

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

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
Eric Grenier
Paul Lemieux
William Meyer
Aaron Towle

Also Present: Joy Markee, Village Clerk
Drew Irvin, Village Administrator
Peter Friedman, Village Attorney
Bettina O’Connell, Finance Director
David Belmonte, Police Chief
Jeff Hansen, Village Engineer
Mike Croak, Building Codes Supervisor
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 MINUTES OF THE FEBRUARY 26, 2018 VILLAGE BOARD MEETING

Trustee Lemieux moved to approve the February 26, 2018 Board of Trustees Regular Meeting Minutes as amended. Trustee Ankenman 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.

Jacob Lenske (resident) said he and a few of his neighbors are present tonight to address an issue recently discussed with Staff regarding properties bordering the Village owned property, Simpson Avenue Alley. Over the past few years Simpson Avenue Alley has experienced significant flooding. Their belief is that stormwater flows from the western properties over Simpson Avenue Alley and accumulates on their property because there is no drainage system. Mr. Lenske said the July 2018 storms caused approximately \$70,000 in damages to three of the homes in the area. Recently, Staff sent an email in response to their letter regarding the issue and they are looking forward to working with the Village to hopefully resolve or make improvements to the Village infrastructure.

In response to a question from Trustee Dewart, Mr. Lenske said the area is referred to as the “super block” located north of the ravine and flooding impacts at least six homes in that area. Village Administrator Drew Irvin stated Simpson Avenue Alley is located north of the intersection of Park Avenue and Simpson Avenue.

Susan McMurray (resident) said Mr. Lenske did not mention that stormwater enters his window wells and basement when the levels are high. She said her rear yard floods and a contractor estimated it would cost approximately \$15,000 to repair, but she believes that she is not responsible for the stormwater. The flooding does not have a major impact on her property but it does on the surrounding properties and it has worsened over time. Ms. McMurray said their asking the Village to install a storm drain when Simpson Avenue Alley is repaved. She said her property on West Blodgett Avenue also floods and she understands it is because of the infrastructure but she is hopeful some of the many flooding issues can be resolved. She thanked Staff for their assistance and the Board for their consideration.

Village Engineer Jeff Hansen stated Staff has recently met with some of the neighbors to discuss drainage concerns. He explained what could be causing the area to flood and he stated the alley is on the 2018 proposed resurfacing schedule. He said Staff will survey the area and determine if the Village stormwater system can accommodate the low spot in the McMurray’s rear yard. Staff will then obtain a cost estimate for the project which could include installing curbing along the side of the alley and tree removal. Village Engineer Hansen stated this is a tight area in regards to depth of storm sewers, and the grade cannot be changed because there are two existing garages in close proximity of the alley. The plan is to survey the area and provide the estimated cost to the Finance Committee for consideration.

In response to a question from Trustee Grenier, Village Engineer Hansen stated the pavement has deteriorated and the down slope has eroded because there have been no repairs done to this area. He believes Simpson Avenue Alley does not flood because stormwater flows onto the McMurray property. Also, Union Church of Lake Bluff was given approval to build a new single family home, with a storm detention system, and this could be contributing to the flooding because construction began after the 2017 storms.

Village Administrator Irvin stated this area was not on the initial list of major stormwater concerns. Since then there have been new information to the extent that the flooding is affecting more than one home. Therefore, Staff will work with the surveyors and provide information at a future meeting.

Village Engineer Hansen said the plan is to determine how much stormwater will cause homes to flood because there have been storms, less intense than the 100 year storm, which have flooded the area. The

intent also is to manage expectations concerning the stormwater drainage because the size of the storm sewer is not sufficient enough to install a larger drain pipe to relieve the flooding.

Ms. McMurray shared information on how the flooding negatively impacts vegetation on her property and her concern about possibly losing an existing Oak tree. She said her neighbors have at least three sump pumps but their property still floods. She thinks the impervious surface created by the two newer homes and Union Church of Lake Bluff parking lot contributes to the flooding. She said she is hopeful there will be a solution for the flooding.

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 MARCH 1-15, 2018 AND FEBRUARY 2018 PAYROLL EXPENDITURES

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$593,398.79 for March 1-15, 2018 and payroll in the amount of \$270,484.90 for February 2018.

As such total Expenditures of \$863,883.69.

As there were no questions from the Board, Trustee Dewart moved to approve the Warrant Report. Trustee Lemieux 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 #6B – FEBRUARY 2018 FINANCIAL REPORT

At President O’Hara’s request, Finance Director Bettina O’Connell provided a brief summary of the February 2018 Finance Report highlighting major revenue sources, expenditures and noteworthy items found in the monthly report:

- Sales tax revenue for FY18 of \$1.88 million is about the same when compared to FY17 revenue for the same period of \$1.86 million,
- Home rule sales tax for FY18 of \$576,001 is 4.4% less than FY17 a difference of \$26,721 of which \$11,742 can be attributed to the State admin fees,
- Building permit revenue for May-February 2018 is \$476,530 compared to \$516,964 for the same period in FY17, and
- Expenditures are consistent with or less than the budget.

Finance Director O’Connell noted the Federal Tax Cuts and Jobs Act passed in late December along with other federal tax changes have had an impact on State of Illinois business income tax revenues. As a result, additional personal property tax replacement fund monies have been collected by the State. This money will represent a one-time increase in distributions to local governments which is about \$15,000 for Lake Bluff. Finance Director O’Connell stated other changes have caused taxpayers to accelerate

payments to the State in December and January rather than in March and April. This means that increased local government distributions in March may be partially offset by lower distributions in April and May.

Trustee Meyer moved to accept the Finance Report. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

8. ITEM #7A – VILLAGE ADMINISTRATOR’S REPORT: INFORMATIONAL REPORT REGARDING FINANCIAL REPORTING AWARD FROM THE GOVERNMENT FINANCE OFFICER’S ASSOCIATION

Village Administrator Drew Irvin stated the Government Finance Officers Association has awarded the Village the Certificate of Achievement for the Excellence in Financial Reporting for its FY2017 Comprehensive Annual Financial Report. He thanked Staff for their hard work.

In response to a comment from Trustee Dewart regarding Advisory Review Board comments, Village Administrator Irvin stated the detailed list of suggestions and improvements from the GFOA will be presented at the upcoming Finance Committee meeting.

Village Administrator Irvin stated the joint Metra and Village Train Station renovation project, which is funded chiefly by Metra, began today. He reviewed the project schedule noting the station lobby will be closed in May for interior work. He stated the project will be completed by the end of June and information regarding the renovations was communicated via various media sources.

9. ITEM #8 – VILLAGE ATTORNEY’S REPORT

Village Attorney Peter Friedman had no report.

10. ITEM #9 – VILLAGE PRESIDENT’S REPORT

President O’Hara stated she understands Staff have heard from the Rockland Fire Protection District regarding the Village’s proposal for a joint venture. A meeting has been scheduled which Village Administrator Irvin, Fire Chief David Graf and Trustee Towle, who is a member of the Lake Bluff Fire Department, will attend. President O’Hara stated she understands the Rockland Fire Protection District, represented by its President Dan Rogers, has asked two Lake County Board Members (one representing Lake Bluff, and the other representing Lake Forest and the Knollwood unincorporated area) to join him at the meeting. President O’Hara stated Lake Bluff County Board Member Sandy Hart has recused herself as there is no relationship between the County Board representatives, and decision making bodies for the Rockland Fire Protection District, but she understands Mr. Mike Rummel will be attending the meeting.

President O’Hara said she is perplexed as to why Mr. Rogers would bring individuals who cannot participate in decision making at the Rockland Fire Protection District to the meeting. President O’Hara said, to her understanding, Mr. Rogers stated Mr. Rummel represents the residents of Knollwood and the City of Lake Forest, who has a competing proposal. She hopes that whatever transpires during the meeting will give fair consideration to the Village’s proposal.

President O’Hara stated that two residents have expressed their desire to serve on the new Quasiquicentennial Committee to plan the celebration of the Village’s 125th anniversary on September 21, 2020 and again extended an invitation to anyone desiring to serve on the committee.

11. ITEM #10 – ACCEPTANCE OF THE CORRESPONDENCE

President O’Hara introduced the correspondence from the Informational Reports on February 23 and March 2, 2018.

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

12. ITEM #11 – A RESOLUTION AUTHORIZING MEMBERSHIP IN THE LAKE COUNTY MAJOR CRIME TASK FORCE

President O’Hara reported the Village of Lake Bluff has been a member of the Lake County Major Crimes Task Force (Task Force) since it was originally created in 1991 as a consortium of approximately 40 member communities. The Task Force is a resource to ensure efficient and adequate mutual aid services to member law enforcement agencies that experience a homicide, child abduction, or other heinous crime. Several months ago the Task Force Board, in concert with Lake County (City and Village) managers, formed a by-laws subcommittee to research and update the By-Laws and investigate risk management solutions to the benefit of the Task Force and its participating members. She further reported the subcommittee consisted of several area Police Chiefs and Village Managers, as well as representatives from the Lake County State’s Attorney, Lake County Risk Management and the Illinois State Police. The subcommittee retained the services of Mr. Rob Bush of Ancel Glink to provide counsel on the by-laws development and risk management options. In addition, the subcommittee employed the services of Alliant Americas to explore and price insurance coverages. The proposed by-laws contain the following substantive changes in the form and/or structure of the Task Force:

- The provision of a unified defense to claims or suits involving the Task Force (currently defense is provided by each member separately);
- The ability to obtain Law Enforcement Liability and Public Officials Liability (including employment practices liability) coverages for the Task Force;
- An updated governance structure which provides each member with one representative/one vote on the Task Force Board; and
- Professional training and certification standards for officers assigned to the Task Force, consistent with state law.

President O’Hara reported the ability to obtain commercial insurance coverage is the most important aspect of the new structure of the Task Force. Currently, Alliant Americas is obtaining quotes for coverage of the Task Force. The expected coverage level will be \$2 million per occurrence, \$4 million aggregate in the first year of coverage. She further reported the Task Force intends to increase the coverage amounts based on future experience. It is anticipated that the direct cost to the Village of Lake Bluff for its share of coverage will be \$500 on an annual basis, however, the Task Force will absorb the first year cost of coverage from its current reserve. Based upon current coverage language, each member community would be named as an additional insured on the Task Force’s policy.

Following a request from President O’Hara, Police Chief David Belmonte stated Lake Bluff is currently a member of this task force which investigate homicides, child abductions or any substantial crime that would potentially involve life beyond the capability of the Lake Bluff Police Department. Police Chief Belmonte stated previously there have been lawsuits filed against individual agencies involved in an investigation which resulted in a questionable confession or when mistakes are made during an

investigation. The Village has not been named in any of the previous lawsuits because the majority occurred before the Village became an active member. The Task Force worked with the by-laws committee, insurance advisors and attorneys to review available options that will provide better protection to all member agencies against these type of lawsuits. Also, the reorganized task force and by-laws have made it possible to obtain insurance which will cover and defend all the member agencies against these lawsuits.

President O'Hara expressed her understanding the Task Force would be an added layer of protection for the Village.

In response to questions from Trustee Meyer, Village Administrator Irvin stated the Village insurance provider, the Intergovernmental Risk Management Agency, provides coverage in addition to the proposal and the expected total level of coverage would be approximately \$12 million.

Trustee Lemieux stated Staff had mentioned that some law enforcement agencies are immune to liability by state law but for some reason this agency is not immune. Village Administrator Irvin clarified that certain task forces which involve other state or federal officials have been provided immunity at the time they were statutorily created

Trustee Lemieux stated he is a big supporter of the task force and asked if it would provide Police Officers additional professional exposure which they would not otherwise had experienced. Police Chief Belmonte stated three Police Department personnel have served on the Task Force over the past 10 years and the experience gained has helped with Lake Bluff routine investigations. Police Chief Belmonte provided information regarding a burglary at the train station and he stated a DNA match was made because the Police Officer had gained the experience needed to collect DNA from a crime scene. A discussion regarding DNA techniques followed.

Police Chief Belmonte stated the law enforcement community has changed investigation techniques over time for all the right reasons.

As there were no further comments 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 ESTABLISHING THE REGULAR MEETING DATES AND COMMITTEE OF THE WHOLE MEETING DATES FOR THE BOARD OF TRUSTEES FOR FISCAL YEAR 2018-2019

President O'Hara reported Illinois Statutes require the Village Board to provide notice of the regular schedule of meetings. In keeping with past practice, the proposed resolution establishes the Regular meeting of the Village Board, scheduled start time 7:00 p.m., on the second and fourth Monday of each month. Additionally, the proposed schedule also includes Committee of the Whole (COW) meeting dates, scheduled start time of 6:00 p.m., for the same night as the Regular meetings of the Village Board. She further reported there is only one meeting scheduled for May (Memorial Day Holiday), October (Columbus Day holiday) and December (last meeting cancelled due to proximity of the holiday season). She further reported as previously discussed, Staff will (i) continue to hold "significant" COW meetings in the Public Safety Building Community room and (ii) provide cancellation notices (in the event that there is a lack of business for upcoming meetings).

In response to a comment from Trustee Ankenman, it was the consensus of the Board to change the proposed March 22, 2019 meeting date to March 25, 2019.

As there were no further comments from the Board, Trustee Meyer moved to adopt the resolution as amended. Trustee Towle seconded the motion. The motion passed a unanimous voice vote.

14. ITEM #13 – A RESOLUTION APPROVING FUNDING FOR THE CONSTRUCTION OF THE MOFFETT ROAD BRIDGE REPAIR AND RESURFACING PROJECT AND APPROVING A CONSTRUCTION ENGINEERING SERVICES AGREEMENT WITH BAXTER & WOODMAN, INC

President O’Hara reported the Village has received 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, as well as the resurfacing of Moffett Road between East Center Avenue and the southern Village limit. The funding will pay for 80% of all eligible construction and construction engineering service costs for the first \$1.25 million of project cost (the maximum STP contribution is \$1 million). The Village will be responsible for 20% of eligible costs of the first \$1.25 million of the project and all costs above that amount. In accordance with STP funding procedures, the project is scheduled to be bid by the Illinois Department of Transportation (IDOT) on June 15th.

President O’Hara reported the current cost estimate for construction and construction engineering for the project is just over \$1.25 million. Should the bids come in above \$1.25 million, the Village could choose to reduce certain quantities of storm sewer, sidewalk, or curb & gutter to limit the total project costs to \$1.25 million and the Village’s cost share to \$250,000 (as budgeted). In accordance with STP funding requirements, the Village initiated a Quality Based Selection process to select a qualified firm to provide construction engineering services for the project. She further reported the Village solicited statements of qualifications and received responses from three firms. Of the three firms that submitted qualifications, Baxter & Woodman was rated the most qualified by a Village Staff committee and was selected for the project. Baxter & Woodman subsequently submitted a proposed agreement for an estimated fee of \$94,688.46, of which the Village’s 20% cost share would be \$18,937.69. IDOT requires that the Village commit to the local share of funding the project and approve an agreement for construction engineering services. It is recommended that the Village Board approve the resolution allocating \$250,000 for the project and authorizing the execution of a contract for construction engineering services with Baxter & Woodman for the project. The Village’s proposed FY2019 budget includes \$250,000 for the project.

Trustee Lemieux stated Staff informed him that the engineering oversight estimated cost of \$19,000 was included in the total cost of the project.

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

Following a request from Village Administrator Irvin, Village Engineer Hansen stated the bid date is scheduled for June 15th but he is not certain when construction will begin. The contract stipulates that Moffett Road must be reopened by mid-September and he stated roadway and topside construction should

be completed by October 31st. Village Engineer Hansen stated Moffett Road, just north of Witchwood Avenue, will be fully closed for approximately four week during the months of August and September.

15. ITEM #14 – A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT FOR BOARD ROOM AUDIO/VISUAL UPGRADE PROJECT

President O’Hara reported the FY18 budget includes \$60,000 for upgrades to the Board Room’s audio/visual system; to that end, the Village recently issued a Request for Proposals (RFP) which outlined the following improvements:

Presentation Video: An installed projector, new motorized projection screen, and video switcher to automatically manage video inputs; as well as integration of projector video into the Village’s meeting video stream;

Installation Sound: An additional built-in microphone for the speaker’s podium, an automatic audio mixer, overhead amplified speakers, and an assistive listening system for persons with hearing impairments.

Broadcast Video: Replacement of an existing video mixer to upgrade the video workflow to high definition. (*Comcast public access video will remain standard definition*).

President O’Hara reported the Village received two responses to the RFP, which closed on March 2. After a review of the proposals, Staff recommends accepting the proposal of AVI Systems, Inc. including Alternate A, for a total cost of \$46,497.

AV Equipment	\$	17,679
System Integration & Programing	\$	15,953
Production Equipment	\$	8,955
System 12-month Support	\$	2,500
Alternate A - Electric Screen	\$	1,410
TOTAL	\$	46,497

President O’Hara stated installation is anticipated in early May due to equipment lead times. Accordingly, this expense will be incurred in the next fiscal year (as this fiscal year ends May 1). If this item is approved, the biennial budget currently being prepared will reflect any unexpended amount from this fiscal year being rolled over into next fiscal year, rather than allowed to return to the fund balance of the General Fund.

Following a request from Trustee Lemieux, A to VA Cole explained how the upgrades will enhancement the video/audio quality for people viewing the meeting on Cable Television and the Village website. He also stated the upgrades will limit the number of technicians needed to record the meetings, improve the audio for the public and provide amplification in the Board room.

Trustee Grenier asked if the project would change if public access television channel 19 was eliminated and meetings were streamed online. A to VA Cole said to his knowledge there is an open discussion in other communities regarding the continuation of public access television. There would not be any additional cost incurred either as this is part of the Comcast agreement, the Village already owns the

broadcast equipment. A to VA Cole stated the upgrades will also provide an alternative option to stream the meetings via various media such as Facebook and YouTube. Trustee Grenier stated he believes people no longer view public access television and asked if this influences the project should the two be tied together. A discussion followed.

Trustee Lemieux stated he would like the Village to consider streaming meeting videos.

In response to a question from President O'Hara, A to VA Cole commented on the expenses needed to stream meeting videos. A discussion regarding streaming followed and the consensus of the Village Board was to include the necessary improvements to further facilitate live streaming of meetings.

As there were no further 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: (6) Grenier, Lemieux, Meyer, Towle, Ankenman and Dewart
Nays: (0)
Absent: (0)

16. ITEM #15 – TRUSTEE’S REPORT

There was no Trustee’s report.

17. ITEM #16 – EXECUTIVE SESSION

At 8:03 p.m. Trustee Grenier moved to enter into Executive Session for the purpose of discussing Appointments to Public Office (5 ILCS 120/2(c)(3)). Trustee Dewart seconded the motion. The motion passed on a unanimous voice vote.

There being no further business to discuss, Trustee Dewart moved to adjourn out of executive session. Trustee Lemieux seconded the motion and the motion passed on a unanimous voice vote at 8:30 p.m.

18. ITEM #17 – 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 8:31 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Joy Markee
Village Clerk