

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 13, 2017**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O'Hara called the meeting to order at 7:13 p.m. in the Lake Bluff Village Hall Board Room, and Village Clerk Joy Markee called the roll.

The following were present:

Village President: Kathleen O'Hara

Trustees: Barbara Ankenman
Mark Dewart
Paul Lemieux
William Meyer
Aaron Towle

Absent: Eric Grenier, Trustee

Also Present: Joy Markee, Village Clerk
Drew Irvin, Village Administrator
Peter Friedman, Village Attorney
Bettina O'Connell, Finance Director
Michael Croak, Building Codes Supervisor
Jeff Hansen, Village Engineer
Jake Terlap, Public Works Superintendent
Glen Cole, Assistant to the Village Administrator (A to VA)
John Scopelliti, Administrative Intern

2. PLEDGE OF ALLEGIANCE

President O'Hara led the Pledge of Allegiance.

3. CONSIDERATION OF THE MINUTES

Trustee Meyer moved to approve the October 23, 2017 Board of Trustees Regular Meeting Minutes as amended. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

4. 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.

Ms. Ellen Glassmeyer (resident) stated she is surprised that the subject of short term rentals is not on tonight's agenda. At the September 25th Committee-of-the-Whole (COW) meeting it was determined that a subcommittee comprised of two Village Board members, Village Administrator and supporting Staff be formed to continue to study short term rentals. The Board promised a speedy resolution regarding this matter but the handling process appears to be mysterious. Ms. Glassmeyer asked the Board to frequently publish transparent communication regarding short term rentals because such updates may help address residents' concerns regarding the ongoing process.

President O'Hara stated currently there are two Trustees reviewing the myriad of information received from all sides regarding short term rentals. The results will be presented for discussion by the entire community at a well-publicized COW Meeting. The process does take time and has certainly taken longer than she anticipated. The plan is to do things very deliberately and not make any quick decisions. She does not apologize for the length of time it takes to review the matter as currently there is a moratorium on short term rentals and Airbnbs. It is a status quo and will remain until the Village Board comes to a resolution on short term rentals.

Mr. Jeff White (resident) stated there have been substantial flooding problems on Boardman Court especially since the new subdivision was built. His property constantly floods because water does not drain out of the area. He provided a handout showing flood areas and noted stormwater flows from approximately 8 properties and accumulate in this area. Mr. White stated his home is elevated with a moot but his basement had about 3 ft. of water after the July 2017 storm. Previously, the stormwater drained downward to the old retention pond but it was moved when the new subdivision was built. He stated Village Staff ran camera lines through the pipes and there were no obstructions and he does not know what is causing the flooding.

Mr. Rick Gallagher (resident) stated he believe the retention pond was owned by the Bath and Tennis Club Homeowners Association in the 1990s. There was a demolition process which changed the ground elevation after the property was sold and the retention pond was relocated. He hopes the Village Board will instruct Staff to review changes in elevation to the drain pipe prior to removal of the retention pond. He stated there could be approximately 4 ft. of water surrounding the existing culvert but it does drain into the storm sewer. He expressed concern for his neighbors which have gone through a tremendous expense to keep their home from flooding.

Village Engineer Jeff Hansen explained how the low point in the Bath and Tennis Club Subdivision might contribute to the flooding. He has not researched if there were any changes to the Clay Court retention pond but he will review the changes to determine if the pond is functioning as designed or creating drainage issues. The plan is to survey elevations of the curbs to determine if something could be done with the roadways to direct stormwater runoff further east.

5. ITEM #6A – WARRANT REPORT FOR NOVEMBER 1-15, 2017 AND OCTOBER 2017 PAYROLL EXPENDITURES

President O'Hara reported expenditure of Village funds for payment of invoices in the amount of \$312,291.61 for November 1-15, 2017 and payroll in the amount of \$271,935.22 for October 2017. As such, the total expenditures for this period is in the amount of \$584,226.83.

Trustee Ankenman inquired of the \$32,000 disbursement to the Village of Glenview for data conversion. Finance Director Bettina O'Connell stated there was a conversion between the Police Department and

New World for data conversation software which is used by the Village of Glenview. Village Administrator Irvin stated in 2014 the Village outsourced its dispatch services to the Village of Glenview and this was a planned expenditure that was withheld until the transition was completed.

As there were no questions 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: (5) Ankenman, Dewart, Lemieux, Meyer and Towle
Nays: (0)
Absent: (1) Grenier

6. ITEM #5 – VILLAGE BOARD SETS THE ORDER OF THE MEETING

At the request of those present, Trustee Towle moved to take Agenda Item #15 then return to the regular order of the meeting. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

7. ITEM #15 – A RESOLUTION APPROVING A LICENSE AGREEMENT FOR A PORTION OF THE VILLAGE OWNED PROPERTY (45 East Center Avenue)

President O’Hara reported in addition to hosting the well-trafficked pedestrian asphalt pathway connecting East Center Avenue to Artesian Park, the public land just east of the Lake Bluff Public Safety Building (PSB) rear driveway access serves as a landscape buffer yard between the Carollo property and the PSB facilities. Over the past few decades, the Village has minimally maintained this area by installing evergreen trees for buffering purposes, periodically removing dead or diseased trees, and collecting litter. Earlier this fall, while reviewing and discussing certain proposed storm water and landscaping improvements with the Carollos, it was suggested by Village Staff that a license agreement might be the best way to authorize a higher level of maintenance and beautification of the Village-owned land by the adjacent land owner; as you will recall, the Village has entered into other revocable license agreements for this same purpose. She further reported this agreement varies slightly from those past license agreements in that it also includes (i) Village cost participation at 50% of the total amount of the costs of completing landscaping improvements (not to exceed \$2,000) to further buffer the Carollo residence from the PSB and the pedestrian pathway, and (ii) a commitment of the Village to haul off landscape debris from the buckthorn clearing activities.

In response to questions from Trustee Lemieux regarding cost, Mr. Paul Carollo, the adjacent property owner, stated the estimated cost to remove all deadwood from the fig trees is \$1,440, buffer \$4,000 and \$1,900 for both parties for the tree sharing program. The Village share is appropriate and he would cover any remaining cost.

President O’Hara stated the existing home was built in the 1800s and predates any public service.

As there were no comments from the Board, Trustee Ankenman moved to adopt the resolution. Trustee Towle seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Dewart, Lemieux, Meyer, Towle and Ankenman
Nays: (0)
Absent: (1) Grenier

8. ITEM #7A – VILLAGE ADMINISTRATOR’S REPORT

Village Administrator Irvin stated the informational report summarizes the documents for destruction and Staff will coordinate disposal of the files, pursuant to State law. There was no objection from the Board.

9. ITEM #8 – VILLAGE ATTORNEY’S REPORT

Village Attorney Peter Friedman had no report.

10. ITEM #9 – VILLAGE PRESIDENT’S REPORT

Village President O’Hara stated the Veteran’s Day Ceremony will be held on Friday, November 10th. She stated American Legion Post #510 will no longer sponsor any community events noting this event will mark the changing of the guards. The Village and Lake Bluff History Museum will resume responsibility for the Memorial and Veteran’s Day events. President O’Hara provided background information on American Legion Post #510 and thanked the organization for 90 years of community service.

11. ITEM #10 – ACCEPTANCE OF THE CORRESPONDENCE

President O’Hara introduced the correspondence from the Informational Reports on October 20, 27 and November 3, 2017.

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

12. ITEM #11 – A RESOLUTION ESTIMATING THE AMOUNT OF THE ANNUAL AGGREGATE 2016 PROPERTY TAX LEVY

President O’Hara reported annually the Village is statutorily required to estimate the funds to be raised from taxes on real property in the Village prior to the adoption of the levy. This is an estimate and does not limit the Board’s ability to levy a different amount provided it is in compliance with the Truth in Taxation Law and all applicable notice and hearing provisions.

President O’Hara reported the Finance Committee, at their October 2nd meeting, reviewed the 2017 levy projections and unanimously recommended approval of an aggregate property tax levy of \$4,219,520 or 2.71% more than the 2016 property tax extension. The Village share of the property tax levy is \$3,298,045 and the Library Board’s levy request is \$921,475. She further reported this levy comprises new construction equalized assessed valuation (EAV) estimated at \$3.5 million and a CPI factor of 2.1%. The total EAV is projected to increase by 5.5% to \$585 million. This estimated levy is in compliance with the amount allowed under the Property Tax Limitation Act. The first reading of the 2017 tax levy ordinance and the public hearing will be held on Monday, November 27th.

President O’Hara provided an update on the ongoing actions in Springfield regarding the two-year property tax freeze.

As there were no questions from the Board, Trustee Dewart moved to adopt the resolution. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

13. ITEM #12 – A RESOLUTION APPROVING THE PURCHASE OF ROCK SALT FOR THE PURPOSE OF SNOW AND ICE REMOVAL FROM MORTON SALT, INC.

President O’Hara reported the Village’s FY2017-18 budget includes \$40,800 for the purchase of rock salt for ice and snow control operations. Annually, the State of Illinois Office of Procurement conducts a joint bid for roadway maintenance agencies statewide. This year’s approved bid of \$46.61 per ton was awarded to Morton Salt Inc. At this price the Village will be able to purchase approximately 600 tons of rock salt. 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 if severe weather conditions arise. Last year’s price per ton was \$47.07 with the Villages salt usage totaling 580 tons due to a below average winter. She further reported the Village currently has 550 tons left over from last season. With the purchase of 600 more tons of salt, the Village should have an adequate supply of rock salt for the winter season.

In response to questions from Trustee Towle, Public Works Superintendent Jake Terlap stated the shed will hold approximately 300 tons of salt and the excess is stored under a tarp on the hill at public works.

Trustee Lemieux asked how much salt was used last year. Public Works Superintendent Terlap stated the goal is not to use more than 1,000 tons. The worse winter he can recall used 1,300 tons of salt mixed with sand to stretch the supplies.

As there were no comments from the Board, Trustee Dewart moved to adopt the resolution. Trustee Lemieux seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Lemieux, Meyer, Towle, Ankenman and Dewart
Nays: (0)
Absent: (1) Grenier

14. ITEM #13 A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HLR, INC. (Construction Observation Services for Sanitary Sewers Lift Station Projects)

President O’Hara reported the Village previously awarded construction contracts to Mark Kresmery Construction to replace equipment at the Tangley Oaks, West Blodgett, and Bath and Tennis Lift Stations. The work is scheduled to be performed during the winter of 2017-2018. The Village requested and received a proposal from HLR, Inc. to provide construction observations services for this work for an amount not to exceed \$26,364.

President O’Hara reported HLR, Inc. prepared the construction and bidding documents for the projects and has qualified personnel to perform the construction observations services. The Village’s FY18 budget includes a total of \$347,500 for lift station work and \$119,450 of that sum is currently uncommitted. Approving the proposal from HLR, Inc. will leave approximately \$93,000 of the original \$347,500 budgeted amount. A portion of the remaining budget is intended to be used on the replacement of a pump at the Tangley Oaks lift station. She further reported it is recommended that the Board approve the proposal from HLR, Inc. for an amount not to exceed \$26,364.

In response to a question from Trustee Meyers, Village Engineer Hansen stated construction observation services are onsite inspections performed for construction projects.

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

Ayes: (5) Meyer, Towle, Ankenman, Dewart and Lemieux
Nays: (0)
Absent: (1) Grenier

15. ITEM #14 – A RESOLUTION APPROVING A TENTATIVE AND FINAL PLAT OF SUBDIVISION FOR PROPERTY LOCATED AT 664 PINE COURT

President O’Hara reported the property located at 664 Pine Court is currently one parcel that is approximately 150’ by 150’. The parcel currently contains one single family residential home. Dane Johnson (petitioner and property owner) has submitted an application to subdivide the parcel into two parcels of equal size, which individually meet the Village’s R-3 zoning district standards. Mr. Johnson has indicated he plans to construct a single family home on each parcel following this proposed subdivision. She further reported the subdivision is not required to be reviewed by the Joint Plan Commission and Zoning Board of Appeals as it meets the criteria for an exemption under Section 11-6-2(A) of the Subdivision Code; the existing parcel is divided into not more than two parcels, does not reduce any lot to any area smaller than required by the Lake Bluff Zoning Ordinance, or create any nonconforming conditions under the Zoning Ordinance. Please note that the effective date of the attached resolution would be following the removal of the existing home.

Trustee Lemieux stated smaller lot sizes are not consistent with the neighborhood but clarified that this property owner can do this as of right. The obvious consequence will be doubling of impervious surface and he asked what will be done to mitigate the increased impervious surface. Village Engineer Hansen stated a 1,000 gallon stormwater system is generally required when a house is torn down then rebuilt but in this case the Village is requesting one on each lot. The stormwater detention system will be connected to the lower outlet of the Village system.

In response questions from Trustee Lemieux, Village Engineer Hansen stated the stormwater flows west to east and will most likely accumulate on this property. He stated grading is reviewed for each new structure to ensure it does not negatively impact the neighboring properties. A detention system will not prevent flooding during a larger storms or make up for the increased number of homes. Village Engineer Hansen stated 1,000 gallon retention basins are required for new homes. The impact on overall impervious surface is negligible impacted when a home is torn down then rebuild especially on the east side of Lake Bluff which is mostly buildout. He stated there is a net gain to storm sewer when homes are rebuilt but this one may have a net loss because there will be two homes.

President O’Hara stated theoretically the Village has quite a few double lots that could be subdivided and asked if this occurred how it would impact streetscape and flooding. Village Engineer Hansen stated there are a few lots in this particular neighborhood but most of the lots are concentrated on the east side of Lake Bluff. The major issue regarding flooding is associated with extreme rear yard improvements which prevents stormwater from flowing down the lot lines, especially on the east side, as most homes are built within 2 ft. of the lot line. The heavily dense areas are close to the 50-60% impervious surface limitation but to him the biggest concern is excessive landscaping which overtime block drainage flow. He stated education could help because residents may not be aware their landscapers are blocking drainage areas.

President O'Hara asked if there were any solutions to alleviate the problem. Village Engineer Hansen stated currently there are no easements or Village sewer systems connected to the rear of the properties. Many homeowners have installed rear drainage systems but the small pipes are irrelevant during a significant rainfall. The stormwater needs an over ground path to a public street to prevent water from going into the homes. He stated there have been test done on the system but currently there is no solution.

In response to a question from Trustee Lemieux, Village Engineer Hansen stated an increase in retention basin capacity could assist in some cases. He provided information regarding a proposed new home, which was not built on Woodland Avenue and noted the neighbors have extreme problems around that lot. The neighbors spoke with the builder whom agreed to increase the retention basin by 50% to 1,500 gallons. Village Engineer Hansen stated increase capacity is good but the goal is to get the water over land without going into homes.

Village Clerk Joy Markee stated she currently live in that neighborhood and it has a lot of character. She stated when the proposed lot is subdivided it will be small and she inquired if the proposed home designs are appropriate for the neighborhood. Building Codes Supervisor Mike Croak stated the preliminary plans was for two modern homes but have since changed and Staff have not received any formal designs.

In response to a question from the Board, Village Administrator Irvin stated the Village's similar/dissimilar ordinance is a tool that can be used to prevent two similar homes from being built. He provided information regarding the Residential Building Ad Hoc Committee and Architectural Board of Review discussions regarding design review for new single family homes. Currently newly built homes in subdivisions are built to maximum floor area ratio to maximize return on the investment.

Ms. Kate Briand (resident) expressed her belief that the proposed subdivision will impact flooding because there is 3,200 sq. home being built in place of a 1,100 sq. ft. home directly behind this particular lot. The proposed plans provided in the Historic Preservation Commission packet were not dissimilar or in keeping with the existing environment. She was offended by the applicant's statement "that the house was worth tear down because it was on the North Terrace" as this is not a throw away neighborhood. The flooding issues will exacerbate especially if pervious surfaces continue to be replaced. Ms. Briand commented on discussion regarding diverse housing and expressed her understanding it is not the property owner's right to subdivide the property, it is up to the Village Board, and she believe it is a huge mistake. She said there should be some incentive for developers to preserve smaller homes for people looking to downsize.

In response to a question from Trustee Meyer, Village Attorney Peter Friedman stated the Board has little discretion because Illinois Law does not require zoning relief for subdivision approval. This is a ministerial act and developers have sought declaratory judgement against municipalities that have denied these types of request.

Trustee Dewart stated diverse housing is part of the Village Strategic Plan and has been an ongoing discussion. The desire for diverse housing in his opinion is a trend because property owners will try to maximize their investment. Historically the Village have lacked single story homes for senior which is important and frustrating. President O'Hara stated the law limits the Village Board actions regarding this matter and her opinion that single family homes are no longer viewed as starter homes.

Trustee Dewart said the Village is fortunate to have housing stock relative to other alternatives. Currently, there are single story ranch homes in the east, west and north terrace. The Village Board struggle as a

body with property rights versus preservation as it is difficult to balance streetscape and other matters of importance to the Village.

Ms. Briand asked if the Village has reviewed how this is accomplished by eastern municipalities. She stated Woodstock, Vermont is similar to Lake Bluff and many of those homes are on the national register and it was mentioned to her that many homes in the North Terrace Subdivision are eligible to be on the national register. President O'Hara stated the North Terrace was the first subdivision built after World War II and was mostly ranch style homes. There are many unique homes in that area but the Village can only encourage the homeowners to landmark their home.

In response to a question from Ms. Briand, Village Attorney Friedman explained the Historic Preservation Ordinance landmark requirements. He stated property owners have to consent to a national landmark it cannot be done involuntarily.

As there were no comments from the Board, Trustee Lemieux moved to adopt the resolution. Trustee Towle seconded the motion. The motion passed on the following roll call vote:

Ayes:	(4)	Towle, Ankenman, Dewart and Lemieux
Nays:	(0)	
Abstain	(1)	Meyer
Absent:	(1)	Grenier

16. ITEM #16 – TRUSTEE’S REPORT

There was no Trustee’s report.

17. ITEM #18 – CONSIDERATION OF THE MINUTES OF THE OCTOBER 23, 2017 EXECUTIVE SESSION MEETING

Trustee Ankenman moved to approve the October 23, 2017 Executive Session Meeting Minutes as presented. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

18. ITEM #19 – ADJOURNMENT

Trustee Meyer moved to adjourn the regular meeting. Trustee Towle seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 8:16 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Joy Markee
Village Clerk