

**GENERAL GOVERNMENT COMMITTEE
SEPTEMBER 8, 2021 MEETING MINUTES**

**Village Hall
740 Hillgrove Avenue, Board Room
Western Springs, IL 60558**

September 8, 2021 @ 6:00 p.m.

Present

Chair Tyrrell, Member Rudolph, President Gallagher, Village Manager Velkme, Village Attorney Jurusik (by phone until 6:40 p.m. when he arrived in person), Director Baer

Chair Tyrrell moved to open the committee meeting, seconded by Member Rudolph. The motion passed on a roll call vote. Voting aye: Chair Tyrrell and Member Rudolph. The General Government Committee meeting was called to order at 6:11 p.m.

Agenda Items

1. Public Comment

There were no public comments.

2. Approval of Minutes

Chair Tyrrell moved, seconded by Committee Member Rudolph, to approve the minutes of the meeting of July 28, 2021, as amended. The motion passed on a roll call vote. Voting aye: Member Rudolph and Chair Tyrrell. Voting nay: None.

3. Resolution Approving and Authorizing the Execution Of A License Agreement For Operation And Maintenance Of An Underground Fiber Optic Telecommunications Cable System In The Village Right-Of-Way (Level 3 Telecommunications, LLC) (Term: June 27, 2020 To June 27, 2025)

Village Attorney Jurusik presented a renewal of a 5-year agreement that we have had in place for approximately 15 years with Level 3 Telecommunications, LLC. The agreement has run through the Level 3 Corporate offices and is in final form after communication between Attorney Jurusik and their insurance and engineering departments. Deputy Village Manager Biernacki has also been involved in this matter. This is the same agreement that has been in place for 15 years. We just updated the dates and Level 3, which must have new management and review process. They made minimal changes, and nothing was objectionable to Deputy Village Manager Biernacki or Attorney Jurusik, it just took a long time to get through the review process. Village Attorney Jurusik said he is recommending that we renew it and put it on file for another 5-year years. The agreement also has an automatic renewal provision that if neither party

terminates it, the agreement will just self-renew unless either party terminates it. We would also recommend retaining that provision. The automatic renewal is for 5 years consecutive after the life of the initial 5-year agreement, so in 2025 when this agreement expires, it will automatically renew unless either party decides to cancel it. Village Attorney Jurusik added that they pay some type of utility fee, and they are a big company that we do not anticipate them getting bought out, but if they do, we will likely receive an addendum. Their infrastructure, fiber optic cabling, that technology is not going to be removed or relocated so this is just kind of a perfunctory renewal. Attorney Jurusik said he put in the automatic renewal to avoid having this come back time and time again, unless there is a need to review. This agreement governs the replacement of the utilities, maintenance of the utilities, repairs which service provider, Level 3, must adhere to if they are working in our right-of-way including public notice and permits which must be pulled, and bonding and insurance requirements. Discussion followed.

Chair Tyrrell moved, seconded by Member Rudolph, to move this matter forward to the full Board during the September meeting cycle with a recommendation to approve this 5-year agreement. The motion passed on a roll call vote. Voting aye: Chair Tyrrell and Member Rudolph. Voting nay: None.

4. Other

There was no other business before the committee.

5. Schedule Next Committee Meeting

The next General Government Committee meeting was scheduled for Wednesday, October 6, 2021, at 6:00 p.m. [NOTE: Next General Government Committee meeting subsequently rescheduled until Tuesday, October 5, 2021 at 6:00 p.m. due to scheduling conflicts.]

6. Recess and Adjourn to Closed Meeting for the Purpose of Discussion of:

- A. The Appointment, Employment, Compensation, Discipline, Performance or Dismissal of A Specific Employee Or Legal Counsel (5 ILCS 120/2(c)(1)); and
- B. Pending Litigation (5 ILCS 120/2(c)(11))

MOTION:

Chair Tyrrell made a motion to adjourn, seconded by Member Rudolph. The motion passed on a unanimous voice vote. The meeting was adjourned at 6:22 p.m.

Respectfully submitted,

Deputy Clerk Elaine Haeske