

**VILLAGE OF LAKE BLUFF  
BOARD OF TRUSTEES  
REGULAR MEETING  
FEBRUARY 12, 2018**

**APPROVED MINUTES**

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

Village President O'Hara called the meeting to order at 7:04 p.m. in the Lake Bluff Village Hall Board Room, and in the absence of Village Clerk Joy Markee, Deputy Village Clerk Drew Irvin called the roll.

The following were present:

Village President: Kathleen O'Hara

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

Absent: Joy Markee, Village Clerk

Also Present: Drew Irvin, Village Administrator  
Ben Schuster, Assistant Village Attorney  
Bettina O'Connell, Finance Director  
Michael Croak, Building Codes Supervisor  
Jeff Hansen, Village Engineer  
David Belmonte, Police Chief  
Glen Cole, Assistant to the Village Administrator (A to VA)

**2. PLEDGE OF ALLEGIANCE**

President O'Hara led the Pledge of Allegiance.

**3. CONSIDERATION OF THE JANUARY 22, 2018 MINUTES**

Trustee Lemieux moved to approve the January 22, 2018 Board of Trustees Regular Meeting Minutes as presented. Trustee Towle 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.

There were no requests to address the Board.

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

There were no requests to change the order of the meeting.

**6. ITEM #6A – WARRANT REPORT FOR FEBRUARY 1-15, 2018 AND JANUARY 2018 PAYROLL EXPENDITURES**

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$394,915.75 for February 1-15, 2018 and payroll in the amount of \$275,568.03 for January 2018.

As such, the total expenditures for this period is in the amount of \$670,483.78

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

Ayes: (6) Ankenman, Dewart, Grenier, Lemieux, Meyer and Towle  
Nays: (0)  
Absent: (0)

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

Village Administrator Drew Irvin had no report.

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

Assistant Village Attorney Ben Schuster had no report.

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

President O’Hara reported she recently spoke with the Board of Trustees and Mayors from the Village of Libertyville and City of Lake Forest regarding the Village’s Proposal submitted to the Rockland Fire Protection District. She stated the Village of Lake Bluff (Village) and the Rockland Fire Protection District (District) have partnered for many years to train, respond, attack, confine and extinguish fires when they occur with a minimal loss of life and property in the greater Lake Bluff community, including both incorporated Lake Bluff and the unincorporated Knollwood area. To avoid capital and operating costs, both agencies have contracted for emergency medical services. The District recently entering into an agreement with the Village of Libertyville for ambulance services, and the Village remaining in a long-term service agreement with the City of Lake Forest. In these arrangements, we are both at the mercy of an outside agency’s management capacity, performance, priorities, and organizational values.

President O’Hara reported that, fortunately, both the Village and the District have successfully provided Fire and EMS support through very capable and well-trained volunteers, paid-on-call, and/or paid-on-premise personnel. These arrangements have allowed us to avoid “legacy costs” such as pension and health insurance expenses. Yet, despite our prudent approach to providing these services, the cost of emergency medical service continues to be a significant and ever-escalating burden for our community. There is little opportunity to control these expenses due to the absence of competitive pressures or revenue opportunities to defray the cost of service. We owe it to the residents of our communities to continually re-examine how to best serve them and provide them with the long-term sustainability they deserve. With this in mind,

the Village has prepared and submitted a new alternative service model for the District's consideration. This proposal explores a District/Village joint service agreement that provides:

- A phased, three-year approach to realize joint fire and emergency medical services;
- 24-hour, 365-day staffing by four regular paid-on-premise firefighter / paramedics, supplemented with additional paid-on-call and volunteer personnel;
- Demonstrable cost savings while providing the same or better quality of services; and
- The opportunity to continue and expand our proud and shared tradition of fire protection by local volunteers.

In making this proposal, President O'Hara said we seek to create and build on the conditions necessary for excellence:

- Alignment of organizational and cultural values that lead to effective decisions and practices;
- Customer-centric service and governance that reflects our interests;
- Implementation of industry best practices that are most possible in a nimble organization;
- Striving for efficiency that demonstrates our respect for our taxpayers and residents; and
- A collaboration mindset that continues to realize the best outcomes for the greater Lake Bluff community.

President O'Hara stated this proposal is consistent with the Village's 2023 Strategic Plan in that it strives to deliver high-quality cost effective municipal services that meet community needs by supporting volunteer Fire/EMS service provision. In response to a question from President O'Hara, Village Administrator Irvin said that there are copies of this proposal available. President O'Hara stated she has spoken to the President of the District and asked for his Board's fair and immediate consideration. She said she have also spoken to the Chief Elected officials of our neighboring communities (Lake Forest, and Libertyville) about this proposal and shared it with them. President O'Hara said that the Village looks forward to having a dialogue with the District regarding this proposal. She went to say that she personally would have preferred to wait for a duly elected Board to consider this proposal but it is clear that the District is considering taking action before an elected body is seated, and it is unclear where our discussions with Lake Forest are headed regarding our Intergovernmental Agreement for Ambulance Services. President O'Hara said it is necessary for the Village to explore this concept now.

President O'Hara stated she hopes the Village will soon receive a response from the District regarding the proposal.

In response to a question from Trustee Ankenman, President O'Hara said the Village wants to be as transparent as possible. The proposal was distributed to the local media, posted on Knollwood neighbors and the Village's website, and made available to the communities of the City of Lake Forest and Village of Libertyville. President O'Hara encouraged people to review the proposal for possible future dialogue.

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

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

10. Correspondence Delivered in the January 19, 26 and February 2, 2018 Informational Reports; and
11. A Resolution Reallocating the 2018 Village of Lake Bluff Volume Cap to the Village of Buffalo Grove, Illinois (Host Community of the Lake County Private Activity Bond Clearinghouse).

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

**11. ITEM #12 – A RESOLUTION DETERMINING THE NEED TO KEEP MINUTES OF CERTAIN CLOSED MEETINGS OF THE VILLAGE BOARD CONFIDENTIAL AND AUTHORIZING THE DESTRUCTION OF VERBATIM RECORDINGS OF CERTAIN CLOSED MEETINGS OF THE VILLAGE BOARD**

President O’Hara reported in accordance with Illinois law and Village policy, the Village Board has conducted a review of written minutes of the Closed Meetings of the Village Board prior to and including December 13, 2004 and determined the following:

- The need for confidentiality remains for certain portions of the minutes of Closed Meetings held on February 24, 1997; January 25, 1999; February 8, 1999; March 8, 1999; February 9, 2004; March 22, 2004; and July 26, 2004; and
- The audiotaped verbatim recordings of all Closed Meetings held prior to December 13, 2004 should be destroyed, as those meetings are more than 18 months old and the Board has approved minutes from each of those Closed Meetings.

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

**12. ITEM #13 – A RESOLUTION APPROVING FINAL PLAT OF SUBDIVISION FOR PROPERTY LOCATED AT 420 SIMPSON AVENUE AND 604 RAVINE AVENUE**

President O’Hara reported Katherine Murray currently owns the adjacent properties at 420 Simpson Avenue and 604 Ravine Avenue. The home at 420 Simpson is an occupied single family home. The former home at 604 Ravine Avenue was removed in the fall of 2016. The two properties are currently made up of five separate parcels. Ms. Murray has submitted a subdivision titled as “Winston’s Crib Subdivision” that would alter the existing lot lines of the two properties and combine the five parcels into two. She further reported the purpose of the subdivision is to enlarge the property at 420 Simpson to accommodate a planned addition to the home (resulting in Lot 1 of Winston’s Crib Subdivision). The property at 604 Ravine would be reduced in size but would remain a buildable lot under the current zoning regulations (resulting in Lot 2 of Winston’s Crib Subdivision).

President O’Hara reported the subdivision is not required to be reviewed by the Joint Plan Commission and Zoning Board of Appeals as it meets the exemption under Section 11-6-2(B) of the Subdivision Code. The subdivision does not create additional lots, reduce any lot to any area smaller than required by the Lake Bluff Zoning Ordinance or create any nonconforming conditions under current Village Ordinances. She further reported Winston’s Crib Subdivision was originally approved by the Village Board in April of 2017 but was not recorded while the applicant pursued the vacation of a portion of the Village alley. The vacation is now complete and the subdivision has been revised, which necessitates a new approval from the Village Board.

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: (6) Dewart, Grenier, Lemieux, Meyer, Towle and Ankenman  
 Nays: (0)  
 Absent: (0)

**13. ITEM #14 – AN ORDINANCE AMENDING TITLE III OF THE VILLAGE OF LAKE BLUFF MUNICIPAL CODE REGARDING THE NUMBER OF LIQUOR LICENSES (Donati’s Pizza 4, Inc.)**

President O’Hara reported in conjunction with their 2018 liquor license renewal, Donati’s Pizza has requested a Class X license to allow them to sell carryout beer and liquor in addition to their current on-premises license. In the attached letter, Donati’s explains their request. She further reported Section 3-2-10 of the Village’s liquor regulations establish the maximum number of liquor licenses (by classification) available for issuance (liquor licenses are valid from May 1 to April 30<sup>th</sup> annually). To allow Donati’s to start carryout liquor sales, the Board must amend the liquor regulations to allow an additional Class X license to be issued. If the Ordinance is adopted, the schedule of liquor license holders would read as follows:

<b>License Class:</b>	<b>Maximum No. of Licenses:</b>	<b>License Holder:</b>
Class A	4	Heinen’s Inc Target Corporation Winebrokers of Illinois, LLC Tempehl Co. (d/b/a/ Be Market)
Class B	0	-
Class C	0	-
Class D	0	-
Class L	No limit	Qualifying non-profit organizations
Class P	1	Park District
Class R	2	Bangkok Tokyo Chipotle Mexican Grill, Inc
Class S	0	-
Class T	0	-
Class U	1	Prairie Espresso
Class V	3	Donati’s Pizza 4, Inc Inovasi Restaurant, LLC MAE’s at 20, LLC ( <i>Maeverly Public House</i> )
Class W	2	Inovasi Restaurant, LLC Tempehl Co. (d/b/a/ Be Market)
Class X	<u>2</u>	Inovasi Restaurant, LLC <b><u>Donati’s Pizza 4, Inc</u></b>
Class Y	1	Lake Bluff Craft Brewing Co.
Class Z	2	Heinen’s Inc Tempehl Co. (d/b/a/ Be Market)

In response to questions from the Board, Village Administrator Irvin stated the liquor license will allow carryout sales of beer and wine and could be effective immediately if the Board desires.

Trustee Towle inquired of the difference between a Class W and Class X liquor license. He expressed his understanding that Tempehl Co. and Inovasi were issued a Class W liquor license for the carryout sales of beer and wine. Assistant Village Attorney Ben Schuster read the Village Municipal Code definition for

a Class W and Class X liquor license. Following a brief discussion, it was the consensus of the Board for the effective period to begin following approval of the ordinance.

Assistant Village Attorney Schuster recommended Section 2, Amendment to Number of Licenses, be amended for clarification by striking through #1 and underlining #2.

Trustee Ankenman moved to approve first reading of the ordinance as amended. Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

Trustee Grenier moved to waive second reading of the ordinance. Trustee Meyer seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Grenier, Lemieux, Meyer, Towle, Ankenman and Dewart  
Nays: (0)  
Absent: (0)

**14. ITEM #15 – AN ORDINANCE AMENDING SECTION 5-7-2-8 OF THE LAKE BLUFF MUNICIPAL CODE REGARDING CRIMINAL TRESPASS TO REAL PROPERTY**

President O’Hara reported State law provides that the governing body of a municipality of a home rule community has the authority to adopt and amend ordinances that pertain to its government and affairs. Due to a recent circuit court decision, the Chief of Police requested the Village Attorney amend the Municipal Code regarding Criminal Trespass to Real Property (Section 5-7-2-8) to properly reflect current legal definitions of trespassing as it relates to real property and trespassing at private residences within the Village.

Following a request from President O’Hara, Police Chief David Belmonte stated the initial ordinance which was enacted in the 1980s states that “whoever enters upon a land or building other than a residence, or any part thereof, after receiving such notice commits the offense of criminal trespassing.” Police Chief Belmonte explained why trespassing charges had to be dropped against a subject which entered a home after being told not to enter the home. The proposed ordinance will allow the Police Department to make the appropriate charge against a subject who enter someone’s residence without permission or after being notified they are not allowed on the property.

Trustee Meyer commented on Paragraph A, Subsection (i) which states “It shall be unlawful to knowingly and without lawful authority enter or remain on the land of another.” He asked if the proposed wording could result in a situation where a subject can only be charged for trespassing on the land but not the building. Assistant Village Attorney Schuster stated the intent was land encompasses but the word “building” can be added to the paragraph to eliminate any confusion.

In response to questions from Trustees Towle and Ankenman, Village Attorney Schuster stated it was recommended that paragraphs (c) and (d) be removed from the draft ordinance because the Village does not have legal authority to grant immunity, for civil liability, to a subject for going onto someone else’s property. The Village may use its discretion on how to enforce the code pursuant to complaints received.

As there were no further questions from the Board, Trustee Meyer moved to amended Paragraph A, Subsection (i) to include the word “building.” Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

Trustee Dewart moved to approve first reading of the ordinance as amended. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

**15. ITEM #16 – TRUSTEE’S REPORT**

Trustee Lemieux thanked Staff for doing a great job clearing the Village roadways following the recent snow fall.

**16. ITEM #18 – CONSIDERATION OF THE MINUTES OF THE JANUARY 22, 2018 EXECUTIVE SESSION MEETING**

Trustee Grenier moved to approve the January 22, 2018 Executive Session Meeting Minutes as presented. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

**17. ITEM #19 – ADJOURNMENT**

Trustee Dewart moved to adjourn the regular meeting. Trustee Meyer seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 7:36 p.m.

Respectfully Submitted,

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R. Drew Irvin  
Village Administrator

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Joy Markee  
Village Clerk