



**MINUTES
COMMITTEE OF THE WHOLE MEETING
Monday, January 22, 2018**

Present:

Mayor Brandt	Trustee Feldman
Trustee Grujanac	Trustee Hancock
Trustee McDonough	Trustee Servi
Trustee Leider	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Finance Director/Treasurer Peterson	Public Works Director Woodbury
Chief of Police Leonas	Assistant Village Manager/Community &
Assistant Public Works Director/Village Engineer Dittrich	Economic Development Director Letendre Commander Covelli

ROLL CALL

Mayor Brandt called the meeting to order at 7:15 p.m. and Village Clerk Mastandrea called the Roll.

2.0 APPROVAL OF MINUTES

2.1 Acceptance of the January 8, 2018 Committee of the Whole Meeting Minutes

The minutes of the January 8, 2018 Committee of the Whole Meeting were approved as submitted.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

3.2 Finance and Administration

3.21 Consideration and Discussion of Potential Changes to Lincolnshire Admission Tax (Village of Lincolnshire)

Village Manager Burke provided a presentation summarizing potential changes to Lincolnshire Admission tax and review of Amusement Licensing. Village Manager Burke indicated currently, the Village is not charging tax per code to Crain's Landing Golf Course or Par King Skill Golf and noted the Comprehensive Fee Schedule needs amending should the Village Board wish to collect a tax on these types of uses. Village Manager Burke stated annual licenses are currently required for various activities, as provided in the Village Code, but the Village is only actively licensing Automated Amusements and Fireworks Displays.

Village Manager Burke noted staff has a permitting process in place with the Marriott for all of their productions as opposed to licensing the

theater use. Staff recommends clarifying theatrical license in the Code. A brief discussion regarding theatrical licensing followed.

Mayor Brandt and Trustee Leider stated the Amusement Tax and Licensing will need to be clarified regardless of whether or not increases in the admission tax are agreed upon due to the inconsistencies in applying the Code.

Mayor Brandt asked if staff has looked at what some of the other communities have done or what rate they charge for various amusements. Village Manager Burke noted a table was included in the agenda materials; however, the table simply provides information on the admission tax rate and not what types of uses are required to pay the tax.

Trustee Leider asked why Lincolnshire has a tiered approach between live theater and movie. Village Manager Burke stated he has not been able to find a record as to why there is a differential. Trustee Leider asked if it made sense to simplify and have one rate. Mayor Brandt stated she suspected this could go back to an agreement with the Marriott.

Mayor Brandt asked the Board if they would want staff to look into what surrounding communities do with movie theater amusement tax and theater. Village Attorney Simon stated not only movie theaters but the next step would be to expand the levy of the tax to participation and amusements.

Trustee Leider noted his concern is we are not compliant with the code for licensing at this time, and suggested staff pursue bringing a recommendation forward. As for the admission tax, Trustee Leider noted he does not know what is competitive in the environment. Village Manager stated staff could look into some of the other facilities in the area. Mayor Brandt asked staff to look into what surrounding area facilities do for tournaments and viewing for these events.

Trustee Servi asked if Half Day Brewing were to bring in a band, is this something the Village is considering taxing. Village Manager Burke stated if Half Day Brewing charged a ticket price, the tax could apply. Village Manager Burke noted this tax would not apply to a banquet facility because they are not charging tickets to individuals.

Trustee McDonough asked staff if the intent of the code was to charge the licensing fee annually noting the code states two different things. The facilities all have to be licensed and fill out an application to be licensed which sounds like it should be a one-time licensing and there is also a reference to an annual licensing fee and appears this is establishing two separate fees. Village Attorney Simon noted there is a general, applicable rule that applies to all the Village's business licenses that says unless the code makes it a permanent license, each license

expires at the end of the calendar year.

Trustee Feldman asked if staff goes in to check for safety. Village Manager Burke stated a Code Enforcement Inspector goes in for each liquor license renewal and amusement device licensing.

The Board provided several locations they would like staff to provide information on pertaining to admission tax.

It was the consensus of the Board to have staff provide additional information on the specifics on how the tax is applied in the communities that have the tax and report back to the Board.

3.3 Public Works

3.31 Consideration of a Professional Services Contract with RJN Group, Inc. for Design Engineering Services at a Cost not to Exceed \$99,985.00 (Village of Lincolnshire)

Assistant Public Works Director/Village Engineer Dittrich provided a summary of a professional services contract with RJN Group, Inc. for design engineering services to help the Village evaluate, test, analyze, and prioritize improvements needed to the sanitary sewer collection system.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.32 Consideration of a Request to Authorize Contract for the Construction Des Plaines River Bike Bridge Rehabilitation Project with Lakes & Rivers Contracting, Inc. of Lemont, IL in an Amount not to Exceed \$234,130.00 (Village of Lincolnshire)

Assistant Public Works Director/Village Engineer Dittrich provided a summary of a request to authorize a contract for the construction of Des Plaines River Bike Bridge Rehabilitation Project with Lakes & Rivers Contracting, Inc. of Lemont, IL. Staff reached out to twelve bidders but only two bids were received on the job. The bids came in over the engineers estimate due to the materials used to for the bridge decking and the fact that not a lot of this type of work is currently being done. Assistant Public Works Director/Village Engineer Dittrich laid out the pros and cons for the Board and recommended accepting the bid.

Trustee Feldman asked staff if they knew how much it cost to build the bridge initially noting she thought the price was high. Assistant Public Works Director/Village Engineer Dittrich stated he would look to see if he could find the cost of initial bridge construction.

Trustee Leider stated there is liability if they do not build the bridge but noted concern regarding spending this type of money on repairs.

Mayor Brandt asked if other materials have been researched for use. Assistant Public Works Director/Village Engineer Dittrich stated timber would be the most economical. Most bridges today are built with a concrete deck but the frame of the bridge in question was not designed to hold concrete.

Trustee Leider asked what the original budget was for the bridge repairs. Assistant Public Works Director/Village Engineer Dittrich stated the original budget amount for the repairs was \$199,000 which included the construction engineering which is the next agenda item.

Assistant Public Works Director/Village Engineer Dittrich stated another option would be to adjust quantities and re-bid for a portion of the bridge. The Board noted concern about making the repairs piece-meal which could ultimately drive the costs even more and result in repeated closures of the bridge.

Trustees Leider and Grujanac asked how fast this would need to be addressed since the bridge would need to be closed down for the repairs and wanted to know if the bridge was currently safe to use. Assistant Public Works Director/Village Engineer Dittrich stated the bridge can handle the pedestrian traffic but there are boards on the bridge that are popping off. Public Works Director Woodbury noted in the past years there has been incidents where pedestrians have had accidents due to the popping boards. Staff has experienced several calls over the past few years about concern that the bridge is shifting.

Mayor Brandt asked if there was grant money available for the bridge repairs. Assistant Public Works Director/Village Engineer Dittrich stated there is no grant money available for the bridge repairs.

Trustee Grujanac noted concern with not performing the repairs since there has already been injuries associated with the bridge.

Trustee Leider asked where the additional money would come from to pay for the bridge repairs since this amount is over budget. Assistant Public Works Director/Village Engineer suggested taking the money from Balzer Park Development tennis court resurfacing project funds may be an option. Village Manager Burke reiterated the Balzer Park tennis court resurfacing is an \$80,000 project that has been discussed to possibly be delayed from the current year.

Trustee Leider noted concern with the Engineers Estimate compared to the bid amount and asked why they differed so much. Public Works Director Woodbury noted the Engineer who estimated the cost is a bridge Engineer in which staff would most likely not use in the future as a result of the price differential.

Village Manager Burke noted the cost of the installation of the long, pedestrian bridge in the downtown project was \$228,000 in 2013 and

the smaller bridge was \$76,000 and neither of these are wood bridges.

A conversation regarding replacing the bridge with different materials followed.

Trustee Leider stated he is not in favor of putting this on the consent agenda without knowing where the additional funds would be coming from to pay for the bridge repairs. Public Works Director Woodbury noted staff would look at all the Capital Projects and come back with a recommendation at the next Board Meeting.

A conversation regarding some of the expenditures for the current year along with Balzer Park tennis court repairs were briefly discussed.

It was the consensus of the Board to defer this project until staff receives other Capitol Project bids to see if there are cost savings for other bids to put towards this project.

3.33 Consideration of a Professional Service Contract with HLR Engineering for Des Plaines River Bike Bridge Rehabilitation Construction Engineering Services at a Cost not to Exceed \$26,434.00 (Village of Lincolnshire)

Trustee Grujanac asked if this was the engineer that bid the bridge inaccurately. Assistant Public Works Director/Village Engineer Dittrich stated it is the engineer who estimated the bridge project too low but he would still recommend approval of the contract knowing their expertise as far as bridge construction.

Trustee Leider asked for clarification regarding the Engineers Estimate noting concern that the bid price received was way off. Village Manager Burke stated HLR did the assessment and evaluation of the bridge and the design of what the improvements need to be to restore the bridge.

It was the consensus of the Board to defer this project until staff receives other Capitol Project bids to see if there are cost savings for other bids to put towards this project.

3.34 Discussion of Proposed 2018 Bike Path Resurfacing Locations (Village of Lincolnshire)

Assistant Public Works Director/Village Engineer Dittrich provided a summary of the proposed 2018 bike path resurfacing locations in order to get Board feedback. The focus would be the Riverwoods Road path; the section from Route 22 south versus Route 22 north due to the condition of the path in that area and the fact there are two active construction projects in the north in which the contractor involved will reconstruct portions of the path in these areas.

Trustee Feldman asked how long it has been since the path south of

Route 22 has been re-done. Assistant Public Works Director/Village Engineer Dittrich stated he has no record of any of these paths being resurfaced.

It was the consensus of the Board to bid out the project as staff has recommended and bring the bid back to the Board for consideration.

3.35 Consideration of an Ordinance Amending Title 4 (Health and Sanitation), Chapter 2 (Environmental Control) of the Village of Lincolnshire Municipal Code (Village of Lincolnshire)

Public Works Director Woodbury provided a summary of a proposed Ordinance amending Title 4 Chapter 2 of the code to change the notification requirements for property owners within 250' of the boundaries of a controlled burn area; specifically the certified mailing receipt requirements. Public Works Director Woodbury noted 15 communities were surveyed and none required certified mailings for controlled burns. Staff recommends door knockers and flyers to replace certified mailings to satisfy burn notification requirements.

Village Manger Burke noted this is not only a contractor driven request but staff has had many Homeowners Associations, who manage open space, make the same request. Residents have also called stating they have not received notification due to having to pick up a certified mail at the post office and timing of the burn.

Trustee Leider suggested schools be notified in writing if the burn was to take place within a certain distance from their locations. Public Works Director Woodbury stated all the schools are notified when there is a prescribed burn. Trustee Leider suggested clarifying this process in the code.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.4 Public Safety

3.5 Parks and Recreation

3.51 Consideration of Recommendation to Waive Competitive Bid Process and Authorize a Contract with MUSCO Lighting, Oskaloosa, IA for Replacement of 228 Metal Halide Light Fixtures as North Park Athletic Complex-1025 Riverwoods Road (Village of Lincolnshire)

Public Works Director Woodbury provided a summary of the request to waive the competitive bid process and authorize a contract with MUSCO Lighting, Oskaloosa, IA for replacement of 228 metal halide light fixtures as North Park Athletic Complex to include a 10-year warranty for all poles. Public Works Director Woodbury noted currently,

the Village pays an annual control link service fee of \$2,125 to MUSCO Lighting in which lights at North Park can be turned on and off remotely. This agreement would also include 10 years of this control link service for \$10,625.

Trustee Feldman asked if staff felt the 10-year warranty was adequate. Public Works Director Woodbury stated 10 years is really what the expected life span of the lamps are and felt the 10-year warranty period was adequate.

Village Attorney Simon asked who performs the service for the contractor. Public Works Director Woodbury stated MUSCO would send someone from Iowa to service the lights as has been their practice in the past.

Trustee McDonough asked for clarification regarding the fees. Public Works Director Woodbury stated the fee is a 10-year warranty for the fixtures plus the service fees of \$35,000; then there is a \$27,800 fee to re-lamp all units for a total of \$62,800. Trustee McDonough asked what portion of the contract would be due this year and what portion would be due annually. Public Works Director Woodbury stated it can be paid in lump sum or be paid off for 10 years or 10 payments of \$3,500 which would cover the cost of the warranty and the control service.

A conversation regarding payment schedule and warranty followed.

It was the consensus of the Board to revise the recommendation to pay up front for the re-lamping, then pay the service agreements and warranty over 10 years and place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.6 Judiciary and Personnel

4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

6.0 EXECUTIVE SESSION

7.0 ADJOURNMENT

Trustee Grujanac moved and Trustee Feldman seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 8:55 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk