion** by Voss, seconded by Meier to direct staff to prepare a Resolution Approving the Preliminary & Final Plats of Subdivision for the Lake County South Branch Courthouse Subdivision. Upon roll call vote, the vote was as follows: Ayes: Voss, Meier, Lentz, Nutschnig, Semple, and Sullivan; nays: none; absent and not voting: none. Motion carried.

**Motion** by Semple, seconded by Meier to approve a Professional Services Agreement with SEC Group, Inc. in the amount of \$114,161.90 for the FYE10 Street Improvement Project and authorize the Village Engineer's signature on the Agreement. Upon roll call vote, the vote was as follows: Ayes: Semple, Meier, Lentz, Nutschnig, Sullivan, and Voss; nays: none; absent and not voting: none. Motion carried.

FYE10 Street Improvement  
Project

Trustee Voss left the boardroom at 7:29 pm.

Trustee Voss returned to the boardroom at 7:30 pm.

**Motion** by Meier, seconded by Sullivan to appoint Ad hoc Committee members:

Rental Licensing Ordinance  
– Ad hoc Committee

- Ms. Sharon Ptak
- Mr. Fitz Anderson
- Mr. Steve Miylogysk, with tenant
- Mr. Mel Withrow
- Mr. Kevin Walsh
- Ms. Susan Peterson
- Chief Rose
- Chief Sashko
- Director Schubkegel

Upon roll call vote, the vote was as follows: Ayes: Meier, Sullivan, Lentz, Nutschnig, Semple, and Voss; nays: none; absent and not voting: none. Motion carried.

Mayor Kessler explained the standing committees of the Village Board for years have included Public Works, Permits Committee, Community Development, Fire Committee, Police Committee, and the Finance Committee. Recently, traffic and infrastructure has become a growing need and an important issue and a reorganizing of the committees is required, combining Police and Fire to Public Safety, Transportation and Infrastructure, Finance, Public Works, Permits, and Community Development committees. Mayor Kessler asked Administrator Lobaito to

Standing Committees of the  
Village Board

distribute a memo defining the committees.

30-Year Service Award –  
Director Hatton

---

Mayor Kessler presented Director of Finance Hatton with a 30-year service plaque of appreciation.

Public Works Committee

**Motion** by Semple, seconded by Voss to authorize the purchase of two 3-ton dump trucks from the State of Illinois Purchasing Program, in accordance to the information and order forms from the Public Works Department.

Motion to authorize the purchase of two 3-ton dump trucks from the State of Illinois Purchasing Program

Trustee Voss asked if the trucks were 2009 or 2010 models. Director Miller stated they are 2010 models with 2009 prices. Trustee Voss asked about the trade-in value. Director Miller stated the trade-in value was higher than expected.

---

Finance Committee Meeting

Upon roll call vote, the vote was as follows: Ayes: Semple, Voss, Lentz, Meier, Nutschig, and Sullivan; nays: none; absent and not voting: none. Motion carried.

Motion to Approve the Minutes of the 04.27.09 Finance Committee Meeting

**Motion** by Sullivan, seconded by Meier to approve the minutes of the April 27, 2009 Finance Committee meeting. Upon roll call vote, the vote was as follows: Ayes: Sullivan and Meier; nays: none; absent and not voting: none. Motion carried.

Motion to Establish a Board Policy of Pay-as-You Go for GASB 45 Other Post Employment Benefits to Report the Full Value of the Annual Required Contribution (ARC)

**Motion** by Sullivan, seconded by Voss to establish a Board policy of pay-as-you go for GASB 45 Other Post Employment Benefits to report the full value of the Annual Required Contribution (ARC), less any Village contributions for healthcare and the implicit cost as required under GASB45. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Voss, Lentz, Meier, Nutschig, and Semple; nays: none; absent and not voting: none. Motion carried.

Motion to Approve the Payment of Bills, Dated 05.11.09 for AT&T, AT&T Long Distance, & AT&T Mobility Invoices Totaling \$11,083.23

**Motion** by Sullivan, seconded by Nutschig to approve the payment of bills, as indicated on Disbursements Pending Report dated 05/11/09 for AT&T and AT&T Long Distance and AT&T Mobility invoices totaling \$11,083.23.

Trustee Meier stated due to a conflict of interest, she would abstain from the motion.

Upon roll call vote, the vote was as follows: Ayes: Sullivan, Nutschig, Lentz, Semple, and Voss; nays: none; abstain; Meier; absent and not voting: none. Motion carried.

---

Financial Highlights

Trustee Sullivan highlighted the financial expenses.

Police Committee

Trustee Semple asked Chief Rose to comment on the tragic house fire incident. Chief Rose explained the details of the house fire that occurred Saturday morning. Chief Rose explained it was gang related; however

with quick response from the Village's gang unit and the Lake County Task Force, suspects were identified and picked up. Three arrests have been made and charged with first-degree murder, along with other felony charges. Chief Rose stressed this was not a random act; it was a very specific and deliberate act of violence. A meeting is scheduled for all of the surrounding neighbors to discuss the situation and answer questions residents may have. On behalf of the Village and Village Board, Trustee Semple expressed our condolences to the family.

Police Committee  
(Continued)

House Fire Update

Chief Rose updated the Board with A-May-Zing Mundelein Saturday morning. Chief Rose stated there were 271 volunteers completing 134 projects. Since then, Chief Rose has had many thanks from our seniors who are so appreciative of the services provided by A-May-Zing Mundelein. Chief Rose thanked all the volunteers, sponsors and Groot Industries who participated, with a special thanks to Jennifer Miller who coordinated the event.

A-May-Zing Mundelein  
Update

**Motion** by Semple, seconded by Meier to authorize the purchase, delivery and payment of three (3) Ford police vehicles from Landmark Ford, 2401 Prairie Crossing Drive, Springfield, IL in the amount of \$62,004.

Motion to Authorize the  
Purchase, Delivery &  
Payment of 4 Ford Police  
Vehicles from Landmark  
Ford, 2401 Prairie Crossing  
Drive, Springfield, IL in the  
Amount of \$\$62,004

---

Trustee Semple stated the original amount was four (4) totaling \$87,703, however the car for the Deputy Chief was eliminated.

Upon roll call vote, the vote was as follows: Ayes: Semple, Meier, Lentz, Nutschnig, Sullivan, and Voss; nays: none; absent and not voting: none. Motion carried.

Community Development  
Committee  
Spring Clean up

Trustee Voss announced this was the last week for spring clean up.

MHS Graduation

Trustee Voss announced the Mundelein High School graduation ceremony would be held Sunday May 17, 2009.

Strategic Partners

Trustee Voss reported on the first strategic partners interviews and there would be four additional interviews regarding the Comprehensive Plan.

Mundelein Lights & Sound  
Final Performance

---

Trustee Sullivan stated horrendous events, like the recent house fires take away from the positive contributions to the community. This past weekend, Mundelein Lights and Sound, national winners, held their final performance and were honored with a Mayoral Proclamation. These young adults are known throughout the nation for their abilities and achievements, however are not given as much coverage. These are typical of the young residents of our community.

Permits Committee

Motion by Nutschnig, seconded by Sullivan authorizing staff to prepare an ordinance approving a Special Use Permit pursuant to Section 20.24.030(46) to operate an automotive repair shop, major, in an M-1 Medium Industrial Zoning District for McCabe Automotive Restoration, 860 Tower Road, ZBA-03-2009. Upon roll call vote, the vote was as follows: Ayes: Nutschnig,

Motion to Authorize Staff  
to Prepare an Ordinance  
Approving a Special Use  
Permit for McCabe  
Automotive Restoration,  
860 Tower Road

Permits Committee (Continued)	Sullivan, Lentz, Meier, Semple, and Voss; nays: none; absent and not voting: none. Motion carried.
Permits Meeting Called for 06.08.09 at 6:30 PM	Trustee Nutschig called a Permits Committee meeting for Monday June 8, 2009 at 6:30 pm regarding a sign variation at 126 North Lake Street.
Spring Clean Up Update	Trustee Semple stated spring clean up went very smoothly, and was the first spring clean up ever that Public Works did not have to participate and assist in the clean up.
Omnibus Vote Agenda	Mayor Kessler presented the Omnibus Vote Agenda asking for any additions, deletions or corrections.
Items Removed from Omnibus Agenda	Mayor Kessler removed Item 8. Trustee Voss removed Items 4 and 5.  There were no other additions, deletions or corrections.
Motion to Approve Omnibus Vote Agenda	<b>Motion</b> by Semple, seconded by Sullivan to approve the following Omnibus Vote Agenda, <b>excluding Items 4, 5, and 8.</b>
	1. <b>Motion</b> to award a contract to Bleck Engineering Company, Inc. for FYE10 NPDES MS4 Permit compliance activities in the not-to-exceed amount of \$30,020.00 and authorize the Village Engineer to sign the contract. (Omnibus Vote)
	2. <b>Motion</b> to pass <b>An Ordinance Amending Ordinance No. 04-12-69, An Ordinance Regulating the Sale of Alcoholic Liquor in the Village of Mundelein, Illinois to Decrease the Number of Class A Liquor Licenses from Seven (7) to Six (6), Increase the Number of Class A-1 Liquor Licenses from Ten (10) to Eleven (11), and Decrease the Number of Class B Liquor Licenses from Fourteen (14) to Thirteen (13). (Ordinance No. 09-05-29)</b> (Omnibus Vote)
	3. <b>Motion</b> to approve the Departmental Purchase Request in the amount of \$16,000.00 from Rowell Chemical Co., 4333 Transworld Road, #250, Schiller Park, IL 60176 for Annual PO for sodium hypochlorite for effluent chlorination. (Omnibus Vote)
	4. <b>REMOVED</b>
	5. <b>REMOVED</b>
	6. <b>Motion</b> to approve and authorize the Clerk's signature on a "Resolution for Improvement by the Municipality Under the Illinois Highway Code" appropriating two million one hundred fifty thousand dollars (\$2,150,000.00) in motor fuel tax revenues to be utilized for the FYE10 Street Improvement Project. (Resolution No. 09-05-29) (Omnibus Vote)

7. **Motion** to approve the Departmental Purchase Request & payment in the amount of \$17,848.16 from Radicom Business Communication Systems, 2604 North Chapel Hill Road, McHenry, IL 60050 for 911 Emergency Equipment Contract Renewal 05/01/09 thru 04/30/10. (Omnibus Vote)

Motion to Approve  
Omnibus Vote Agenda  
(Continued)

8. **REMOVED**

9. **Motion** to pass **An Ordinance Amending Ordinance No. 04-12-69, an Ordinance Regulating the Sale of Alcoholic Liquor in the Village of Mundelein, Illinois, to Increase the Number of Class G Liquor Licenses from Five (5) to Six (6). (Ordinance No. 09-05-30)** (Omnibus Vote)

10. **Motion** to approve the Departmental Purchase Request in the amount of \$25,212.00 from Best Quality Cleaning, Inc., 10015 Pacific Avenue, Franklin Park, IL 60131, for Annual Cleaning Service. (Omnibus Vote)

11. **Motion** to approve the Local Agency Agreement with the Illinois Department of Transportation for the Illinois Safe Routes to School Program and authorize the Mayor to sign the Agreement. (Omnibus Vote)

12. **Motion** to authorize the Mayor's signature on the Illinois Environmental Protection Agency National Pollution Discharge Elimination System Permit ILR400395 Annual Facility Inspection Report. (Omnibus Vote)

13. **Motion** to pass **An Ordinance Amending Ordinance 05-05-34, An Ordinance Appointing a Director and An Alternate Director to Represent the Village of Mundelein on the Central Lake County Joint Action Water Agency. (Ordinance No. 09-05-31)** (Omnibus Vote)

14. **Motion** to approve the payment of bills, as indicated in the Governing Body Report, for the period 04/28/09 through 05/11/09 in the amount of \$582,044.08. (Omnibus Vote)

Upon roll call vote, the vote was as follows: Ayes: Semple, Sullivan, Lentz, Meier, Nutschig, and Voss; nays: none; absent and not voting: none. Motion carried.

**Motion** by Voss, seconded by Nutschig to approve the Departmental Purchase Request in the amount of \$10,000.00 from Railworks Track Systems, 6601 Southpoint Dr., North Suite 160, Jacksonville, FL 32216 for Annual Maintenance Fee for Automatic Horn System.

---

Motion to Approve the  
Departmental Purchase  
Request in the Amount of  
\$10,000.00 from Railworks  
Track Systems for Annual  
Maintenance Fee for  
Automatic Horn System

Trustee Voss asked if this was up to \$10,000 amount or a full \$10,000 amount. Assistant Administrator Flynn stated the contract is for \$800 per

Motion to Approve the Departmental Purchase Request in the Amount of \$10,000.00 from Railworks Track Systems for Annual Maintenance Fee for Automatic Horn System (Continued)

---

Motion to Approve a Professional Services Agreement with SEC Group, Inc in the Amount of \$114,336.60 for the Pedestrian Grade Separation Improvement Project & Authorize the Village Engineer's Signature on the Agreement

Motion Withdrawn

Motion to Remove the Motion to Approve a Professional Services Agreement with SEC Group, Inc in the Amount of \$114,336.60

---

Motion to approve the 2009 Mosquito Control Program Agreement with Clarke Environmental Mosquito Management, Inc.

month and the additional \$400 for any parts needed. Trustee Voss asked if the horns are removed, whether the contract could be terminated. Assistant Administrator Flynn stated there are notification requirements, however if the horns would be turned off, the contract would be cancelled.

Upon roll call vote, the vote was as follows: Ayes: Voss, Nutschnig, Lentz, Meier, Semple, and Sullivan; nays: none; absent and not voting: none. Motion carried.

**Motion** by Voss, seconded by Nutschnig to approve a Professional Services Agreement with SEC Group, Inc in the amount of \$114,336.60 for the Pedestrian Grade Separation Improvement Project and authorize the Village engineer's signature on the Agreement.

Trustee Voss asked Administrator Lobaito if he wanted to make a change first. Administrator Lobaito stated this was not a budgeted item, and does not intend to go forward with the agreement unless the funds are received from Canadian National. Trustee Voss asked if this was an overpass. Administrator Lobaito stated that was not determined yet; options are still being considered.

Trustee Sullivan stated many contributions have been received from Canadian National to offset some of the expenses, however the Tower Road access has been discussed. Trustee Sullivan suggested taking a ride on Metra and challenged anyone to find a pedestrian separation. Metra has allowed pedestrians to walk across the tracks, however is requiring the Village to have a pedestrian separation. Trustee Sullivan recommended the Board to defer the motion and continue to negotiate with Metra with regards to the pedestrian separation. Trustee Voss asked if there was a time restriction. Administrator Lobaito stated there is no time restriction. Attorney Marino stated there is a three-year period, if the agreement is approved and authorized. Additional discussions were held regarding the agreement and consensus was to defer the motion.

Trustee Voss withdrew her motion. Trustee Nutschnig withdrew the second to the motion.

**Motion** by Voss, seconded by Sullivan to remove the motion to approve a Professional Services Agreement with SEC Group, Inc in the amount of \$114,336.60 for the Pedestrian Grade Separation Improvement Project and authorize the Village engineer's signature on the Agreement. Upon roll call vote, the vote was as follows: Ayes: Voss, Sullivan, Lentz, Meier, Nutschnig, and Semple; nays: none; absent and not voting: none. Motion carried.

**Motion** by Meier, seconded by Nutschnig to approve the 2009 Mosquito Control Program Agreement with Clarke Environmental Mosquito Management, Inc. as follows: base program \$46,720.05 and Village wide ULV Treatments at \$5,651.65 per application and motion to approve June payment of \$11,680.12.

Mayor Kessler stated he wanted the record to reflect the efforts and funds the Village provides to prevent mosquitoes, and encourages residents to remove any standing water.

Motion to approve the 2009 Mosquito Control Program Agreement with Clarke Environmental Mosquito Management, Inc. (Continued)

---

Upon roll call vote, the vote was as follows: Ayes: Meier, Nutschnig, Lentz, Semple, Sullivan, and Voss; nays: none; absent and not voting: none. Motion carried.

Administrator's report  
Route 45 Meeting

---

Administrator Lobaito announced an informational meeting regarding Phase I of Route 45 highway improvements scheduled Tuesday May 19, 2009 at 4:00 pm – 7:00 pm to be held at the Sullivan Community Center, 635 North Aspen Drive in Vernon Hills.

Executive Session Called

Attorney Marino called an Executive Session to discuss personnel issues.

**Motion** by Voss, seconded by Nutschnig to recess the 2961<sup>st</sup> Regular meeting into Executive Session to discuss personnel pursuant to 5ILCS 120, Section 2(C)(1). Upon roll call vote, the vote was as follows: Ayes: Voss, Nutschnig, Lentz, Meier, Semple, and Sullivan; nays: none; absent and not voting: none. Motion carried.

Motion to Recess the 2961<sup>st</sup> Regular Meeting into Executive Session

The 2961<sup>st</sup> Regular meeting was recessed at 8:59 pm.

2961<sup>st</sup> Regular Meeting Recessed

**Motion** by Voss, seconded by Nutschnig to reconvene the 2961<sup>st</sup> Regular meeting. Upon roll call vote, the vote was as follows: Ayes: Voss, Nutschnig, Lentz, Meier, Semple, and Sullivan; nays: none; absent and not voting: none. Motion carried.

Motion to Reconvene 2961<sup>st</sup> Regular Meeting

The 2961<sup>st</sup> Regular meeting was reconvened at 9:25 pm.

2961<sup>st</sup> Regular Meeting Reconvened

Clerk Dahlstrom took the roll. It indicated these members present: Trustees Lentz, Meier, Nutschnig, Semple, Sullivan, and Voss; absent: none. Village attendance: Village Administrator Lobaito, Assistant Village Administrator Flynn, and Attorney Marino.

Attendance

---

**Motion** by Semple, seconded by Meier to adjourn the 2961<sup>st</sup> Regular Board meeting. Upon unanimous voice vote, the meeting was adjourned at 9:26 pm. Motion carried.

Motion to Adjourn

---

The 2961<sup>st</sup> Regular meeting was adjourned at 9:26 pm.

Adjournment

---

Village Clerk