

**VILLAGE OF LAKE BLUFF
COMMITTEE-OF-THE-WHOLE
REGULAR MEETING
OCTOBER 28, 2019**

APPROVED MINUTES OF MEETING

The Village of Lake Bluff Board of Trustees met as a Committee-of-the-Whole (“COW”) in the Village Hall Board Room (40 East Center Avenue) on Monday, October 28, 2019. Village President O’Hara called the meeting to order at 6:15 p.m. Village Clerk Megan Michael called the roll.

The following were present:

Village President:	Kathleen O’Hara
Trustees:	Barbara Ankenman Regis Charlot Joy Markee William Meyer Aaron Towle
Absent:	Eric Grenier
Also Present:	Megan Michael, Village Clerk Drew Irvin, Village Administrator Michael Hosking, Interim Chief of Police Glen Cole, Assistant to the Village Administrator (AVA)

Non-Agenda Items and Visitors

President O’Hara stated the COW allocates 15 minutes for those individuals who would like the opportunity to address the COW on any matter not listed on the agenda.

There were no requests to address the COW.

Consideration of the Minutes from the June 10, 2019 Committee-of-the-Whole Meetings

Trustee Ankenman moved to approve the June 10, 2019 COW minutes. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

Discussion Regarding Golf Cart Regulations on Public Streets

Introduction

Village Administrator Irvin introduced this item. He stated that, about ten years ago, the Village Board had considered authorizing recreational vehicles (such as golf carts) on Village roads after the General Assembly created a pathway for municipalities to do so around that time. The Board ultimately did not adopt such an authorization. Since that time, not many municipalities in Lake and Cook Counties have authorized the use of these vehicles, but other communities in Illinois have done so. He stated that resident Jon McKendry, a Lake Bluff resident and proponent, had requested to present to the COW regarding the benefits of allowing golf carts in the Village. He stated that all Village-controlled streets could legally accept golf carts under State law and that the affected streets were all relatively narrow and with low traffic volumes. Village Administrator Irvin invited Mr. McKendry forward.

McKendry Presentation

Jon McKendry, resident, stated that he was here to present to the COW on behalf of over 200 Village residents who signed a petition to request that the Village authorize the use of non-highway vehicles (golf carts) on Village streets. He stated that his request was that the COW direct Staff to work with a citizen committee to prepare a pilot program that would allow golf carts to be operated on roadways throughout the Village or, alternatively, in the eastern area of the Village. Specifically, a limited pilot area would include the Metra station as well as the area bounded by Sheridan Road to the west; East Blodgett to the north; Lake Michigan to the east; and East Sheridan Road and Cambridge Lane to the south. He stated that this area includes 53% of all Village households.

Mr. McKendry stated that Illinois law (625 ILCS 5/11-1426.1) allows municipalities to authorize the operation of non-highway vehicles, such as golf carts, on local streets where: (i) the posted speed limit is less than 35 miles per hour; (ii) the driver has a valid Illinois driver's license; and (iii) the vehicle has brakes, steering, a rear view mirror, headlights, taillights, brake lights, turn signals, front and rear reflectors, and a rear "slow-moving vehicle" sign. He stated that a pilot program would be in alignment with the Village's 2023 Strategic Plan and is supported by data from municipalities already allowing their use.

Mr. McKendry presented a graphic illustrating the Village's mission statement and strategic plan goals. He stated that a golf cart pilot program would immediately yield more participants than the Board's current pilots for short-term rentals, backyard chickens, and backyard beehives. He discussed the alignment of a golf cart pilot program with certain 2023 Strategic Plan goals:

- **Sense of Community:** He stated that golf carts would facilitate generational connections; maintain and build upon Lake Bluff's charm and intrinsic character; and preserve quality public space for community gatherings and events. He provided information from the Dezelan family as well as from local realty firms Griffith, Grant & Lackie as well as Baird & Warner. He also quoted Trustee Towle describing the integration of new and old residents as being an important Village issue.
- **Environmental Sensibility:** He stated that golf carts would be eco-friendly and reduce the Village's carbon footprint just like the Village's partnership with DK Organics for residential food scraps. He said that golf carts are quieter, take up less space, increase parking space, and accentuate the aesthetic environment.
- **Public Assets:** He stated that golf carts align with the Plan's statements that the Village should embrace innovations in alternative and non-traditional transportation modes; facilitate ease of movement and improved connectivity; and create awareness about senior-focused programs. He discussed a local resident who uses a golf cart to shuttle seniors.
- **Economic Development:** He stated that golf carts would represent captive customers for downtown businesses which would increase sales as well as sales tax revenues. He emphasized that outside residents and brokers believe this will add to the Village's brand and economic vitality, and quoted Trustee Meyer describing economic growth and the character of the Village as an important issue.

Mr. McKendry also responded to perceived reasons not to adopt golf carts:

- **Congestion.** He stated that golf carts have every right to be on roadways and that there is plenty of room to share the road, and that no other municipalities have cited congestion as an issue.
- **Elitism.** He stated that golf carts are egalitarian and support the positive branding of Lake Bluff as a summertime beach resort. He quoted "making Lake Bluff seem more and more like a summer resort" as a goal for Trustee Grenier. He also provided other examples of non-elitism in

Lake Bluff including the Sanctuary subdivision's separate water and fire protection arrangement; the location of most special events in east Lake Bluff; and the minimum square footage requirement for backyard chickens that effectively prohibits them in the Sanctuary.

- **CBD Parking.** He stated that a diagonal space would allow two golf carts to be parked instead of one vehicle; or a parallel space would allow four golf carts. He believes this would save over \$1,000 per space compared to subsidizing CBD employee parking at the train station.
- **Lack of Merchant Support.** He stated that merchants would enthusiastically support the introduction of golf carts as it would provide them additional business and support the Village brand. He said that he surveyed 21 merchants, of whom 18 were supportive and 3 neutral. He proposed that merchants may operate raffles or parades to capitalize on this market. He quoted Trustee Charlot as saying that business attraction is an important Village issue.
- **Liability and Public Safety.** He stated that 9 municipalities allowing this activity have a combined 56 years of experience in doing so. Among these, there has been 1 accident; no increase in liability; and no increase road congestion. He stated that two of eight North Shore police departments allow this activity today and that every community uses these for special events. He also stated that almost half of Village employees work in the police department and that half of the Village's expenses are for public safety and, accordingly, that the Village has the resources to handle this pilot. He also compared the time investment to inspect golf carts (for a fee) to child safety seat installation (for free). He quoted Trustee Grenier as saying that he is willing to try programs being operated successfully elsewhere in the country.

He asked that the Village Board set aside its personal opinions and act based on the data. He quoted Trustee Ankenman as saying, in regards to a backyard chicken pilot program, that it would be introducing a new animal and responded that golf carts are not new to the Village. He continued to say that Lake Bluff was also a data point, as it has operated golf carts for years without issues. He provided photos and video of golf carts operating at the public safety building; at crossings of state highways; on streets during inclement weather; on sidewalks; and on the Village's bike paths. He also stated that a golf cart operates to shuttle people up and down the lake bluff to the Community Church services at Sunrise Park and Beach during the summer. He quoted AVA Cole as saying that pilot participants would be some of the least likely people to create nuisances.

In conclusion, he reiterated his request regarding the COW's direction of Staff to prepare a pilot program, and quoted Village President O'Hara as saying that pilot programs can be given a chance but can be pulled at any time. He also stated that the pilot program would be bold, compelling, and ennobling just as the Board's vision statement is in the 2023 Strategic Plan. He thanked the Board for their consideration.

COW Discussion

At the conclusion of Mr. McKendry's presentation, Village President O'Hara invited Michael Hosking, the Interim Chief of Police, forward. Chief Hosking stated that he was not aware of other municipalities in Lake County that had taken similar steps, but that some Cook County municipalities were examining the issue. There was disagreement between Chief Hosking and Mr. McKendry as to whether Evanston allows these vehicles already. Addressing the COW, Chief Hosking stated that the Police Department's role is to enforce the rules set forth by the Village Board. After a review of vehicular accidents in the Village, he stated that there were approximately 200 accidents per year in the Village and about 25 per year occurring in the area between Sheridan Road and Lake Michigan. He stated that other municipalities require these vehicles to be driven by a person at least 21 years old and that the occupants wear seatbelts. He described a 2008 study undertaken by Police Chief Gallagher, where the primary

motivation was rising gas prices. He stated that he believes that these vehicles are a safety problem waiting to happen, but that he is unwilling to be the only naysayer and likes to see pilot programs that allow these ideas a chance to work. He emphasized his advice that the Board should create a mechanism to terminate the pilot program if necessary. He reiterated that the Police Department would enforce, inspect, follow the rules, and otherwise support the Board's decision. Village President O'Hara thanked Chief Hosking for his presentation.

Trustee Charlot asked Chief Hosking what his threshold or trigger would be to terminate the pilot program. Chief Hosking said that it would be a judgement call based on the nature of the accident or accidents; factors contributing to the accident; and the severity of injuries. Mr. McKendry stated that participants in the pilot program would sign a waiver of liability against the Village.

Trustee Meyer stated that he had serious reservations about this proposal and that federal motor vehicle safety standards exist for a reason. He believes that putting golf carts – which do not meet those standards – in a position where they will interact with these vehicles is dangerous as Newtonian physics are unforgiving. He does not believe it matters if the golf cart operator is being careful as that is only half the equation in an accident. However, he also believes in personal freedom and acknowledges that people can drive motorcycles on public streets. He believes that any pilot should have strict standards especially where children are concerned. He does not believe that these vehicles have engineered car seat anchors and that it may not be appropriate for children under 18 to ride in them on the street.

Trustee Markee completed Mr. McKendry on his presentation and research. She concurred with Trustee Meyer's safety concerns. She stated that she would like to see a minimum age of 21 to drive. She likes that the program may be more environmentally conscious. She is also concerned that this program will cause parking problems and that, because people are more casual in their operation, they will park on the Village Green, at the bluff over Sunrise Park and Beach, and in other inappropriate locations. Mr. McKendry replied that these vehicles would help parking because more than one golf cart could fit into a single car parking space.

Trustee Towle said that a pilot program could be wonderful and could encourage people to replace their car rides. He would prohibit gas golf carts on Village streets and promote the environmental benefits. He said that some residents are driving two or three blocks to the Central Business District and that these car rides could be replaced with golf cart rides, which he wants to encourage. He said he is willing to look at a pilot. However, he disagrees with Mr. McKendry's assertion that the Village's use of these vehicles is evidence that they are safe, as these vehicles have high-visibility lights, sirens, trained operators, and are subject to other mitigating circumstances. Trustee Towle and Mr. McKendry engaged in a discussion on this point.

Trustee Ankenman referred to Mr. McKendry's slideshow quoting her as saying that "We're not introducing something new here." She disagrees and says that this is new. The current users are trained, using a vehicle in the course of their employment, and have a vested interest in driving responsibility. This is a different mindset than someone using a golf cart casually. When she considers environmental friendliness – she believes that using a golf cart instead of a car is a positive, but some people will be replacing walking trips with golf carts, which is a negative. She also believes that this will create new vehicles in existing households, an environmental negative, and will also create visual pollution when people store them outside or cover them for the winter. Additionally, she is worried that these vehicles will create noise pollution by adding backup alarms; but neither would she want to eliminate this safety feature for these vehicles.

Trustee Charlot said that he has reviewed the information provided in detail. He still believes that the use of golf carts is elitist, but said that this aspect is perhaps part of the image. Responding to Trustee Meyer, he said that residents already ride bicycles on Village streets lawfully, which have even fewer safety features. Responding to Chief Hosking, he reiterated that he wants to explore the circumstances under which the pilot program would be terminated and believes determining these in advance is important.

Trustee Towle asked who pays the golf cart driver's liability in the event of an accident. Mr. McKendry responded that there are separate automobile insurance policies that can be purchased that would cover this circumstance. He also said that the Village's inspection would include verifying the presence of these policies. Trustee Meyer, responding to the Village's inspection, said that the Village's pilot program should also ensure that speed governors are not being modified or disabled; and also, that children are not on board unless restrained in an anchored car seat if they are under that age.

Village President O'Hara noted the hour and said that the meeting would need to conclude promptly to allow the Board of Trustees meeting to start on schedule. She recalled that, in college, she drove a Honda moped and found it enjoyable. She said that she is hesitant to authorize these vehicles and that she still worries that allowing them promotes an elitist image. However, she believes that the discussion should continue and that this item did not need to be assigned to a committee. She asked that Staff and the Police Department prepare a preliminary draft ordinance that contained their recommendations. She asked that the ordinance include a minimum operator age of 21 years old as well as a separate license for operators that can be revoked in the event of abuse without terminating the entire pilot program. She thanked Mr. McKendry for his presentation. Mr. McKendry offered to assist Staff in preparing an ordinance if that assistance was desired.

Adjournment

A motion to adjourn was made by Trustee Meyer, seconded by Trustee Ankenman, and passed on a unanimous voice vote. The meeting adjourned at 6:58 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator