

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 24, 2015**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O'Hara called the meeting to order at 7:05 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
Jeff Hansen, Village Engineer
Michael Croak, Building Codes Supervisor
David Belmonte, Police Chief
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. CONSIDERATION OF THE MINUTES

Trustee Dewart moved to approve the August 10, 2015 Board of Trustees Meeting Minutes as presented. Trustee Josephitis seconded the motion. The motion passed on a unanimous voice vote.

4. NON-AGENDA ITEMS AND VISITORS

Mr. Bill Peterson spoke on behalf of Ms. Linda Hicks concerning the current zoning regulations for fences and setbacks for the property located at 720 E. Prospect Avenue. He distributed photos showing past and current conditions and inquired of the process for variances to the Village's existing zoning regulations. President O'Hara stated a public hearing is the appropriate venue to discuss the matter and advised that Staff would contact him to discuss the process required.

Village Administrator Drew Irvin noted there have been discussions regarding the existing fence at this location, and at the present time there are some incomplete building issues related to the fence.

5. VILLAGE BOARD SETS THE ORDER OF THE MEETING

There were no requests to change the order of the meeting.

6. ITEM #6A – WARRANT REPORT FOR AUGUST 1-15, 2015 AND JULY 2015 PAYROLL EXPENDITURES

President O'Hara reported expenditure of Village funds for payment of invoices in the amount of \$122,670.01 for August 16-31, 2015.

As such, the total Expenditures for this period is in the amount of \$122,670.01.

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

7. ITEM #7 – VILLAGE ADMINISTRATOR'S REPORT

Village Administrator Irvin had no report.

8. ITEM #8 - VILLAGE ATTORNEY'S REPORT

Village Attorney Peter Friedman had no report.

9. ITEM #9 – VILLAGE PRESIDENT'S REPORT

President O'Hara summarized the purpose and role of the Development and Downtown Committee (DDC) when the Village was considering changes to its zoning regulations for the business park to encourage retail uses and streamline its development process. She stated as the DDC has fulfilled its role its services are no longer needed.

President O'Hara thanked the following volunteers whom served on the DDC: Chair John Josephitis, Deb Dintruff, Paul Lemieux, Steve Kraus, Rebecca Quackenbush, Stephen Rappin, Brian Rener and Paul Baffico for their assistance with creating a vibrant area.

President O'Hara reported there will be information provided in the future regarding a new Ad Hoc Committee created to review the Village's environmental issues. She noted should a group be created it would have the first student to serve as an active member on a Village Advisory Board.

10. ITEM #10 – ACCEPTANCE OF THE CORRESPONDENCE

President O'Hara introduced the correspondence from the Informational Report on August 7 and 14, 2015

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

11. ITEM #11 – A RESOLUTION APPROVING A SIGN EXEMPTION REQUEST FOR KATIE HALL LIZ MAZUR PHOTOGRAPHY LOCATED AT 36 EAST CENTER AVENUE

President O'Hara reported Katie Hall Liz Mazur Photography is opening in the space that had previously been occupied by Reimagine Vintage. They are proposing to put a sign on the existing awning and a sign on the door. The sign code requirement for an awning sign in the Central Business District (CBD) reads, "the size of letters on an awning sign shall be no less than five inches and no greater than seven inches in height and shall be placed on the descending skirt only." Since there is no "descending skirt" on the existing awning, the petitioners are requesting an exemption in order to have the lettering on the main portion of the awning. This exemption has been granted previously for tenants in this space and the adjacent florist shop.

President O'Hara reported the sign code requirement for door signs in the CBD reads, "Door signs. Such signs shall be allowed only if the door is the only available signage location...for the business." Exemptions from this requirement have been granted in the past to allow other businesses in the CBD to have door signs. The Architectural Board of Review (ABR) reviewed the proposed signs at their August 4th meeting and voted unanimously to recommend that the Village Board grant the exemptions and allow the proposed signs. She further noted Staff had spoken to the neighboring property owner who is required to be notified and no concerns were expressed.

Trustee Grenier noted this request has come before the Village Board several times and inquired if the sign regulations should be amended. Village Administrator Irvin suggested in the event the Village Board would like to have this reviewed in detail, the matter could be deferred to the ABR for review.

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

12. ITEM #12 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH TASER INTERNATIONAL FOR THE PURCHASE OF ELECTRICAL CONTROL WEAPONS

President O’Hara reported the Lake Bluff Police Department currently has a use-of-force policy that requires officers to carry a firearm, with the option of carrying Oleoresin Capsicum (OC) Spray or a baton. The increasing trend in law enforcement is adding less-lethal alternatives to their use-of-force options.

President O’Hara reported the 2012 study in *Police Quarterly* compared hands-on and other less-lethal weapon tactics and found a significantly lower probability of officer injuries when using the TASER. In over 9,000 use-of-force incidents against physically resistant offenders, 11.6% of officers reported an injury, while officers using a TASER were injured only 5.7% of the time. One of the most recent studies also published in *Police Quarterly* found that TASER use actually reduced the risk of injury to the Offender versus impact weapons and stayed about the same versus hard hands-on tactics. Staff research has determined that the only readily available and commonly used electronic control weapon in law enforcement is produced by TASER International of Scottsdale, Arizona. Staff is recommending this purchase include a built in camera system that would record anytime the TASER is used. She further noted according to the Village’s Purchasing policy, all purchases exceeding \$20,000 require Village Board approval and a competitive bidding process unless the goods, services or work is only available through a sole provider. Since TASER International is the sole provider of the TASER system, there is not another comparable system that is approved on the market; therefore, the Village Administrator recommends the authorization of the contract with TASER International.

In addition, President O’Hara reported the price of 13 units (one for every Officer, Detective and Sergeant), including the recommended high definition cameras, download kits, holsters, training cartridges and live cartridges, full warranty and software support is \$25,583.95 (about 10% lower than the list price, but \$538.95 higher than budget). After one year, TASER will charge \$4,123.60 annually to stay under warranty and after the fifth year, all 13 units will be replaced with brand new equipment (upgraded if available) at no cost.

Village Administrator Irvin stated Lake Bluff Police Officers do not experience a lot of combative encounters mainly due to the character of the community. A handgun has not been discharged since 1965, and to continue on that track, the TASER system provides another less-lethal tool for Police Officers to use when appropriate.

Police Chief David Belmonte stated the Village’s insurance provider, Intergovernmental Risk Management Agency (IRMA), has asked their members to look at less-lethal alternatives to using handguns. Police Chief Belmonte expressed his preference to have Police Officers equipped with the TASER to deescalate situations without the use of force. Lastly, Police Chief Belmonte stated Sergeant Erik Gehrke had written a thesis while attending the School of Police Staff and Command at Northwestern University to determine whether the TASER system was a viable option for the Police Department and his research determined the tool was needed.

President O'Hara asked if there were specific protocols or guidelines that apply to using the devices. Police Chief Belmonte stated the State of Illinois has enacted specific standards regarding training and TASER use and the International Chiefs of Police Association (ICPA) has issued a model set of guidelines that may be used by police departments. In addition, he stated the Police Department must also comply with the Commission on Accreditation for Law Enforcement Agencies standards to maintain its accreditation standards.

Police Chief Belmonte stated Sergeant Gehrke and Officer Mark Szalkowski will conduct on-site training once their instructor training is completed with TASER International.

Trustee Josephitis asked if there was any documented research from communities currently using the TASER. Police Chief Belmonte stated the majority of police departments in this area, with the exception of the City of Lake Forest, are using the TASER. Sergeant Gehrke stated IRMA reported that 38 of the 40 member agencies carry the TASER, and in 2007, approximately 60% of IRMA agencies with population less than 10,000 carried the TASER.

Village Administrator Irvin stated the TASER is purposely colored differently and the design and feel is physically different than a sidearm weapon. Police Chief Belmonte provided information regarding a recent out of state incident and noted the person involved was not certified to carry a fireman or a TASER.

Trustee Josephitis asked if it could be used in communities that do not allow TASER. Police Chief Belmonte stated pursuant to State Law, with the Mutual Aid requirements in place, officers have the authority to use whatever use of force necessary to affect an arrest. He also noted of the surrounding communities, Lake Bluff and Lake Forest are currently the only communities that do not carry TASERs.

Trustee Christensen asked if the built in camera could be connected to a body camera. Police Chief Belmonte stated TASER does make the body camera option which would link the two devices and further noted the use of multiple cameras would be beneficial as it would allow more coverage without redundancy.

Trustee Dewart stated Lake Bluff Police Officers routinely police outside the boundaries of Lake Bluff and it is important to maintain a lateral view of those areas.

In response to a comment from Trustee Grenier, Police Chief Belmonte stated the bright yellow TASER is highly visible. He stated Police Officers will use the cross draw position to retrieve the TASER so as not to inadvertently draw their handgun.

Trustee Grenier asked if the TASER fits with Lake Bluff's character and further expressed his concern that residents may view the visible weapon as a potential to escalate a non-forceful encounter. Police Chief Belmonte stated the weapon will only be used on those that are actively resisting arrest.

Trustee Josephitis asked if a warning is given prior to use of the TASER. Sergeant Gehrke explained the IRMA and IACP guidelines and noted a warning is given to alert the offender and others on-scene.

Village Clerk Aaron Towle stated while serving as a police officer he carried a TASER and expressed his support of the non-lethal weapon choice.

Trustee Meyer moved to adopt the resolution. 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)

13. ITEM #13 – AN ORDINANCE AMENDING CERTAIN PROVISIONS OF TITLE IV OF THE VILLAGE OF LAKE BLUFF MUNICIPAL CODE CONCERNING A COMMERCIAL SOLID WASTE HAULING AND RECYCLING PROGRAM

President O’Hara reported along with amending the Illinois Municipal Code and the Illinois Solid Waste Planning and Recycling Act, Public Act 98-1079 (“Act”) created the Solid Waste Hauling and Recycling Program Act. The Act (effective August 26, 2014) requires each hauler operating in a county or municipality to offer collection services for recyclable materials to their non-residential business customers, and to provide a written offer to provide recycling services, at least once every 2 years, to their non-residential business customers that are not recycling. She further noted the Act also prohibits a municipality with a population of less than 1,000,000 from awarding a commercial franchise unless it: (1) provides written notice to all haulers licensed by the municipality of its intent to issue a request for proposal for a commercial franchise; (2) adopts an ordinance requiring a 36-month reporting program to determine the percentage of non-residential businesses in the municipality contracting for the collection of recyclable materials, and (3) demonstrates either (i) that the recycling participation for the final six months of the 36-month long reporting period is less than 50% of the total number of businesses served in the municipality or (ii) that during 2 consecutive 6-month reporting periods after the 36-month reporting period less than 50% of businesses are under contract for the collection of recyclable materials.

President O’Hara reported based on the direction provided at the June 22nd Committee-of-the-Whole (COW) meeting and the Village’s Strategic Plan goal to enhance recycling efforts, an Ordinance has been prepared that will authorize the Village to initiate a commercial franchise program which (if ultimately enacted) may help control costs for local businesses, increase recycling, and reduce greenhouse gases associated with collection from non-residential locations.

Following a comment from Trustee Christensen, Village Administrator Irvin stated the requirements are consistent with the information presented at the COW Meeting. He commented on the option discussed during the meeting and noted the Village must consider whether to require commercial businesses to prove by contract with the haulers that they were recycling. He stated it is Staff’s recommendation not to have that requirement which requires contractual relation with a commercial hauler.

As there were no questions, Trustee Dewart moved to approve first reading of the ordinance. Trustee Christensen seconded the motion. The motion passed on a unanimous voice vote.

14. ITEM #14 – TRUSTEE’S REPORT

There was no Trustee’s report.

15. ITEM #16 – CONSIDERATION OF THE MINUTES OF THE AUGUST 10, 2015 EXECUTIVE SESSION MEETING

Trustee Christensen moved to approve the August 10, 2015 Executive Session Meeting Minutes as presented. Trustee Dewart seconded the motion. The motion passed on a unanimous voice vote.

16. ITEM #17 – ADJOURNMENT

Trustee Meyer moved to adjourn the regular meeting. Trustee Josephitis seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 7:48 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Aaron Towle
Village Clerk