

**VILLAGE OF LAKE BLUFF  
BOARD OF TRUSTEES  
REGULAR MEETING  
JUNE 27, 2016**

**APPROVED MINUTES**

**1. CALL TO ORDER AND ROLL CALL**

Village President O'Hara called the meeting to order at 7:02 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  
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 Meyer moved to approve the June 13, 2016 Board of Trustees Regular Meeting Minutes as presented. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

**4. VILLAGE BOARD SETS THE ORDER OF THE MEETING**

At the request of those present, Trustee Dewart moved to take Agenda Items #12, #7a, #15 and #16 then return to the regular order of the meeting. 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. ITEM #12 – A RESOLUTION HONORING THE PUBLIC SERVICE OF MICHAEL GOLDSBERRY**

President O'Hara read the resolution honoring the public service of Michael Goldsberry and presented him with a framed copy of the resolution. In addition, President O'Hara recognized the Goldsberry Family for their contributions to the community in supporting Michael Goldsberry.

Mr. Goldsberry thanked his family for their support. He stated volunteering is important and a great way to be involved in the community and encouraged everyone to volunteer.

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

**7. ITEM #7A – VILLAGE ADMINISTRATOR'S REPORT REGARDING A REQUEST FROM THE CENTRAL LAKE COUNTY JOINT ACTION WATER AGENCY TO WAIVE BUILDING PERMIT FEES FOR MODIFICATION TO THE WATER PLANT LOCATED AT 200 ROCKLAND ROAD**

President O'Hara reported in February 2015 the Village passed Resolution 2015-7 approving a temporary easement agreement with CLCJAWA to allow the use of Village property east of CLCJAWA for temporary staging activities for a period of up to 26 months from the commencement date at a cost of \$25,000. The need for this easement agreement is specific to the CLCJAWA ozone generation and ancillary projects.

President O'Hara reported CLCJAWA is now requesting a waiver of building permit fees of \$196,620 for the \$6.554 million ozone generation system conversion project. CLCJAWA is changing its ozone generation process from one that generates ozone from ambient air to one generating ozone from pure oxygen. Additionally, CLCJAWA is requesting fee waivers of \$2,526 for two smaller projects: the replacement of an air conditioning system and the installation of new control valves in a boiler system with construction costs of \$65,130 and \$19,100, respectively. She further reported exterior changes to the building for the ozone replacement system consist of the installation of new ventilation louvres in the exterior walls on the south and east sides of the building. CLC JAWA anticipates going through the Village's site plan review process in July for these exterior changes. In addition, President O'Hara reported in the past the Village has approved requests from the Lake Bluff Park District, CLCJAWA, and the Union Church of Lake Bluff to waive building permit fees and, for the Park District, demolition taxes.

Trustee Dewart moved to waive CLCJAWA building permit fees as requested. Trustee Christensen seconded the motion. A discussion followed.

Mr. Darrell Blennis, CLCJAWA Executive Director, thanked the Village Board for their consideration of the request. He stated the project is part of a long range capital improvement plan. The request to waive second reading is to allow construction to begin within the next month.

Mr. Bill Soucie, CLCJAWA Operations Director, provided a brief summary of the ozone generation system conversion project. The system allows CLCJAWA to convert oxygen to ozone which is bubbled into the water to kill organisms and remove compounds from the water.

In response to a question from Trustee Christensen, Mr. Blennis stated CLCJAWA has requested fee waivers for projects related to its facility in Libertyville.

Village Administrator Drew Irvin stated Staff is waiting for CLCJAWA to clarify the change in intensity associated with the ozone generation system conversion project in term of noise and vibration. He stated in 2002 zoning relief was approved under specific conditions which included hours of construction, a single point of contact to address residents questions and a requirement for any out of pocket fees that the Village would have incurred related to inspecting those improvements would be passed through. Village Administrator Irvin stated CLCJAWA is scheduled to go through the ABR site plan review process due to the exterior modifications.

Trustee Josephitis inquired of the inspection cost for this project. Village Administrator Irvin stated building permit fees are 3% of construction cost which includes equipment and it is estimated the inspection cost will amount to approximately \$3,000.

Trustee Grenier asked if the changes were maintenance related improvements. Mr. Blennis stated these improvements are based on cost and efficiency improvements to the system and briefly explained how the current system operates.

Trustee Dewart moved to amend the motion to include waiving fees except reasonable expenses incurred by the Village not to exceed \$5,000. Trustee Meyer seconded the motion. The motion as amended passed on the following roll call vote:

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

**8. ITEM #15 – AN ORDINANCE AMENDING THE LAKE BLUFF ZONING REGULATIONS TO ALLOW ELECTRIC LIFT SYSTEMS ON BLUFFS**

President O’Hara reported on May 31, 2016 the Village received a zoning application from Mr. and Mrs. Edward and Margaret Fiorentino (Petitioners), property owners of 611 Lansdowne Lane, requesting:

- A text amendment to the Zoning Code allowing electric lift systems (“trams”) on bluffs as a special use or as a permitted use for residential lakefront properties; and
- A special use permit (SUP) to maintain and operate a tram on the bluff located at 611 Lansdowne Lane.

President O'Hara reported the Property Owner is requesting this text amendment because, pursuant to Section 10-12-5 of the Zoning Code, the Village does not allow construction activity on bluffs or ravines except for paths, steps/stairs, decks and benches. For your information, the Village has previously granted zoning relief (pursuant to Ordinances #2004-26 and #2007-13) to allow the construction, maintenance and operation of a tram on the bluff for two lakefront properties. In addition to providing safe access to the lakefront, tram systems cause less disturbance to the bluff face than the surface excavation necessary to install steps at grade which require small retaining walls to move laterally across a bluff slope resulting in more disturbance to the slope. President O'Hara further reported at the conclusion of the public hearing on June 15<sup>th</sup> the Plan Commission and Zoning Board of Appeals (PCZBA) unanimously voted to recommend the Village Board: a) approve a text amendment allowing trams on bluffs on residential lakefront property as a special use with the condition of allowing one tram per property; and b) grant a SUP to construct, operate and maintain a tram on the bluff located at 611 Lansdowne Lane.

President O'Hara inquired of the request to waive second reading of the ordinance. Mr. Jeff Tondola, representative of the Petitioner, stated the waiver would allow time to expedite the engineering process to further evaluate the bluff for future work related to this project.

Village Administrator Irvin expressed his understanding the waiver request would allow installation of the tram system for safe accessibility to the bluff to allow project engineers to conduct an erosion assessment. He stated the desire by the property owner was expressed during the public hearing process to repair the existing stairs.

In response to a question from President O'Hara, Mr. Tondola stated should there be evidence of instability on the bluff the installation of the trams and stairs would be re-evaluated.

In response to a comment regarding annual inspections, Village Administrator Irvin stated Staff reviewed the Elevator Safety Act and because this a private conveyance on residential property, an annual inspection is not currently required.

Village Administrator Irvin stated Staff's recommendation was making this use as of right, as with the stairs there are certain improvements that can be constructed on bluffs and ravines which are a permitted exception. He stated Staff is recommending including trams on that list of exceptions to lessen the burden on future property owners seeking to install a tram.

As there were no further comments from the Board, Trustee Josephitis moved to approve first reading of the ordinance as presented with the conditions recommended by the PCZBA. 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)

At the request of the Petitioner, Trustee Grenier moved to waive second reading of the ordinance. Trustee Christensen 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)

**9. ITEM #16 – AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 611 LANSDOWNE LANE TO PERMIT THE CONSTRUCTION OF AN ELECTRIC LIFT SYSTEM ON A BLUFF**

President O’Hara reported on May 31, 2016 the Village received a zoning application from Mr. and Mrs. Edward and Margaret Fiorentino (Petitioners), property owners of 611 Lansdowne Lane, requesting:

- A text amendment to the Zoning Code allowing electric lift systems (“trams”) on bluffs as a special use or as a permitted use for residential lakefront properties; and
- A special use permit (SUP) to maintain and operate a tram on the bluff located at 611 Lansdowne Lane.

President O’Hara reported at the conclusion of the public hearing on June 15<sup>th</sup> the PCZBA unanimously voted to recommend the Village Board: a) approve a text amendment allowing trams on bluffs on residential lakefront property as a special use with the conditions of allowing one tram per property and requiring an annual inspection; and b) grant a SUP to construct, operate and maintain a tram on the bluff located at 611 Lansdowne Lane

As there were no comments from the Board, 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)

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

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

**10. ITEM #6A – WARRANT REPORT FOR JUNE 16-30, 2016**

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$100,111.78 for June 16-30, 2016.

As such, the total expenditures for this period is in the amount of \$100,111.78.

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

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

**11. ITEM # 7 – VILLAGE ADMINISTRATOR’S REPORT**

Village Administrator Irvin had no further information to report.

**12. ITEM #8 – VILLAGE ATTORNEY’S REPORT**

Village Attorney Peter Friedman had no report.

**13. ITEM #9 – VILLAGE PRESIDENT’S REPORT**

President O’Hara thanked the Lake Bluff History Museum and Trustee Dewart for their work in hosting the annual car show. Village President O’Hara reported on various ongoing events and the upcoming Fireman’s Ball on July 3<sup>rd</sup>, the 4<sup>th</sup> of July Parade, and Criterium Bike Race on July 23<sup>rd</sup>.

Trustee Dewart stated the car show was an extraordinary event and thanked the local merchants, volunteers and Village Staff for their support.

**14. ITEMS #10 AND #11 – CONSENT AGENDA**

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

- 10. Correspondence Delivered in the June 10 and 17, 2016 Informational Reports; and
- 11. Second Reading of an Ordinance Ascertaining the Prevailing Rate of Wages for Laborers, Mechanics, and Other Workers for Lake Bluff Public Works Projects for 2016.

Trustee Ankenman moved to approve the Consent Agenda. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

**15. ITEM #13 – A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH BAXTER & WOODMAN, INC (Phase 1 Design Agreement for Moffett Road Bridge Repair and Resurfacing Project)**

President O’Hara reported the Village is pursuing federal funding through the Surface Transportation Program (STP) for the repair of the land bridge just south of the intersection of Moffett Road and East Witchwood Lane and the resurfacing of Moffett Road between East Center Avenue and the southern Village limit. In accordance with STP funding requirements, a Phase 1 Engineering and Environmental Study is required. The Phase I Study is not eligible for federal funding. Phase II (final design) and Phase III (construction) are eligible. Construction of the project is expected during the summer of 2018. The Village requested a proposal from Baxter & Woodman, Inc. to prepare and submit the Phase I study to the Illinois Department of Transportation. Baxter & Woodman, Inc. has worked with the Village on the Moffett Road project in the past and has specific expertise in completing projects within the STP funding process.

President O'Hara reported the proposal from Baxter & Woodman, Inc. is for an amount not to exceed \$57,700. The FY2016-2017 budget contains \$250,000 for the Moffett Road culvert project. Approximately \$10,000 of the budgeted amount has been spent to date on engineering of potential temporary repairs to Moffett Road and the slope. The remaining budgeted \$182,300 will be used for temporary repairs to Moffett Road, potential easement acquisition costs, and Phase II engineering. It is recommended that the board approve the proposal from Baxter & Woodman, Inc. for an amount not to exceed \$57,700.

President O'Hara asked how the State's lack of funding for IDOT engineering and construction programs would impact the project. Village Engineer Jeff Hansen stated Phase I of the project is not federally funded and will not be impacted. However, should the State not pass a budget, Phase II of the project will be impacted in 2017. The current lack of funding is currently delaying the Public Safety Building and Sheridan Road sidewalks project.

As there were no further questions from the Board, Trustee Ankenman moved to adopt the resolution. 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)

**16. ITEM #14 – A RESOLUTION TERMINATING THE INTERGOVERNMENTAL AGREEMENT THAT CREATED THE LAKE AND MCHENRY COUNTIES FIRE DEPARTMENT'S SPECIALIZED RESPONSE TEAMS AND TRANSFERRING THOSE FUNCTIONS TO MABAS DIVISIONS 4 AND 5 SPECIALIZED RESPONSE TEAMS**

Village Administrator Irvin reported the Village Attorney continues to research and finalize Village Board action documents involved in the termination of the intergovernmental agreement that created the Lake and McHenry Counties Fire Department's Specialized Response Teams and transferring those functions to MABAS Divisions 4 and 5 Specialized Response Teams.

It was the consensus of the Village Board to take no action on this agenda item.

**17. ITEM #17 – TRUSTEE'S REPORT**

There was no Trustee's report.

**18. ITEM #18 – EXECUTIVE SESSION**

At 7:27 p.m. Trustee Christensen moved to enter into Executive Session for the purpose of discussing Possible Litigation (5 ILCS 120/2(c)(11)), Land Acquisition (5 ILCS 120/2(c)(5)) and Executive Session Minutes (5 ILCS 120/2(c)(21)). Trustee Meyer 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)

There being no further business to discuss, Trustee Grenier moved to adjourn out of executive session. Trustee Christensen seconded the motion and the motion passed on a unanimous voice vote at 7:59 p.m.

**19. ITEM #19 – CONSIDERATION OF THE JUNE 13, 2016 EXECUTIVE SESSION MEETING MINUTES**

Trustee Dewart moved to approve the June 13, 2016 Executive Session Meeting Minutes as presented. Trustee Josephitis seconded the motion. The motion passed on a unanimous voice vote.

**20. ITEM #20 – ADJOURNMENT**

Trustee Meyer moved to adjourn the regular meeting. Trustee Grenier seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 8:00 p.m.

Respectfully Submitted,

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R. Drew Irvin  
Village Administrator

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Aaron Towle  
Village Clerk