

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 28, 2016**

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 in the absence of Village Clerk Aaron Towle, Deputy Village Clerk Drew Irvin 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: Aaron Towle, Village Clerk

Also Present: Drew Irvin, Village Administrator
Peter Friedman, Village Attorney
Susan Griffin, Finance Director
Michael Croak, Building Codes Supervisor
David Belmonte, Police Chief
Brandon Stanick, Assistant to the Village Administrator (A to VA)

2. PLEDGE OF ALLEGIANCE

President O'Hara led the Pledge of Allegiance.

President O'Hara announced Village Clerk Towle is absent from tonight's meeting due to the birth of his daughter and congratulated the family on their new arrival.

3. AWARD AND PROCLAMATIONS

President O'Hara read the Proclamation declaring April 2016 *Fair Housing Month*.

4. CONSIDERATION OF THE MINUTES

Trustee Josephitis moved to approve the March 14, 2016 Board of Trustees Regular Meeting Minutes as presented. Trustee Grenier 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. VILLAGE BOARD SETS THE ORDER OF THE MEETING

At the request of those present, Trustee Meyer moved to take Agenda Items #18 and #8 and then return to the regular order of the meeting. Trustee Josephitis seconded the motion. The motion passed on a unanimous voice vote.

7. ITEM #18 – AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO LAKE EFFECT HOLDINGS, LLC TO PERMIT OPERATION OF AN EATING PLACE WITHOUT A DRIVE-THROUGH FACILITY AND APPROVING A SITE PLAN AT 600 WALNUT AVENUE (Hansa Coffee Roasters)

President O'Hara reported in January 2016 the Village received a zoning petition and a site plan review application from Lake Effect Holdings, LLC (Petitioner), owner of the former Village Market building (600 Walnut Avenue), seeking: (i) a Special Use Permit (SUP) to operate an eating place without a drive through facility, (ii) changes to the exterior of the building, and (iii) an exemption from the Sign Code requirements to allow an awning sign (to meet notice requirements this will be considered by the Board at its meeting on April 11th). The Petitioner's tenant is Hansa Coffee Roasters, a local coffee roaster that will provide a full service coffee bar (seats 28 customers in 1,030 sq. ft. of space), an assortment of roasted coffee beans, bakery and breakfast items, coffee machines, presses and other accessories.

President O'Hara reported at its meeting on February 2nd the Architectural Board of Review (ABR) conducted a public hearing and recommended the Village Board approve an amended site plan allowing for the installation of window shutters, an awning structure above the entrance with a sign on each of the three sides of the awning valance, and to approve the existing position of the staircase (which was shown as perpendicular to the building pursuant to Resolution #2006-09). President O'Hara further reported on February 17th the Plan Commission & Zoning Board of Appeals (PCZBA) conducted a public hearing and recommended the Village Board deny the request for a SUP for an eating place because of the impact the new business would have on parking within the Central Business District (CBD). At its meeting on February 22nd the Village Board considered the recommendations, and in light of new information presented to the Village Board by the Petitioner that was not previously presented to the PCZBA, referred the zoning petition back to the PCZBA for further consideration. She further noted on March 16th the PCZBA conducted a public hearing and, with additional information on parking and traffic, recommended (on a 4 to 0 vote with 1 abstention) the Village Board approve the request for a SUP with the following conditions:

- Hansa Coffee Roasters (Restaurant) shall be the exclusive Restaurant operating at this location;
- The Restaurant shall be a coffee shop that shall not prepare food on-site;
- The Restaurant shall operate from 6:00 a.m. to 9:00 p.m. Monday through Friday, 7:00 a.m. to 10:00 p.m. on Saturday, and 12:00 to 6:00 p.m. on Sunday;
- No more than 28 seats may be provided for customer use;
- The maximum space for the Restaurant shall not exceed 1,030 sq. ft.;

- The Restaurant shall meet regularly with Village Staff to review traffic, parking and other issues relating to business operations; and
- All Restaurant employees must obtain a Downtown Employee Parking Permit and park at the Train Station.

Mr. Tom Maegdlin, Co-Owner of Hansa Coffee, commented on the operating hours conditioned in the ordinance and noted the operating hours for Sunday would be 7:00 a.m. to 6:00 p.m. Mr. Kevin Kane, Co-Owner of Hansa Coffee, asked if Friday's hours could be extended to 10:00 p.m.

A to VA Stanick advised the hours of operation listed in the ordinance are the same as those specified in the zoning application.

Trustee Dewart stated according to the letter from Rich and Associates, Inc. (Downtown Parking Consultant) there is an increase in available parking on the same block due to the closure of Lulu's Frozen Delights. He expressed concern regarding parking allocation and how it may impact future downtown businesses.

Mr. Dan Shappiro, a representative of Lake Effect Holdings, LLC, asked if second reading of the ordinance could be waived.

Mr. Maegdlin clarified the proposed hours of operation desired are Monday – Thursday from 6:00 a.m. to 9:00 p.m., Friday from 6:00 a.m. to 10:00 p.m., Saturday from 7:00 a.m. to 10:00 p.m. and on Sunday from 7:00 a.m. to 6:00 p.m.

President O'Hara opened the floor for public comment.

Ms. Kathryn Briand expressed her opinion the public hearings regarding this matter did not address increased traffic in the downtown as a result of Hansa Coffee. She expressed her concern regarding parking and noted the Downtown Parking Study considered all the available parking in the area and not spaces that customers are most likely to use. Ms. Briand commented on the resource, Trip Generator Manual, used by the Village Engineer to provide information on how coffee/donut shops without a drive-through window impacts specific types of developments. Ms. Briand stated the ordinance has not been approved, but there is an awning already constructed at the location. She stated transparency in this process is meaningful to everyone.

Village Administrator Irvin stated in the past the Village has allowed business owners to proceed with construction at their own risk. This allows them to meet a specific timeline once the appropriate applications have been submitted and approved. He stated due to the cost of the project the business owner chose to proceed with construction prior to final approval of the ordinance.

Village Attorney Peter Friedman stated the Village is under no obligation to approve the request, and should the request be denied, the owners are responsible for the cost to remove the awning.

Mr. Maegdlin noted the average number of transactions at the Libertyville location is 18.3 per hour which does not equal the 75 trips suggested by the Institute of Transportation Engineers Trip Generation data. The peak hours will occur between 7:00 and 10:00 a.m. with an average of approximately 25 trips per hour.

Mr. Peter McGuire expressed his concern with the narrow focus that was taken at the PCZBA public hearing, as well as the increase traffic that will result because of this type of establishment.

President O'Hara suggested the Board consider first reading of the ordinance as presented. Should the ordinance return for second reading Staff will be available to address the questions raised.

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

8. ITEM# 8A – VILLAGE ADMINISTRATOR'S REPORT: A REQUEST FROM THE LAKE BLUFF PARK DISTRICT TO WAIVE BUILDING PERMIT FEES FOR THE INSTALLATION OF EMERGENCY LIGHTS IN THE BLAIR RECREATION CENTER

AND

9. ITEM #8B – VILLAGE ADMINISTRATOR'S REPORT: A REQUEST FROM THE LAKE BLUFF PARK DISTRICT TO WAIVE BUILDING PERMIT FEES FOR THE RESURFACING OF THE TENNIS COURTS IN ARTESIAN PARK

Village Administrator Irvin introduced the agenda items and a discussion followed.

Trustee Ankenman suggested the Village Board consider procedures to address fee waiver requests to ensure the cost incurred as a result of the project is borne by the appropriate government agency. It was the consensus of the Village Board to refer this matter to the Finance Committee for further consideration.

Following a brief discussion it was the consensus of the Board to consider Agenda Items #15 and #16 collectively. As such, Trustee Christensen moved to waive the permit fees for the emergency lights and tennis courts resurfacing projects in the total amount of \$3,955. 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)

10. ITEM #7A – WARRANT REPORT FOR MARCH 16-31, 2016

President O'Hara reported expenditure of Village funds for payment of invoices in the amount of \$178,429.83 for March 16-31, 2016.

As such, the total Expenditures for this period is in the amount of \$178,429.83.

As there were no comments from the Board, Trustee Dewart moved to approve the Warrant Report. Trustee Meyer 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)

11. ITEM #9 – VILLAGE ATTORNEY’S REPORT

Village Attorney Peter Friedman had no report.

12. ITEM #10 – VILLAGE PRESIDENT’S REPORT

President O’Hara had no report.

13. ITEM #11, #12, #13, #14 AND #15 – CONSENT AGENDA

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

11. Correspondence Delivered in the March 11 and 18, 2016 Informational Reports;
12. A Resolution Reallocating the 2016 Village of Lake Bluff Volume Cap to the Village of Buffalo Grove, Illinois (Host Community of the Lake County Private Activity Bond Clearinghouse);
13. Second Reading of an Ordinance Granting Variations from the Village’s Maximum Floor Area and Side Yard Setback Regulations (611 E. Prospect Avenue);
14. Second Reading of an Ordinance Amending the Administrative and Enforcement Provisions of the Village’s Building Regulations; and
15. Second Reading of an Ordinance Comprehensively Amending Title IX of the Lake Bluff Municipal Code to Update New Building, Construction and Development Standards.

Trustee Christensen moved to approve the Consent Agenda. Trustee Meyer 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)

14. ITEM #16 – A RESOLUTION APPROVING THE VILLAGE OF LAKE BLUFF 2016-2017 OFFICIAL PAY PLAN

President O’Hara reported attached is a Resolution approving the Village of Lake Bluff Official Pay Plan (Pay Plan) for Fiscal Year beginning May 1, 2016. This document, which is updated annually, establishes the authority and official guidelines by which the Village Administrator may appoint, promote, evaluate and compensate all Village employees except those employees subject to one of the three collective bargaining agreements (Police Sergeants, Police Officers, and Public Works unions).

President O’Hara reported a main component of the Pay Plan is the schedule of salary ranges for the various Village positions. Consistent with Village policy to maintain non-union salary levels at or above the average of those in the competitive market, the proposed schedule reflects a market adjustment of 5% over the previously approved salary range maximums for only the following positions: Asst. Finance Director, PW Superintendent, Asst. to Village Administrator, Building Codes Supervisor, Deputy and Chief of Police,

Finance Director and Village Engineer. Please know that actual employee pay increases are contingent on performance evaluations.

In addition, President O'Hara reported the Fiscal Year 2017 Annual Budget includes a 2.5% pool for non-union salary adjustments. At their March 14th meeting the Finance Committee reviewed the schedule of salary ranges, the actual current salaries with a survey of comparable communities, and recommends approval of the Pay Plan. The Pay Plan reflects compensation levels for all authorized positions. In accordance with the Illinois Open Meetings Act (5 ILCS 120/7.3) the most recent Compensation Program (attached) has been posted on the Village's website since March 3, 2016. At its March 14th meeting the Finance Committee reviewed and recommended Village Board approval of the Pay Plan.

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

15. ITEM #17 – AN ORDINANCE AMENDING TITLE I OF THE MUNICIPAL CODE OF THE VILLAGE OF LAKE BLUFF REGARDING THE COMPREHENSIVE FEE SCHEDULE

President O'Hara reported as part of the budget development process, the Finance Committee reviews the comprehensive fee schedule. At the March 14, 2016 Finance Committee meeting, the members recommended the following changes to the comprehensive fee schedule:

Construction/Building Fees: (page 4 of the Ordinance)

- Building permit renewal fee for interior only activity from 50% of original permit fee to \$100 per month; and
- Building permit renewal fee for exterior and all other building/site activity from 50% of original permit fee to \$200 per month.

President O'Hara reported this fee was originally in Section 9-1-9A of the Municipal Code and has been deleted from this Section pursuant to the "Ordinance Adopting Updated Building Regulations" (first reading approval at the March 14th Board meeting.) The permit renewal fee is being included in Section 1-12-3 of the Municipal Code (the Comprehensive Fee Schedule.)

User Charges and Connection Fees: (page 16 of the Ordinance)

- Adjust water rate for properties within Village limits from \$6.95 to \$7.10/1,000 gallons; and
- Adjust water rate for properties outside of the Village limits from \$7.99 to \$8.17/1,000 gallons.

She further noted the water rate is revised pursuant to the multi-year rate projections developed to adequately cover the operating and capital costs.

As there were no 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: (6) Meyer, Ankenman, Christensen, Dewart, Grenier and Josephitis
Nays: (0)
Absent: (0)

16. ITEM #19 – SECOND READING OF AN ORDINANCE ADOPTING THE BIENNIAL BUDGET FOR THE VILLAGE OF LAKE BLUFF FOR THE FISCAL YEARS COMMENCING MAY 1, 2016 AND ENDING APRIL 30, 2018

President O’Hara reported this tentative budget, in the amount of **\$14,043,941** plus **\$1,192,218** in inter-fund transfers for FY2017 and **\$13,934,293** plus **\$1,241,853** in inter-fund transfers for FY2018, includes the Village of Lake Bluff funds and the Lake Bluff Public Library funds. For the first time ever the Village is submitting a two-year fiscal plan; this multi-year budget process emphasizes long-range planning, budgeting for results, effective program management, and fiscal responsibility.

As there were no comments from the Board, Trustee Ankenman moved to approve second reading of the ordinance. 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)

17. ITEM #20 – TRUSTEE’S REPORT

There was no Trustee’s report.

18. ITEM #21 – EXECUTIVE SESSION

At 7:53 p.m. Trustee Ankenman moved to enter into Executive Session for the purpose of discussing Property Disposition (5 ILCS 120/2(c)(6)) and Executive Session Minutes (5 ILCS 120/2(c)(21)). Trustee Grenier 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)

There being no further business to discuss, Trustee Dewart moved to adjourn out of executive session. Trustee Ankenman seconded the motion and the motion passed on a unanimous voice vote at 9:13 p.m.

19. ITEM #22 – CONSIDERATION OF THE MARCH 14, 2016 EXECUTIVE SESSION MEETING MINUTES

Trustee Christensen moved to approve the March 14, 2016 Executive Session Meeting Minutes as presented. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

20. ITEM #23 – ADJOURNMENT

Trustee Grenier moved to adjourn the regular meeting. Trustee Josephitis seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 9:14 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

R. Drew Irvin
Deputy Village Clerk