

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
MAY 8, 2017**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O'Hara called the meeting to order at 7:23 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 Freidman, Village Attorney
Susan Griffin, Finance Director
Michael Croak, Building Codes Supervisor
David Belmonte, Police Chief
Glen Cole, Assistant to the Village Administrator

2. PLEDGE OF ALLEGIANCE

President O'Hara led the Pledge of Allegiance.

3. ITEM #6 – VILLAGE BOARD SETS THE ORDER OF THE MEETING

Following a suggestion from President O'Hara, Trustee Dewart moved that the order of the meeting be amended to take agenda items #8a and #8b then return to the regular order of the meeting. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

4. ITEM #8A – VILLAGE ADMINISTRATOR'S REPORT: REQUEST FROM THE UNION CHURCH OF LAKE BLUFF TO WAIVE BUILDING PERMIT FEES, DEMOLITION TAX, SUBDIVISION FEES AND ZONING APPLICATION FEES

President O'Hara reported the Union Church of Lake Bluff located at 525 East Prospect Avenue has applied for a demolition permit to tear down the pastor's house (also known as the manse) and plans to apply for building permits, subdivision and zoning approvals to (i) build a new pastor's house further east on the church property and (ii) develop a courtyard for outdoor services between the existing church and the new pastor's house. On April 28, 2017 the Village received a letter from the Union Church of Lake

Bluff requesting a waiver of the building permit fees, demolition tax, subdivision fees, and zoning application fees associated with these projects.

President O'Hara reported the total of the demolition tax and development related fees are estimated to be \$39,000. If the Board is inclined to grant the waiver, Staff recommends the Board still require a \$5,000 refundable bond to ensure adequate site and parkway restoration. Additionally, the Board should consider if the Applicant should still be required to pay the Village's direct cost for outside services such as publication fees, review by legal counsel, and plan review.

President O'Hara stated the two churches in Lake Bluff have been an integral thread in the fabric of the community, socially and historically, for over 150 years as well as contributed substantially to the character of Lake Bluff. As the Board consider the contributions the Churches have made and will continue to make to the community, she recommended all fees be waived.

Trustee Dewart stated he support the fee waiver and recommend the Board require the performance bond.

Trustee Christensen agreed with Trustee Dewart and noted the improvement will beautify the Church and the Village.

Trustee Josephitis stated this is consistent with past practice and he is okay with the request. The Board has discussed fee waiver policy but this is one category the Village wants to continue to support.

In response to a question from Trustee Grenier, Village Administrator Irvin stated the out of pocket expenses associated with zoning, subdivision fees and subdivision process would be approximately \$2,500 because the inspections are conducted by the Village's contractual provider, the City of Lake Forest. A discussion ensued.

Following a brief discussion, Trustee Dewart moved to waive fees estimated to be \$39,000, but require a \$5,000 refundable bond to ensure adequate site and parkway restoration. 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)

5. ITEM #8b – VILLAGE ADMINISTRATOR'S REPORT: INFORMATIONAL REPORT FROM THE POLICE DEPARTMENT REGARDING OFFICER TRAINING

Police Chief David Belmonte introduced Sergeant Robert Brezinski. Sergeant Brezinski presented a powerpoint presentation detailing training associated with new Lake Bluff Police Officers. He provided an overview of the basic law enforcement academy training, field training program, mandated training, probationary police officer training, career development training and department specialty assignments available to patrol officers.

6. ITEM #3a – AWARDS AND PROCLAMATIONS

President O'Hara read the Proclamation declaring May 7 – 13, 2017 as *International Compost Awareness Week*.

7. CONSIDERATION OF THE MINUTES

Trustee Josephitis moved to approve the April 24, 2017 Board of Trustees Regular Meeting Minutes as presented. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

8. 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.

Mr. Paul Bergmann, a member of the Lake Bluff History Museum Board, provided information on the Distinguished Homes Award Program scheduled for May 21st and noted there will be signage posted throughout the Village. Currently, there are 48 homes in addition to the six new recipients in the honorary program which represent the cultural, historical and architectural heritage of Lake Bluff.

9. ITEM #7a – WARRANT REPORT FOR MAY 1-15, 2017 AND APRIL 2017 PAYROLL EXPENDITURES

President O'Hara reported expenditure of Village funds for payment of invoices in the amount of \$381,525.95 for May 1-15, 2017 and funds for payroll in the amount of \$263,405.29 for April 2017.

As such, the total expenditures for this period is in the amount of \$644,931.24.

As there were no questions from the Board, Trustee Christensen moved to approve the Warrant Report. Trustee Grenier 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)

10. ITEM #7b – APRIL 2017 FINANCE REPORT

At President O'Hara's request, Finance Director Susan Griffin provided a brief summary of the April 2017 Finance Report highlighting major revenue sources and expenditures for the period. Finance Director Griffin stated this is the end of the fiscal year and not all of the accruals have been posted. There are some bills that will be paid in May and June that will be accrued to April as well as some revenues.

- Sales tax revenue for May 2016-January 2017 of \$2.4 million is \$274,000 or 13% greater than the same period in 2015-16;
- Home rule sales tax of \$757,000 for May 2016-January 2017 is \$159,000 or 27% greater than the same period in 2015-16;
- Income tax revenue of \$541,000 for the fiscal year is \$69,000 or 11% lower than the revenue of \$610,000 for FY16;
- Building permit revenue of \$587,000 for FY17 is up 23% exceeding the prior year by \$110,000; and
- Expenditures are consistent with or less than the budget.

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.

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

11. ITEM #8 – VILLAGE ADMINISTRATOR’S REPORT CONT.

Village Administrator Irvin had no report.

12. ITEM #9 – VILLAGE ATTORNEY’S REPORT

Village Attorney Peter Friedman had no report.

13. ITEM #10 – VILLAGE PRESIDENT’S REPORT

President O’Hara provided an update on the legislative actions in Springfield and how the proposed legislation could impact local government municipalities.

14. ITEMS #11 AND #12 – CONSENT AGENDA

President O’Hara introduced the following Consent Agenda items for consideration:

- 11. Correspondence Delivered in the April 21 and 28, 2017 Informational Reports; and
- 12. Second Reading of An Ordinance Amending Title III of the Village of Lake Bluff Municipal Code Regarding the Number of Liquor Licenses.

Trustee Ankenman moved to approve the Consent Agenda. Trustee Josephitis 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)

15. ITEM #13 – A RESOLUTION APPROVING A SITE PLAN FOR EXTERIOR ALTERATIONS AT 104-110 SCRANTON AVENUE, 612-616 OAK AVENUE, 41 E. NORTH AVENUE AND 35 E. NORTH AVENUE

President O’Hara reported Brick House Farms X, LLC has proposed several exterior alterations to the subject properties, including landscaping, sidewalks, a patio, the relocation of garbage containers, the screening of garbage containers, window replacement, signs, exterior lights, and exterior painting. She further reported at the April 4, Architectural Board of Review meeting, the ABR recommended approval of the Site Plan with the condition that the driveway at 35 E. North Avenue be a paver type that allows grass to grow through it. At the April 24th Village Board meeting, the Gregg Handrich, the applicant, asked the Board to reconsider this condition. The Board referred this back to the ABR for further discussion.

President O'Hara reported since the applicant had received the necessary variance for the proposed addition of two parking spaces at 41 E. North Avenue, he was able to ask the ABR to consider this aspect of his request at their May 2 meeting also; at this meeting, the ABR voted 5-0 to recommend approval of the Site Plan Review with the driveway and driveway approach at 35 E. North Avenue to have a paver border of Holland bricks with the short edge of the brick parallel to the edge of the driveway and with the two additional parking spaces at 41 E. North Avenue to be the brick/grass ribbon design as presented by the applicant.

As there were no comments from the Board, Trustee Josephitis moved to adopt the resolution. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

16. ITEM #14 – AN ORDINANCE AMENDING SECTIONS 10-503 AND 10-6A-5 OF THE LAKE BLUFF ZONING REGULATIONS REGARDING SETBACK FOR BLOCK THREE IN THE CENTRAL BUSINESS DISTRICT

President O'Hara reported at its regular meetings in January, February, and March, the PCZBA held a public hearing to consider amendments to the Lake Bluff Zoning Ordinance that would eliminate ambiguity regarding the minimum building setback along Scranton Avenue for lots within Block 3 of the CBD. Specifically, Section 10-6A-5 of the Municipal Code states that there is no setback along Scranton Avenue for lots within Block 3 while Section 10-5-3C1 imposes certain conditions upon commercial property that is, effectively, on the same side of the same block as residential property. *“Any lot in any business district that fronts on the same street and has the same front line as an adjacent lot in the same block that is in a residence district shall conform to the setback requirements of the adjoining residence district; provided, however, that no building on such a lot in a business district shall be required by this subsection to set back more than fifteen feet (15') from the street line.”*

President O'Hara reported during the public hearing, the PCZBA performed an extensive review of the legislative history behind the Block 3 setbacks (Section 10-6A-5), including discussions about the idea of a residential transition in Block 3 and an adopted setback map that does not show a setback from Scranton in Block 3. After great deliberation, on March 15, 2017 the PCZBA voted 6-1 to amend the Code to require a 7.5 ft. minimum building setback along Scranton Avenue; to move the conflicting Section 10-5-3C1 adjacent to the other CBD sections of the Zoning Code; and to exempt Block 3 from the relocated Section 10-5-3C1. She further reported at the Board's April 24 meeting, the Board declined first reading approval and instructed Staff to further review the ordinance. After review by Staff and the Village Attorney, Staff recommends the Village Board of Trustees consider one of the following actions:

- Refuse first reading approval of the ordinance;
- Remand the ordinance with specific instructions. The Board may, for example, instruct the PCZBA to:
 1. Review setbacks throughout the entire Central Business District;
 2. Consider any specific concerns raised by the Board not addressed in the Public Hearing;or,
 3. Return this item to the Board for consideration no later than a date certain; and
- Approve the first reading of the ordinance.

Citing a business relationship with a Block Three property owner, Trustee Josephitis recused himself and exited the Board Room.

Village Administrator Irvin stated other alternatives were discussed such as allowing the Board final authority on setbacks at the time of a building permit. Staff further reviewed the alternatives being presented to the Board for consideration. He provided information on the Design Guidelines process which included public input that ultimately determined 6 to 8 ft. setbacks were preferred for the CBD. The PCZBA, after great deliberation, recommended a 7.5 ft. setback for the CBD which is within the suggested range. The recommended setback is reflective of the setbacks on the south side of the street and is consistent with the Planning Principles adopted by the Village Board in regards to development of the CBD.

Trustee Christensen stated he is fine with the recommended 7.5 ft. setback because there are tools available to developers such as zoning variation or Planned Mixed-Use Development (PMD). He would prefer the setback requirement be consistent for all Blocks that abut residential areas. Village Administrator Irvin stated the language in the existing Code was moved as part of the planned text amendment from the residential part of the Code into the CBD Code. It imposes an additional setback of 15 ft. when property in the CBD shares a front lot line with residential properties. A discussion followed.

Trustee Dewart asked what the potential implications are or could be for Block Two. It is a transition to a residential area where the rear of the property abuts residential, so it would be abutting the property on North Avenue and asked if that property was residential. Village Administrator Irvin stated the properties on the north side of the North Avenue between Walnut and Oak Avenue are zoned R-5.

In response to a comment from Trustee Dewart, Village Administrator Irvin stated the proposed 7.5 ft. setback along East Scranton only applies to Block Three and noted the plan is to clarify the ambiguity in the existing Code.

Trustee Grenier expressed his understanding the intent is to manage the transition from commercial to residential. He would prefer the Board maintain control and have the opportunity to consider developments with a 0 ft. setback. He would like to see the transitional options explored should Block Three get developed. Village Administrator Irvin stated the PMD tool could be applied to these types of developments.

As there were no further comments from the Board, Trustee Ankenman moved to approve first reading of the ordinance. Trustee Grenier 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 returned to the dais and resumed his position.

17. ITEM #15 – ADJOURNMENT SINE DIE

Trustee Josephitis moved to adjourn the regular meeting. Trustee Ankenman seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 7:32 p.m.

18. ITEM #16 – INAUGURATION OF NEW OFFICERS

Deputy Village Clerk Irvin administered the Oath of Office to Village President O'Hara.

President O'Hara administered the Oath of Office to Village Trustees Grenier, Meyer and Towle and Village Clerk Joy Markee.

Following the oaths of office, the newly elected and incumbent officials took their positions at the dais as Village Officials and returned to the agenda.

19. ITEM #17 – CALL TO ORDER AND ROLL CALL

Village Clerk Markee called the roll at 7:33 p.m. and announced the following were present:

Village President: Kathleen O'Hara

Trustees: Barbara Ankenman
Steve Christensen
Mark Dewart
Eric Grenier
William Meyer
Aaron Towle

Also Present: Joy Markee, Village Clerk
Drew Irvin, Village Administrator
Peter Freidman, Village Attorney
Susan Griffin, Finance Director
Michael Croak, Building Codes Supervisor
David Belmonte, Police Chief
Glen Cole, Assistant to the Village Administrator

20. ITEM #18 – A RESOLUTION HONORING THE PUBLIC SERVICE OF VILLAGE TRUSTEE JOHN JOSEPHITIS

President O'Hara read the resolution honoring the public service of former Trustee Josephitis and presented him with a framed copy of the resolution and plaque. President O'Hara thanked Mr. Josephitis for his service.

Village Administrator Irvin stated he has enjoyed working with Mr. Josephitis and commented on his attributes which contributed greatly to the beautification of the Village and benefited local businesses.

Mr. Josephitis stated it was an honor to have served on the Board. He thanked the Board and community for operating in a civil manner during the Target Development process and he is proud of the overall outcome.

President O'Hara stated this has been an interesting evening noting there were a lot of diverse opinions expressed but that is what makes a community.

Trustee Dewart moved to approve the resolution. Trustee Christensen seconded the motion. The motion passed on a unanimous voice vote.

21. ITEM #19 – ADJOURNMENT

Trustee Grenier moved to adjourn the regular meeting. Trustee Towle seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 7:55 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

R. Drew Irvin
Deputy Village Clerk