

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
SEPTEMBER 28, 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

Absent: John Josephitis, Village Trustee
Drew Irvin, Village Administrator

Also Present: Aaron Towle, Village Clerk
Peter Friedman, Village Attorney
Susan Griffin, Finance Director
Jeff Hansen, Village Engineer
Michael Croak, Building Codes Supervisor
Michael Hosking, Deputy Police 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

President O'Hara read the Proclamation declaring October 2015 as *Fire Prevention Month*.

President O'Hara read the Proclamation designating October 26 – October 30, 2015 as *Red Ribbon Week*.

4. CONSIDERATION OF THE MINUTES

Trustee Dewart moved to approve the September 14, 2015 Board of Trustees Meeting Minutes as presented. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

5. NON-AGENDA ITEMS AND VISITORS

There were no requests to address the Board.

6. VILLAGE BOARD SETS THE ORDER OF THE MEETING

At the request of those present, Trustee Christensen moved to take Agenda Items #16 and #12 then return to the regular order of the meeting. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

7. ITEM #16 – AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A BREWPUB AT 16 EAST SCRANTON AVENUE

President O’Hara reported on August 25, 2015 the Village received a zoning petition from Lake Effect Holdings, LLC, (Petitioner) owner of the Village Commons building, seeking a special use permit (SUP) to operate a brewery/brewpub at 16 E. Scranton Avenue. Currently, the Lake Brewing Company operates at this location pursuant to a SUP authorized pursuant to Ord. #2010-08; however, the establishment will soon change ownership to Lake Bluff Craft Brewing Company which will require a new SUP under the new ownership. If approved, the Petitioner would then hold the SUP and be authorized to establish a brewery/brewpub that is consistent with any conditions required of the SUP and would not require a public hearing with the Joint Plan Commission and Zoning Board of Appeals (PCZBA) for any future brewery/brewpub tenants. She further noted on September 16th the PCZBA conducted a public hearing to consider the zoning petition and recommended the Village Board approve the Petitioner’s request subject to the following conditions:

- The business owner obtains adequate, but no fewer than four, downtown employee parking permits (for parking at the Train Station) to increase the availability of parking for downtown visitors and customers;
- Extend permissible hours of operation to allow an establishment to open one hour earlier, Monday - Thursday (from 11:00 a.m. to 11:00 p.m.), one hour earlier, Friday and Saturday (11:00 a.m. to 12:00 a.m.), and one hour earlier/one hour later on Sundays (from 11:00 a.m. to 11:00 p.m.); and
- Require deliveries to and distribution from the establishment be made pursuant to Ord. #2007-14 (an ordinance approving the Village Commons development), including from the rear of the building and in the designated loading zones along E. Scranton and Walnut Avenues.

In response to a comment from the Board, Mr. Rodd Specketer (part-owner) stated the business will be reorganized under new management.

Trustee Christensen expressed his understanding the SUP will be issued to the building owner. Mr. Robert Douglass of Lake Effect Holdings, LLC advised of the current SUPs held by his organization and noted the intent is to streamline any future review process required for this type of use.

President O’Hara stated should ownership change the Petitioner does not have to come back for approval as long as it remains a brewpub and this way increases efficiencies in the review process.

As there were no further comments from the Board, Trustee Meyer moved to approve first reading of the ordinance. Trustee Christensen seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Ankenman, Christensen, Dewart, Grenier and Meyer
Nays: (0)
Absent: (1) Josephitis

At the request of the Petitioners, Trustee Dewart moved to waive second reading of the ordinance. Trustee Meyer seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Christensen, Dewart, Grenier, Meyer and Ankenman
Nays: (0)
Absent: (1) Josephitis

8. ITEM #12 – A RESOLUTION APPROVING A SITE PLAN FOR THE RENOVATION OF CERTAIN IMPROVEMENTS (Swimming Pool, Equipment Shed and Related Facilities) AT THE LAKE BLUFF PARK DISTRICT – BLAIR PARK

President O’Hara reported the Lake Bluff Park District (Petitioner) is proposing remodeling and alterations to the pool and changing rooms at Blair Park. The park and pool are operated in a residential zoning district under a SUP that requires changes in Site Plan to be reviewed by the Architectural Board of Review (ABR) and Village Board. Changes of note include rebuilding the wading pool in a rectangular shape that is slightly larger to the north, rebuilding the wading pool equipment shed with horizontal fiber cement siding, and installing new shade structures. She further noted the ABR reviewed the proposed changes at its September 15, 2015 meeting. The ABR recommended that the Village Board approve the proposed alterations, subject to the condition that the proposed fence on the north side of the wading pool and the landscaping return for later approval. In preparation for the Village Board’s consideration of the request, the neighboring property owners have been notified of the meeting date and a resolution has been prepared transmitting the ABR’s recommendation.

In response to a comment from the Board, Mr. Ron Salski, Executive Director of the Park District, stated the project will be completed by spring 2016 and the wading pool will open next summer.

Trustee Ankenman moved to adopt the resolution. Trustee Grenier seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Dewart, Grenier, Meyer, Ankenman and Christensen
Nays: (0)
Absent: (1) Josephitis

9. ITEM #7A – WARRANT REPORT FOR SEPTEMBER 16-30, 2015

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$292,826.29 for September 16-30, 2015.

As such, the total Expenditures for this period is in the amount of \$292,826.29.

In response to a question from Trustee Grenier, Finance Director Susan Griffin provided information regarding sales tax distribution. The State's general merchandise sales tax, with the exception of groceries, is 8% of which the Village receives 2%. She reported prepared food sales tax is 9% and noted there is a 1% prepared food and beverage tax for establishments such as Potbelly, Meatheads, Inovasi, etc.

Finance Director Griffin stated vehicle sales tax is 7% of which the Village receives 1% and she noted the rate is higher for residents of Chicago. Currently there are no home rule sales taxes on automobiles or groceries. In addition, Finance Director stated sales tax distribution breakdown for each respective community is available on the Illinois Department of Revenue website.

In response to a comment from the Board, Finance Director Griffin stated the State sales tax reimbursements are distributed monthly and noted the Village has not received current Motor Fuel Tax allotments and the May sales tax reimbursement could be delayed.

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

Ayes: (5) Grenier, Meyer, Ankenman, Christensen and Dewart
Nays: (0)
Absent: (1) Josephitis

10. ITEM #8 – VILLAGE ADMINISTRATOR'S REPORT

In the absence of Village Administrator Drew Irvin, A to VA Brandon Stanick had no report.

11. ITEM #9 - VILLAGE ATTORNEY'S REPORT

Village Attorney Peter Friedman had no report.

Trustee Grenier inquired of the impact from the recent storm event. Public Works Superintendent Jake Terlap stated there were a few flooding issues and temporary closure of the viaduct as a result of the three inch rainfall. He noted the recent storm event was nothing like the May 2014 event.

12. ITEM #10 – VILLAGE PRESIDENT'S REPORT

Village President O'Hara reported on the upcoming Ribfest event scheduled for October 3rd and Pumpkin Fest on October 17th. She reported the Pre-WPA Mural that was removed from the Middle School has been remounted on the south wall of the Village Hall Board Room.

13. ITEM #11 – ACCEPTANCE OF THE CORRESPONDENCE

President O'Hara introduced the correspondence from the Informational Report on September 11 and 18, 2015.

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

14. ITEM #13 – A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT (GovITC Consortium) REGARDING INFORMATION TECHNOLOGY SERVICES AND EQUIPMENT

President O’Hara reported in January 2014 the Village Board authorized an Information Technology (IT) services contract with InterDev LLC following a joint RFI/RFP process with the Villages of Buffalo Grove, Glenview, Kenilworth, and Lincolnshire; as announced at that time, the municipalities’ goals were twofold: (i) move to a common service provider immediately to begin achieving the added value from a shared support model more quickly, and (ii) research and plan for an IT consortium. Over the past year the communities have worked together to develop an IT consortium model and now the group is recommending formation of a separate intergovernmental entity (GovITC) in order to achieve:

- Economies of Scale - IT assets can be jointly purchased, reducing individual community expenses and risks;
- Improved Vendor Management – Formal meetings will be scheduled with the IT services vendor to review and plan projects and schedules, monitor performance and service level agreement metrics. The vendor would also be measured on progress for transitioning and further consolidating the environments; and
- Strategic Planning - alignment of priorities and projects across multiple complex environments, as well as growth management of the Consortium.

President O’Hara reported there is no immediate additional cost for formalizing GovITC. Functions typically associated with a separate entity, such as budgeting and auditing, are expected to be handled by the Consortium officers for the next few years until such time that the Consortium would grow and may require outside additional resources. As the Consortium begins to strategically plan, some joint purchases may be recommended in the next year in order to reduce duplication of equipment and maintenance (reduce costs) and work towards common standards for assets. The working group has identified a handful of projects to pursue once the formal consortium structure is in place including a shared offsite backup solution, shared email archiving, improved vendor management, and shared network monitoring.

President O’Hara stated the State and other resources are encouraging municipalities to form consolidations and consortiums to reduce cost and improve efficiency. She stated the recent dispatch consolidation and GovITC consortium are enhanced resources the Village will benefit from in the long term.

Trustee Dewart moved to adopt the resolution. Trustee Meyer seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Meyer, Ankenman, Christensen, Dewart and Grenier
Nays: (0)
Absent: (1) Josephitis

15. ITEM #14 – A RESOLUTION HONORING THE 25TH ANNIVERSARY OF THE PASSAGE OF THE AMERICANS WITH DISABILITIES ACT

President O’Hara read the resolution honoring the 25th anniversary of the passage of the Americans with Disabilities Act.

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

16. ITEM #15 – SECOND READING OF AN ORDINANCE AMENDING CERTAIN PROVISIONS OF TITLE VII OF THE VILLAGE OF 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. 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. 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, President O’Hara reported at the direction of the Committee-of-the-Whole (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. The Village Board approved first reading of the ordinance at its meeting on September 14, 2015.

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

Ayes: (5) Ankenman, Christensen, Dewart, Grenier and Meyer
Nays: (0)
Absent: (1) Josephitis

17. ITEM #17 – TRUSTEE’S REPORT

Trustee Dewart inquired which agency is responsible for the crosswalk located south of the Green Bay Road Bridge over the Union Pacific Railroad. A to VA Stanick stated that particular section of street and crosswalk is under the jurisdiction of the City of Lake Forest.

Public Works Superintendent Terlap provided information regarding the crosswalk and noted it is a State law to stop at all striped designated crosswalks even if there are no posted signs.

Trustee Dewart expressed his belief these types of crosswalks are not well understood by pedestrians, bicyclists and motorists. He asked if the Village could provide some education and make the public aware of crosswalk procedures. Deputy Police Chief Michael Hosking reported the Village has received complaints in the past about motorists not slowing for pedestrians in crosswalks and patrol cars are dispatched to monitor the situation.

18. ITEM #18 – EXECUTIVE SESSION

At 7:43 p.m. Trustee Grenier moved to enter into Executive Session for the purpose of discussing Threatened Litigation (5 ILCS 120/2(c)(11)). Trustee Meyer seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Christensen, Dewart, Grenier, Meyer and Ankenman
Nays: (0)
Absent: (1) Josephitis

There being no further business to discuss, Trustee Ankenman moved to adjourn out of executive session. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote at 8:06 p.m.

19. ITEM #19 – ADJOURNMENT

Trustee Meyer moved to adjourn the regular meeting. Trustee Christensen seconded the motion. The motion passed on a unanimous voice vote. The meeting adjourned at 8:07 p.m.

Respectfully Submitted,

Brandon J. Stanick
Assistant to the Village Administrator

Aaron Towle
Village Clerk