

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
SEPTEMBER 12, 2016**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O'Hara called the meeting to order at 7:00 p.m. in the Lake Bluff Village Hall Board Room, and Village Clerk Aaron Towle called the roll.

The following were present:

Village President: Kathleen O'Hara

Trustees: Barbara Ankenman
Steve Christensen
Mark Dewart
Eric Grenier
John Josephitis
William Meyer

Also Present: Aaron Towle, Village Clerk
Drew Irvin, Village Administrator
Peter Friedman, Village Attorney
Susan Griffin, Finance Director
Michael Croak, Building Codes Supervisor
Jeff Hansen, Village Engineer
David Belmonte, Police Chief
Michael Hosking, Deputy Police Chief
David Graf, Fire Chief
Jake Terlap, Public Works Superintendent
Brandon Stanick, Assistant to the Village Administrator (A to VA)
Franco Bottalico, Administrative Intern

2. PLEDGE OF ALLEGIANCE

President O'Hara led the Pledge of Allegiance.

3. AWARDS AND PROCLAMATIONS

Police Chief David Belmonte stated annually the Lake Bluff Police Department honors Police Officers who have contributed significantly to promoting safety in the Village. Police Chief Belmonte presented the Lake Bluff Police Department plaque to Police Officer Mark Szalkowski for traffic and seat belt enforcement, Police Officer Timothy Kreuzsch for alcohol enforcement efforts, and Police Officer Jim Reynolds for his successful investigative work on a burglary case. Police Chief Belmonte thanked the Village Board and Police Department Staff for their service to the community.

President O'Hara read the Proclamation designating October 2016 as *Fire Prevention Month* and thanked Fire Chief Graf and the volunteer fire department for their service to the community.

4. CONSIDERATION OF THE MINUTES

Trustee Josephitis moved to approve the August 22, 2016 Board of Trustees Regular Meeting Minutes as presented. Trustee Christensen seconded the motion. The motion passed on a unanimous voice vote.

5. NON-AGENDA ITEMS AND VISITORS

President O'Hara stated the Village President and Board of Trustees allocate fifteen minutes for those individuals who would like the opportunity to address the Village Board on any matter not listed on the agenda. Each person addressing the Village Board of Trustees is asked to limit their comments to a maximum of five (5) minutes.

There were no requests to address the Board.

6. VILLAGE BOARD SETS THE ORDER OF THE MEETING

At the request of those present, Trustee Dewart moved to take Agenda Items #13 then return to the regular order of the meeting. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

7. ITEM #13 – A RESOLUTION APPROVING A SITE PLAN REVIEW FOR EXTERIOR ALTERATIONS TO THE CENTRAL LAKE COUNTY JOINT ACTION WATER AGENCY BUILDING AT 200 ROCKLAND ROAD

President O'Hara reported the Central Lake County Joint Action Water Agency (CLCJAWA) is proposing to make exterior changes to their building at 200 Rockland Road as part of a project to replace the ozone generating equipment inside the plant. The exterior changes include vent louvres, acoustical hoods over some vents, and sound walls by the rooftop chiller and the backwash blower. In a separate project, a new rooftop air conditioner is proposed. She further reported Bill Soucie, Operation Director for CLCJAWA, appeared at the July 12th and September 6th Architectural Board of Review (ABR) meetings. At the July 12th meeting, the ABR voted 4-0 to recommend site plan approval for the rooftop air conditioning unit and also voted 4-0 on a separate motion to recommend approval for the building alterations related to the ozone generating equipment project.

President O'Hara reported subsequent to the July 12th meeting, CLCJAWA received a report from an acoustical engineer that they had engaged to measure noise levels; the report indicated that the water plant does not comply with all of the noise standards of the Illinois Pollution Control Board and that revisions to the project design would be necessary to bring the water plant into compliance. Mr. Soucie and Darrell Blennis Jr (Executive Director of CLCJAWA) returned to the ABR on September 6th and presented a revised design that their acoustical engineer has advised will comply with the State noise standards. She further reported the new design is described in the attached August 28, 2016 letter from CLCJAWA and includes two steel sound walls to deflect sound from a rooftop chiller and the backwash blowers, acoustical hoods over some louvres, and the relocation of some vents to the rooftop. CLCJAWA will hire a different acoustical engineer to measure noise levels at the completion of the project to verify that the water plant is in compliance. At the September 6th meeting, the ABR voted on one motion to recommend site plan approval for the two steel sound walls and on a separate motion to recommend approval of the other proposed changes, including the vent louvres, acoustical hoods, and rooftop fans and vents. Each motion was approved by a vote of 6-0.

Mr. Bill Soucie, Operations Director for CLCJAWA, showed a picture of the water treatment plant and noted the location for the rooftop unit and backwash blowers for the rooftop chiller. He noted the equipment is only visible from the east elevation which is currently a vacant lot. Mr. Soucie showed pictures of the front elevations from IL. Rt. 176 and noted the overgrown landscape provides screening to the front of the building. He stated the new rooftop unit will be located on the north end of the building and showed a picture illustrating its view from the roadway. He also noted there is currently an HVAC unit located at the south edge of the rooftop.

Mr. Soucie explained the mitigation of the existing equipment sound sources with sound barriers associated with the new ozone system. The proposed steel sound barriers will be located behind the facility and the color will be selected by the ABR.

Mr. Soucie reviewed the elevation changes for the new ozone system and noted the changes will accommodate the new industrial standards requirement for industrial equipment and will meet the sound emission standards of the Illinois Pollution Control Board. He showed a picture of the east and south elevations and location for the new proposed acoustic louvers and hoods noting the equipment color will match the existing color. Lastly, Mr. Soucie stated the facility is not in compliance with current regulations and the proposed upgrades will address non-compliance issues.

As there were no further comments from the Board, Trustee Dewart moved to adopt the resolution. Trustee Christensen seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Ankenman, Christensen, Dewart, Grenier, Josephitis and Meyer
Nays: (0)
Absent: (0)

**8. ITEM #7A – WARRANT REPORT FOR SEPTEMBER 1-15, 2016 AND AUGUST 2016
PAYROLL EXPENDITURES**

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$276,657.75 for September 1-15, 2016.

President O’Hara reported expenditure of Village funds for payroll in the amount of \$270,089.36 for August 2016.

As such, the total expenditures for this period is in the amount of \$546,747.11.

President O’Hara further reported this warrant report includes a payment to DeMuth Inc. for the emergency repair of water main breaks and a broken fire hydrant on Armour Drive. This expenditure was estimated at \$16,500; however, a broken fire hydrant increased the project cost to \$20,700. Pursuant to the Village’s Purchasing Policies Section 6.4, purchases in excess of \$20,000 made to remedy an emergency condition may be accomplished by Village Administrator authorization, to subsequently be ratified by the Village Board.

As there were no questions from the Board, Trustee Meyer moved to approve the Warrant Report. Trustee Christensen seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Christensen, Dewart, Grenier, Josephitis, Meyer and Ankenman
Nays: (0)
Absent: (0)

9. ITEM #7B – AUGUST 2016 FINANCE REPORT

At President O’Hara’s request, Finance Director Susan Griffin provided a brief summary of the August 2016 Finance Report highlighting major revenue sources and expenditures for the period:

- Sales tax revenue for May 2016 of \$282,000 is \$51,000 or 22% greater than May 2015;
- Home rule sales tax of \$99,000 is \$39,000 or 65% greater than May 2015;
- Income tax revenue of \$200,000 for May-August 2016 is 17% lower than the same period in 2015; and
- Building permit revenue is \$206,000 and is \$19,000 or 8.5% less than May-August 2015.

Finance Director Griffin stated Staff continues to closely monitor the actions in Springfield and assess the implications to the Village of potential changes in State-shared revenue allocations, property tax limitation changes, or pension reform law. Finance Director Griffin stated the Finance Committee is scheduled to meet on September 19, 2016 at 6:00 p.m.

Trustee Ankenman moved to accept the Finance Report. Trustee Josephitis seconded the motion. The motion passed on a unanimous voice vote.

10. ITEM #8 – VILLAGE ADMINISTRATOR’S REPORT REGARDING THE DISPOSITION OF CERTAIN VILLAGE RECORDS

Village Administrator Drew Irvin briefly reviewed the State’s process regarding disposition of records. The informational report summarizes the paper documents which have been converted into electronic files. Staff will coordinate disposal of the files, pursuant to State law, presuming there are no concerns.

Trustee Grenier moved to accept the Report. Trustee Dewart seconded the motion. The motion passed on a unanimous voice vote.

11. ITEM #9 – VILLAGE ATTORNEY’S REPORT

Village Attorney Peter Friedman had no report.

12. ITEM #10 – VILLAGE PRESIDENT’S REPORT

President O’Hara reported *Patriotic Spirit Day in Lake Bluff* was successful and reported on the upcoming Public Safety Open House scheduled for September 17th. At the request of President O’Hara, Village Administrator Irvin provided an update on the Whiffle Ball charity event held on September 10th.

13. ITEM #11 – ACCEPTANCE OF THE CORRESPONDENCE

President O’Hara introduced the correspondence from the Informational Reports on August 19, 26 and September 2, 2016.

Trustee Ankenman moved to accept the correspondence as submitted. Trustee Josephitis seconded the motion. The motion passed on a unanimous voice vote.

14. ITEM #12 – SECOND READING OF AN ORDINANCE AMENDING THE LAKE BLUFF ZONING REGULATIONS TO ESTABLISH A PROCESS AND RELATED REGULATIONS FOR PLANNED MIXED-USE DEVELOPMENTS

Trustee Josephitis recused himself from the deliberation and left the dais.

President O’Hara reported in May 2016 the Village received a zoning petition from The Roanoke Group, LLC (Petitioner) seeking: (i) a text amendment to the Village’s Zoning Code establishing regulations for Planned Mixed-Use Developments (PMD) as a special use in the B Residence District (R-4), C Residence District (R-5) and the Central Business District (CBD) (Text Amendment); and (ii) a special use permit for a PMD to permit the construction and maintenance of a 16 unit multi-family structure and related improvements (Development) at 120 E. Scranton Avenue (former PNC Bank property) to construct and maintain the Development at the Property.

President O’Hara reported the purpose of PMDs is to allow for modification of underlying use, bulk, space and yard regulations that may impose unnecessary rigidities on the proposed development or redevelopment of land that requires an individual, planned approach. The two-phase review process of the PMD Ordinance includes:

- Optional preliminary public meeting with the PCZBA to obtain feedback on the potential PMD;
- Development Concept Plan review public hearing with the PCZBA;
- Optional Development Concept Plan review workshop meeting and review by ABR;
- Development Concept Plan consideration by the Village Board;
- Final Development Plan review public hearings & public meetings with PCZBA and ABR; and
- Final Development Plan consideration by the Village Board.

In addition, President O’Hara reported at the conclusion of the August 17th public hearing regarding the text amendment, the PCZBA voted (6-1) to recommend the Village Board: (i) approve and adopt the attached ordinance providing for a text amendment establishing a process and related regulations for PMDs; and (ii) consider including in the PMD ordinance a requirement that two-thirds of the Village Trustees must vote in favor of a proposed PMD if the PCZBA has recommended that the proposed PMD be denied. The PCZBA member who did not vote in favor of the PMD ordinance expressed concern with the PMD option as an alternative to the underlying zoning regulations; more specifically, the concern was that the PMD draft language did not require the redevelopment of qualifying properties to use a PMD approval process. The Village Board approved first reading of the ordinance at its meeting on August 22, 2016.

Trustee Meyer expressed his opposition to a three story development on Block Three noting he does not want to see Lake Bluff transformed by large downtown developments. He stated a three story development would have negative effects and alter the appearance of downtown. The public cost will increase the developers’ profit because they would be allowed to build more units in the same footprint and this is unfair to residents. Trustee Meyer expressed his preference to amend the proposed ordinance to prohibit the construction of a three story development. He expressed his understanding this could be accomplished by establishing a 30 ft. height restriction in the proposed ordinance. Trustee Meyer thanked the public for their involvement in the previous public hearings.

Trustee Meyer moved to amend the proposed ordinance to include a 30 ft. height restriction. Trustee Dewart seconded the motion. A discussion followed.

President O'Hara asked for comments from the Trustees regarding the height restrictions amendment. It was the consensus of the Village Board to include the 30 ft. height restriction in the proposed PMD Ordinance.

Village Attorney Peter Friedman suggested a new subsection, 10-15-3 (c), maximum PMD height be incorporated stating "no principal building or accessory structure shall be erected or altered on any lot in any PMD so that said building or structure exceeds a maximum height of 30 ft.". Village Attorney Friedman also suggested adding a third paragraph to section 10-15-4 (c) stating "shall in no event allow for the maximum height of any principle building or accessory structure within the PMD Ordinance to exceed 30 ft. except pursuant to and in conjunction with an application for approval of a variation from Section 10-15-4 in accordance with the variation procedures set forth in Section 10-2-4".

Following a discussion, the motion to amend the PMD Ordinance passed on the following roll call vote:

Ayes: (5) Dewart, Grenier, Meyer, Ankenman and Christensen
Nays: (0)
Absent: (0)

Trustee Ankenman recommended section 10-15-2B(4) be amended to include a provision that if the PCZBA does not act then it does not automatically become a favorable recommendation it would be no recommendation.

Trustee Ankenman moved to amend Section 10-15-2B(4) to "shall be deemed a decision to make no recommendation". Trustee Grenier seconded the motion. A discussion followed.

Following a discussion, the motion to amend the PMD Ordinance passed on the following roll call vote:

Ayes: (5) Grenier, Meyer, Ankenman, Christensen and Dewart
Nays: (0)
Absent: (0)

President O'Hara opened the floor for public comments.

Mr. Rick Lesser (resident) stated he is not a neighbor of the property but he has been concerned about land use abating the existing zoning in the Village. He congratulated the Village Board and stated this action was an excellent move in making this PMD Ordinance now something that is no longer a green light to the urbanization of Lake Bluff. He expressed his preference to have more safeguards built into the PMD Ordinance to protect existing neighbors. He thanked the Village Board for amending the PMD Ordinance.

Mr. Lee Nysted (resident) thanked the Village Board for listening to residents.

Mr. Terrence Moran (resident) thanked the Village Board and expressed his opinion there has not been one single person that has moved to Lake Bluff in hopes for a bigger downtown. He stated the Village is wonderful the way it is and hopes that it stays that way.

Trustee Ankenman moved to approve second reading of the ordinance as amended. Trustee Grenier seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Meyer, Ankenman, Christensen, Dewart and Grenier
Nays: (0)
Absent: (0)

Trustee Josephitis returned to the dais and assumed his position as Trustee.

15. ITEM #14 – A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT WITH PETER BAKER & SONS CONSTRUCTION AND WAIVER OF COMPETITIVE BIDDING TO COMPLETE MISCELLANEOUS ASPHALT PATCHING AND TRAIL REPAIRS

President O’Hara reported the Village’s FY16-17 Budget designates funds for making improvements to the asphalt pavement around the Fire Training Building at the Public Works Center as well as for resurfacing of a portion of the asphalt trail running north of the Lake Bluff Elementary School on the west side of Green Bay Road. She further reported at the request of the Village, Peter Baker & Son Construction assessed the existing conditions of the pavement for the projects, made recommendations on the cost effective ways to repair the pavement, and prepared a proposal for the recommended work. Peter Baker and Son Construction submitted a proposal and the Village Engineer recommends the Village Board approve a contract in the amount of \$59,386.45 to complete the project. The work includes the repaving of 630 square yards of asphalt around the Fire Training Building and resurfacing approximately 1,510 lineal feet of the trail from the Lake Bluff Elementary School property to the south side of Belle Foret Drive.

President O’Hara reported the Village’s FY16-17 Budget contains \$25,000 for pavement repairs at the Public Works Center and \$30,000 for the asphalt trail resurfacing for a total of \$55,000. The Village Engineer recommends the Village Board waive the competitive bidding process, allocate an additional \$4,386.45 to the project, and award the contract to Peter Baker and Son Construction for the amount of \$59,386.45.

As there were no questions from the Board, Trustee Josephitis moved to adopt the resolution. Trustee Dewart seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Ankenman, Christensen, Dewart, Grenier, Josephitis and Meyer
Nays: (0)
Absent: (0)

16. ITEM #15 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT AND WAIVER OF COMPETITIVE BIDS TO COMPLETE THE EMERGENCY REPAIR OF MOFFETT ROAD

President O’Hara reported in 2016 the Village has received a total of six proposals for temporary repairs to Moffett Road at the land bridge slope failure located just south of the intersection of Moffett Road and East Witchwood Lane. After monitoring the slope failure for the past year and reviewing the latest submitted proposals, it is recommended by the Village Engineer that the Village waive competitive bidding and enter into a construction contract with V3 Construction Group, LTD. of Woodridge Illinois for a lump sum fee of \$93,987 to construct the temporary repairs to the Moffett Road land bridge.

President O'Hara reported the proposed repairs include the installation of a temporary sheet piling wall at the bottom of the slope, filling the eroded area with riprap, re-setting the guard rail, replacing a 50' section of curb and gutter, and repairing the damaged portion of the asphalt street. The repairs are intended to provide a stable roadway until the slope can be permanently repaired and regraded, which is scheduled to take place in 2018, as previously discussed by the Village Board.

In response to a comment from the Board, Village Engineer Jeff Hansen stated there won't be much of a cost savings even with the reuse of material located at the bottom of the hill. The permanent repaired scheduled for 2018 will be 80% Stated funded.

Trustee Josephitis asked if the condition have gotten worse. Village Engineer Hansen stated the land bridge slope and pavement located behind the property is slowly deteriorating. Staff has explored other options and the proposed repairs are the best options at this time.

In response to a question from Trustee Dewart, Village Engineer Hansen stated the sheet piling wall is located at the bottom of the slope. The head wall around the culvert and the wing wall have separated. The proposed sheet piling wall and riprap will fill the gap and prevent much of the materials underneath the culvert from being washed away; however, it will not prevent materials from sliding down from the top of the slope. Village Engineer Hansen reviewed the permanent repair process for the slope. Village Administrator Irvin reviewed the criteria Village Engineer Hansen used to evaluate the various proposed solutions.

Trustee Dewart inquired of the timeframe. Village Engineer Hansen stated the proposal provides 10 working days with partial lane closures and it will commence in the fall probably October.

In response to a question from Trustee Christensen, Village Engineer Hansen stated that while sealed bid proposals were not solicited, he did speak with a number of contractors when arriving at his recommendation.

In response to a question from Trustee Ankenman, Village Engineer Hansen stated the bid ranged between \$65,500 and \$280,000. The lowest bid option proposed a sheet pile wall approximately 15 ft. behind the existing curb but no repairs to the bottom of the slope.

Trustee Grenier inquired of the use of grant monies. Village Engineer Hansen stated the estimated cost for the permanent repairs is \$775,000. The grant funds would allow re-pavement of Moffett Road from the ravine to the southern Village limits which amounted to approximately \$1.2 million.

As there were no further comments from the Board, Trustee Christensen moved to adopt the resolution. Trustee Dewart seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Christensen, Dewart, Grenier, Josephitis, Meyer and Ankenman
Nays: (0)
Absent: (0)

17. ITEM #16 – AN ORDINANCE AMENDING TITLE III OF THE VILLAGE OF LAKE BLUFF MUNICIPAL CODE CONCERNING THE CLASS L AND W LIQUOR LICENSES

President O’Hara reported from time to time, the Village receives inquiries from non-local non-profit/civic groups and catering establishments outside of the Village limits regarding liquor licenses. Presently, the Liquor Regulations of the Village do not provide classes of licenses to serve these groups. In order to fill this gap as well as improve the flexibility and enforceability of the Liquor Regulations, the Village Liquor Commissioner is recommending the following amendments to the Liquor Code:

- Waiving the initial application fee for the Class L and W Event Licenses;
- Striking the requirement that at least one officer of the requesting organization be a resident of the Village and sign the application for the Class L special events license;
- Eliminating the language in the Class W license that limits applicants to those who hold a valid Village Food and Beverage license;
- Adding flexibility to the Class W license by creating a Class W Event license that would allow applicants to seek, in addition to the current annual license for \$500, a \$50 per event license that the Liquor Commissioner could issue in process similar to that of the current special events license. The draft ordinance limits applicants to no more than 4 “event” licenses per calendar year.

In response to a question from Trustee Ankenman, Village Administrator Irvin stated caterers outside of the Village’s corporate limits have expressed interest in catering events similar to those of local caterers. The current liquor license restricts outside caterers from getting a local license because they do not have a current Lake Bluff food and beverage license. The proposal would allow outside caterers to provide their services within the Village and sell alcohol. He stated applicants must meet State and local requirements for a liquor license. A discussion followed.

Trustee Josephitis moved to approve first reading of the ordinance. Trustee Meyer seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Dewart, Grenier, Josephitis, Meyer, Ankenman and Christensen
Nays: (0)
Absent: (0)

18. ITEM #17 – TRUSTEE’S REPORT

There was no Trustee’s report.

19. ITEM #18 – EXECUTIVE SESSION

At 8:13 p.m. Trustee Ankenman moved to enter into Executive Session for the purpose of discussing Property Disposition (5 ILCS 120/2(c)(6)) and Personnel (5 ILCS 120/2(c)(2)). Trustee Josephitis seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Grenier, Josephitis, Meyer, Ankenman, Christensen and Dewart
Nays: (0)
Absent: (0)

Trustee Josephitis departed at 8:14 p.m.

There being no further business to discuss, Trustee Meyer moved to adjourn out of executive session. Trustee Dewart seconded the motion and the motion passed on a unanimous voice vote at 8:51 p.m.

20. ITEM #19 – ADJOURNMENT

Trustee Grenier moved to adjourn the regular meeting. Trustee Meyer seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 8:52 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Aaron Towle
Village Clerk