

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
SEPTEMBER 14, 2015**

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
Andrew Fiske, Assistant Village Attorney
Jeff Hansen, Village Engineer
Michael Croak, Building Codes Supervisor
David Belmonte, Police Chief
Jake Terlap, Public Works Superintendent
Brandon Stanick, Assistant to the Village Administrator (A to VA)

2. PLEDGE OF ALLEGIANCE

President O'Hara led the Pledge of Allegiance.

3. CONSIDERATION OF THE MINUTES

Trustee Dewart moved to approve the August 24, 2015 Board of Trustees Meeting Minutes as presented. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

4. NON-AGENDA ITEMS AND VISITORS

There were no requests to address the Board.

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 SEPTEMBER 1-15, 2015 AND AUGUST 2015
PAYROLL EXPENDITURES**

President O'Hara reported expenditure of Village funds for payment of invoices in the amount of \$384,154.49 for September 1-15, 2015.

President O'Hara reported expenditure of Village funds for payroll in the amount of \$274,517.72 for August 2015.

As such, the total Expenditures for this period is in the amount of \$658,672.21.

As there were no questions from the Board, Trustee Meyer moved to approve the Warrant Report. Trustee Josephitis 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 #6B – AUGUST 2015 FINANCIAL REPORT

In the absence of Finance Director Susan Griffin, President O'Hara provided a brief summary of the August 2015 Finance Report, highlighting major revenue sources and expenditures for the period.

- Sales tax revenue for May 2015 is \$230,000 which is \$16,000 or 7.4% greater than May 2014. Home rule sales tax of \$60,000 which is \$8,000 or 16.3% greater than May 2014;
- May has traditionally been the largest monthly receipt of state shared income tax revenue due to the filing of taxes in April. At \$240,000 May – August 2015 revenue is 18% greater than the same period in 2014;
- Building permit revenue is down 46% from the prior year as expected due to the decline in commercial development projects but still represents 34% of the annual budget projection;
- Capital project expenditures exceed the same period in 2014 by \$635,700;
- Water billed consumption is down 5.124 million gallons. This resulted in a decline in water sales of \$25,662 (after accounting for the change in water rates.); and
- We continue to closely monitor the actions in Springfield and assess the implications for the Village should bills such as the “2 year property tax freeze” which recently passed the Senate become law.

Village Administrator Drew Irvin stated at its last meeting the Northwest Municipal Conference discussed the state of the state's budget issues. He expressed his understanding that certain emergency dispatch agencies may not receive State pass through revenue for E911 funds because the State doesn't have an approved budget.

Village Administrator Irvin stated last year the Village experienced significant building permit revenue as a result of the Target development and noted Staff anticipates the Village will achieve the \$660,000 target in building permit revenue for the current fiscal year.

Building Codes Supervisor Michael Croak provided the Board with an update regarding the building permit revenue expected as a result of new residential construction, home demolition and the construction of the third outlot building at the Target site.

Trustee Dewart asked if the 18% increase in income tax revenue was the result of timing or if gross income in the community had increased. Village Administrator Irvin expressed his uncertainty regarding the matter.

President O'Hara reported on the recent Senate Subcommittee meeting which discussed how local municipalities may be impacted if State shared revenue was reduced. A discussion ensued.

Trustee Grenier expressed his understanding Lake Bluff has a 7.5% sales tax rate and asked how much of that goes to the Village. Village Administrator Irvin stated the percentage varies depending on the type of goods purchase and Staff will confirm the percentage at a future meeting.

As there were no further questions from the Board, Trustee Christensen moved to accept the Finance Report. Trustee Dewart seconded the motion. The motion passed on a unanimous voice vote.

8. ITEM #7 – VILLAGE ADMINISTRATOR'S REPORT

Village Administrator Irvin provided background information and an update regarding the Stonebridge Planned Commercial Development. He stated recently the developers completed interior deconstruction of the existing Mansion and Coach House which has allowed contractors/bidders to go through the property to provide accurate quotes for the proposed development.

In response to a question from Trustee Grenier, Village Administrator Irvin stated the resolution approving a new preliminary development plan for Stonebridge does not indicate a specific timeframe to complete the project.

9. ITEM #8 - VILLAGE ATTORNEY'S REPORT

In the absence of Village Attorney Friedman, Assistant Village Attorney Andrew Fiske had no report.

10. ITEM #9 – VILLAGE PRESIDENT'S REPORT

President O'Hara reported on the newspaper article "Lake Bluff Is Tops In Scenic Views" which was published in the *Daily North Shore*. She reported the Lake Bluff History Museum will unveil the Mural, removed from East School, in the Village Board Room at 4:00 p.m. on September 20th. She also noted a WPA picture of the Lake Bluff Fire station will be hung in the Village Hall stairwell.

11. ITEM #10 – ACCEPTANCE OF THE CORRESPONDENCE

President O'Hara introduced the correspondence from the Informational Report on August 21, 28 and September 4, 2015.

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

12. ITEM #11 – A RESOLUTION APPROVING THE PURCHASE OF ROCK SALT FOR THE PURPOSE OF SNOW AND ICE REMOVAL FROM CARGILL INCORPORATED SALT DIVISION (State Purchase Program)

President O'Hara reported annually the State of Illinois Office of Procurement conducts a joint bid for roadway maintenance agencies statewide. This year the state's approved bid of \$67.41 per ton was awarded to Cargill, Inc. At this price the Village will easily be able to purchase approximately 700 tons of rock salt within budget (FY2015-16 budget includes \$75,000 for the purchase of rock salt).

President O'Hara reported the Village must commit to purchase 100% of the order and the supplier commits to provide 120% of the ordered amount at the bid price should severe weather conditions arise. As you may recall, last year's price per ton was \$87.40 with the Village's salt usage totaling only 515 tons due to less than average snow fall and ice. The Village currently has 443 tons left over from last season. With the purchase of 700 more tons of salt the Village should have adequate road salt available for the upcoming winter season.

In response to comments from the Board, Public Works Superintendent Jake Terlap reported on how much salt was leftover from the previous year and how much salt could be stored at the Public Works facility.

In response to a comment from Trustee Dewart, Village Administrator Irvin expressed his belief that crack sealing Village roads has been an effective strategy to the Village road maintenance program.

Following a brief discussion, Trustee Meyer 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)

13. ITEM #12 – SECOND READING OF 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. The Village Board approved first reading of the ordinance at its August 24th meeting.

As there were no questions, Trustee Grenier moved to approve the ordinance. Trustee Dewart 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)

14. ITEM #13 – AN ORDINANCE AMENDING TITLE VII OF THE LAKE BLUFF MUNICIPAL CODE REGARDING SMOKING REGULATIONS (E-Cigarettes)

President O’Hara reported in 2008 the Village Board supported an aggressive ordinance to restrict smoking in all enclosed public areas, all places of employment and in certain unenclosed public areas such as park grounds and school grounds. The purpose of the restrictions was to ensure that non-smokers may breathe air free from the hazardous effects of second hand smoke. She further noted in recent years, manufacturers have developed electronic devices intended to simulate cigarette smoking and designed to deliver nicotine, other chemicals and flavors by using a heating element to turn the nicotine, other chemicals and flavors into an aerosol, gas or vapor that is inhaled or “vaped” by the user.

President O’Hara reported the United States Food & Drug Administration, the Center for Disease Control and Prevention, the World Health Organization, and many leading public health organizations have expressed concern about (i) the dramatic increase in the use of e-cigarettes by minors under eighteen (18) years of age, (ii) the marketing of e-cigarettes without appropriate health warnings or age-restrictions including the marketing of sweet flavors targeted to minors under eighteen (18) years of age, and (iii) the lack of clinical studies on the potential health risks posed by e-cigarettes. She further reported E-cigarettes remain unregulated at the federal level, leaving states and local governments to adopt their own regulation regarding the smoking of e-cigarettes in public places and work places, the sale and distribution of e-cigarettes to minors under eighteen (18) years of age, and the possession of e-cigarettes by minors under eighteen (18) years of age. In an effort to respond to these concerns, several municipalities have amended their ordinances to include e-cigarettes in the same manner that cigarettes are regulated/licensed and prohibited.

In addition, she reported at the direction of the COW on April 9, 2015, the Village Attorney has prepared the attached ordinance to restrict the sale, possession and use of e-cigarettes in the same manner as cigarettes are currently regulated and licensed. This action would align with the Village Board’s original intentions and policy, and this amendment will continue to protect minors under 18 and persons in proximity of devices in use from the possible risk posed from “second hand” vapors.

As there were no comments, Trustee Meyer moved to approve first reading of the ordinance. 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)

15. ITEM #14 – TRUSTEE’S REPORT

There was no Trustee’s report.

16. ITEM #16 – ADJOURNMENT

Trustee Dewart moved to adjourn the regular meeting. Trustee Josephitis seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 7:36 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Aaron Towle
Village Clerk