

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
APRIL 23, 2018**

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 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
Jeff Hansen, Village Engineer
Mike Croak, Building Codes Supervisor

2. PLEDGE OF ALLEGIANCE

President O'Hara led the Pledge of Allegiance.

3. AWARD AND PROCLAMATIONS

President O'Hara read the proclamation declaring May 2018 as *National Historic Preservation Month* in the Village of Lake Bluff.

President O'Hara read the proclamation declaring April 27, 2018 as *Arbor Day* in the Village of Lake Bluff.

President O'Hara read the proclamation declaring May 2018 as *National Bike Month* and the Week of May 14-18, 2018 as *Bike to Work Week* in the Village of Lake Bluff.

4. CONSIDERATION OF THE MINUTES OF THE APRIL 9, 2018 VILLAGE BOARD MEETING

Trustee Dewart moved to approve the April 9, 2018 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 Item #13 then return to the regular order of the meeting. Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

7. ITEM #13 – SECOND READING OF AN ORDINANCE AMENDING THE LAKE BLUFF ZONING REGULATIONS AND THE LAKE BLUFF MUNICIPAL CODE TO ESTABLISH SHORT-TERM RENTAL REGULATIONS

President O'Hara reported on Monday, March 19 the Joint Plan Commission and Zoning Board of Appeals (PCZBA) held a public hearing regarding Short Term Rental (STR) regulations and, after public comment and discussion, voted 4-3 to recommend prohibition of STR in the Village. The PCZBA also discussed certain elements of the draft ordinance including their thoughts on lot size limits (do not include in regulations), minimum night stay (no consensus to modify the minimum from the current 2 days), and life safety (suggested the Fire Chief and Building Codes Supervisor continue to exam the requirements to help ensure adequate safety for any users). She further reported a revised version of the STR ordinance which highlights the differences between the versions presented to the PCZBA on March 19 and the current attached version; the differences include:

- An amendment to the definition of "Short-Term Rental" to exclude the rental of a dwelling unit pursuant to a rental agreement in conjunction with a contract to sell property;
- A typo in Zoning Use Table Footnote No. 15 was corrected so as to reflect the correct period for a pilot program; and
- The use limitation in Section 10-4-5(I)8 was modified to clarify expectations for window egress requirements (part of the Fire Chief's and Building Codes Supervisor's continued examination of the regulatory requirements related to safety).

President O'Hara opened the floor for public comments.

Resident Heather Klepitsch said there seems to be a misunderstanding or different viewpoints on how STRs are perceived by the Village. The majority of the residents in attendance are against STRs because the character, property value and safety of the Village cannot be restored once lost. The Board is divided on the matter. She strongly urged that the next step in the process be a referendum, if the Board truly

represents the entire Village. If STR regulations are approved, she believes there will be unintended consequences for the Village.

Linda Neumann, a 30-year resident, said she loves living in the Village and thanked the Board for their service. STRs have become an emotional and divisive issue amongst the Board and Village. There have been no studies or facts presented specific to Lake Bluff to support STRs. A referendum is logical to her because it would allow residents an opportunity to express their feelings. Ms. Neumann said she loves the Village and would hate to see something allowed that would damage the character, property value, safety and wonderful environment of Lake Bluff. The Board was elected to be responsive to the majority of Lake Bluff residents and she does not understand how four Board members can determine the outcome. Ms. Neumann said she is against allowing commercial activities, in the form of STRs that benefit a few residents and multi-billion dollar marketing entities, to infiltrate Lake Bluff's purely residential neighborhoods. There should be a referendum to eliminate any perception or remote possibility of any personal agendas or bias. The special character of the Village must be respected and it would be a generous act to the community if the Board voted in favor of a study and referendum.

Michael Gasey, a 36-year resident, said he has respect for people that give their time to serve on the Board and thanked them for their service. Mr. Gasey said he is new to the proceedings but it is his opinion that ignorance is bliss, because he has witnessed the Board disregard the recommendation from its expert Advisory Board regarding STRs. Mr. Gasey read a quote from Abraham Lincoln and said he has come to realize, through this democratic process, the Board does not listen to the public and there needs to be changes.

Resident Peter Capps said it was suggested that if this type of activity was prohibited it would infringe on STR property owners rights. He asked what about everyone else's property rights and why is Lake Bluff afraid to protect property rights. The diverse issue has damaged the once wonderful character of Lake Bluff. If STRs are allowed, he thinks it will negatively impact neighborhoods just as it has ruined his neighborhood. He said this is a democracy not a dictatorship and if anyone on the Board has a conflict of interest, they should recuse themselves.

Peter McGuire, a 5-year resident, said he wonders what history will tell us about this issue. He expressed his concern for what he perceives as an establishment, lacking new ideas and vast experience, created solely to benefit STR host. The establishment have not listened to its citizens or Advisory Board to ban STRs but supports the property rights of five STR hosts and at the expense of the property rights of other Lake Bluff citizens.

Resident Frank Klepitsch echoed the previous comments and asked the Board to consider a compromise. He believes the Board members supporting STRs are driven by personal experience because the desires of Lake Bluff residents were not mentioned. In a democracy, Village Trustees should represent the desires of the majority of its residents. The Board has not listened to the concerns expressed for safety, property value, life safety nor the PCZBA recommendation to prohibit STRs. The Board has ignored the request for a referendum as well as any potential compromise. It is his understanding a referendum initiated by the public will not be binding. Also, it was suggested that residents go home and live peacefully after this vote but to him it will be difficult if STRs are allowed. He said, whether real or perceived, the majority of residents believes STRs are a threat to the safety of their children and property values. The approval of STRs has crossed the line and threatened its residents, and he urge the Board to reconsider, or in the name of peace, initiate a referendum for the upcoming election.

Resident Debra Wilbur shared a story about a town which was denied Wi-Fi but survived and said the Village will survive without STRs. It is her belief STRs will change the landscape as well as the community and not for the better. She asked the Board to have the guts, intelligence and heart to vote “no” to STRs. It is okay to listen to the overwhelming home owners that have asked for a “no” vote, please consider their request and do what is right for the community.

Resident Robert Isham asked the Board to review the law regarding STRs, specifically, Tennessee vs. Nashville and elaborated on the proceedings. He asked the Board to consider the national backlash associated with sharing economy and consider if this activity is obsolete. Mr. Isham asked the Board to consider a referendum to allow residents an opportunity to speak.

Resident Mike Brown said this issue has turned a delightful little Village into a divided town. He expressed his concern regarding the limitations outlined in proposed pilot program. The Board should respect the PCZBA recommendation and comments from the vast majority of its citizens on a subject that could have potentially irreversible damage. He said if STRs are allowed the pilot program should not be opened to the entire community because the Village does not have the manpower needed to enforce the regulations.

Resident Cindy Broten provided information on how a town in Florida monitors STRs. She believes STRs will cause animosity in Lake Bluff by pitting neighbors against neighbors and continue to be a decisive issue in the community. Ms. Broten said she believes her elected officials should be objective and unbiased in their actions, work and deeds. However, there is an appearance of impropriety and she believes that personal relationships are driving the Board’s decision. She is disturbed because she did not believe this could happen in Lake Bluff. She does not believe anyone will go home happy and she is opposed to STRs.

Brenda O’Neill, a resident since 1975, encouraged the Board to listen to the majority of its residents which supports a ban on STRs. She asked any Board member with a personal relationship to please vote “no” or “abstain” from the vote. STRs have torn apart her neighborhood and if allowed neighbors will be pitted against neighbors and this not good for Lake Bluff. She said neighbors should not be burdened by individuals who are unable to pay their property taxes and she asked the Board to please consider a ban on STRs.

Resident Robert Havrin said STRs have operated in Lake Bluff for approximately two years without any reported problems and without excessive regulations. Mr. Havrin said he will support a referendum because it is time to move forward with this issue. Previously, he asked an active member of the PCZBA, strongly against STRs, to recuse themselves from the process but the member was allowed to vote on the matter. Mr. Havrin said he believes residents’ attitudes could negatively affect property values. He said one of his previous renters was involved in a minor vehicle incidents but there was no apparent damage. Since then the adjoining driveways have been separated to prevent any future accidents. The process has saddened him because the Board did not nip this issue in the bud soon enough. He said STRs will be a good thing if properly regulated and he suggested moving forward with the pilot program and reevaluate STRs after the trial period.

Resident Dana Wittman said there was a comment made at the last meeting “that STRs pose no perceived risk to the community” and she wonders if the family in Lake Barrington would agree. Although, there have been no reported issues in Lake Bluff, many residents have expressed grievances with STRs in their neighborhood. She commented on the feedback provided by a local realtor and said the only opinions that

should matter are the taxpayers for this community and noted many signed a petition to ban STRs. If STRs are allowed it will pit neighbors against neighbors. Ms. Wittman said these type of activities operate on the weekend and minor complaints will be a burden on the Police Department. She asked how a member of the Board could justify poking fun of the matter in an email then be allowed to vote in favor of STRs. She believes many residents have lost faith in their elected official's ability to act fairly toward its residents. To restore faith in the political process, she asked those on the Board that has a personal relationship with an STR host to recuse themselves from the vote. She said a referendum should be initiated to allow residents an opportunity to speak for themselves.

Resident Julie Ashbury-Capps, said she does not support STRs and inquired of the referendum process.

Village Attorney Peter Friedman stated the only way to have a binding referendum is if the Constitution or specific Statute authorizes a binding referendum. The Board by ordinance or resolution, or residents by signature, can initiate a non-binding advisory referendum. There is no authority for home rule or non-home rule on this issue regardless of how it is initiated. Village Attorney Friedman said if the required number of signatures are collected for a referendum the Village Clerk would forward the signatures to the County Clerk, if in compliance, a referendum "yes" or "no" question would be placed on the next election ballot. The referendum would have no binding impact on the Village but the Board will have discretion on what to do with the results of the vote.

In response to a question from Ms. Ashbury-Capps, Village Attorney Friedman confirmed that if the Village initiated the referendum it would not be binding on this question. He used the home rule referendum as an example of a binding referendum pursuant to the Constitution. There is no Statute or Constitutional provision stating STRs regulations are subject to a binding referendum.

Ms. Ashbury-Capps said President O'Hara previously stated "that prior to a quarrel that escalated between two neighbors who share a driveway there had been no complaints or problems reported though there seemed to be at least four STRs operating in the Village for a period of time." She read a complaint sent in an email, from a resident living adjacent to an STR. She said there have been complaints expressed and asked how the matter could be reconciled. President O'Hara asked Ms. Ashbury-Capps to continue her public comments because the public forum is not open to inquisition or debates.

Resident Kathryn Briand expressed her concern regarding negative email sentiments and threatening letters. The reactions expressed are not just about STRs but residents opposed to STRs as well. Ms. Briand said she is against STRs because she is worried about unintended consequences and impact on property values. There will be no peace amongst residents because this issue has exposed the intolerance in the town. She said it is important to respect each person's right to disagree and not vilify those opposed to STRs.

Resident Debra Fischer, a local realtor, explained the data she provided to the Board regarding the impact of STRs on home sales. She expressed appreciation to the Board for their due diligence, in comparison to other towns, regarding STRs. The behavior as a result of the process feels like bullying on both sides and she is saddened by the behavior as a result of this matter. Ms. Fischer said she is in favor of the pilot program. She asked how many STRs would be allowed and expressed her opinion there will not be a huge number of request submitted to operate an STR in Lake Bluff.

Resident Liz Jensen said she and her husband previously expressed their opposition to STRs. She would not have moved to Lake Bluff if she had known there was an STR operating in the neighborhood. She is

concerned STRs will negatively impact the charm, quality of life, and the sense of community in Lake Bluff. She thought Lake Bluff was the perfect Village and asked not to be proven wrong.

As there were no further public comments, President O’Hara asked for comments from the Board.

Trustee Lemieux made a motion to amend Section 5, Subparagraph 10-4-5(D)(2) of the draft ordinance to read “properties with adjacent driveways may not be used as STRs.” Also, to reduce or propose a limit of 10 STR permits during the trial period but allow the Board by resolution to adjust that number if needed.

In response to a question from Trustee Grenier, Village Attorney Friedman stated as there has been no motion to approve second reading a motion could be made to amend the previous motion to either include one or both amendments. Also, there could be a new section included in Section 5(J) stating “no more than ten (10) STRs shall be registered by the Village at any one time provided that the Board may increase or decrease the maximum number of STR registration by resolution which was duly adopted.”

Following a brief discussion, Trustee Lemieux made a motion to approve the ordinance as written with an amendment to Section 5, Subparagraph 10-4-5(D)(2) of the draft ordinance to read “properties with adjacent driveways may not be used as STRs.”

Trustee Lemieux stated he is concerned about parking in the absence of lot size restrictions as well as the coming/going in adjacent driveways. The proposed amendment is intended to keep the Village from being involved with parking issues.

In response to a question from Trustee Grenier, Village Attorney Friedman said property owners with adjacent driveways may seek a variance pursuant to Village regulations on a case by case basis.

Village Attorney Friedman clarified the pending motion is for an amendment to Section 5, Subparagraph 10-4-5(D)(2) of the draft ordinance.

In response to comments from Trustees Ankenman and Meyer, Village Attorney Friedman stated the ordinance defines adjacent driveways as “driveways located on adjoining properties that are less than 5 ft. apart at any point.”

Following its discussion, the motion to amend Section 5, Subparagraph 10-4-5(D)(2) of the draft ordinance passed on the following roll call vote:

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

Trustee Lemieux made a motion to amend the draft ordinance to add Section (J)(6) as “no more than ten (10) STRs shall be registered by the Village at any one time provided that the Board may increase or decrease the maximum number of STR registration by resolution duly adopted.” A discussion followed.

Following its discussion, Trustee Meyer made a motion, solely on the issue of modification to the draft ordinance, to amend the draft ordinance to “no more than six (6) STRs shall be registered by the Village at any one time provided that the Board may increase or decrease the maximum number of STR registration by resolution duly adopted.” Trustee Towle seconded the motion.

Trustee Dewart expressed his concern about the viability of proposing a specific number of STR registrations. He said individuals, with no intent to operate an STR, could purchase a permit thus hindering evaluation of the pilot program. A discussion regarding restriction on an attempt to “game the system” followed.

Following its discussion, the motion passed on the following roll call vote:

Ayes: (6) Dewart, Lemieux, Meyer, Towle and Ankenman
Nays: (1) Grenier
Absent: (0)

Trustee Meyer stated now that he has heard all the feedback and comments, he believes it is in the best interest of Lake Bluff to ban STRs. The pilot program is simply not worth it for this Village and enough is enough. He believes the proposed ordinance is a mistake and his vote will remain “no”.

Trustee Ankenman echoed Trustee Meyer comment. She stated as a public service announcement, it seems there are a lot of questions and misunderstanding regarding a referendum. If the public desires to initiate a referendum, she feels clarification regarding the process is needed. Village Attorney Friedman expressed his uncertainty regarding the filing deadline and number of signatures required for the referendum to be placed on the November 2018 election ballot. Staff will research the matter and provide information at the next meeting.

Following a brief discussion, the motion to approve the ordinance as amended passed on the following roll call vote:

Ayes: (4) Grenier, Lemieux, Dewart and President O’Hara
Nays: (3) Meyer, Towle and Ankenman
Absent: (0)

President O’Hara allowed a brief recess for those desiring to leave the meeting.

Trustee Meyer moved to take Agenda Item #22 then return to the regular order of the meeting. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

8. ITEM #22 – A RESOLUTION APPROVING A SITE PLAN FOR NEW WINDOWS AND EXTERIOR ALTERATIONS FOR ANESTHESIA MANAGEMENT PARTNERS AT 921 SHERWOOD RIVE

President O’Hara reported Anesthesia Management Partners proposes to add additional windows to all four elevations of the existing building at 921 Sherwood Drive and an additional door to the front (north) façade. The color of the mullions and trim will match the existing dark bronze color. The ABR voted 4-0 to recommend that the Village Board approve the site plan.

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

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

9. ITEM #7A – WARRANT REPORT FOR APRIL 16-30, 2018

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$729,329.91 for April 16-30, 2018. As such total expenditures in the amount of \$729,329.91.

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

10. ITEM #7B – MARCH 2018 FINANCE REPORT

At President O’Hara’s request, Finance Director Bettina O’Connell provided a brief summary of the March 2018 Finance Report highlighting major revenue sources and expenditures for the period.

- Sales tax revenue for FY18 of \$2.18 million is .06% less when compared to FY17 revenue for the same period of \$2.19 million,
- Home rule sales tax for FY18 of \$676,461 is 3.2% less than FY17 a difference of \$22,240 of which \$13,790 can be attributed to the State admin fees,
- Building permit revenue for May-March 2018 is \$510,110 compared to \$544,458 for the same period in FY17, and
- Expenditures are consistent with or less than the budget.

Finance Director O’Connell stated Staff will continue monitoring actions in Springfield, specifically proposed legislation regarding sales taxes on internet sales.

In response to a question from Trustee Lemieux regarding prepayment of 2017 Taxes, Finance Director O’Connell stated Lake County will have an extra distribution beginning May 2018.

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

11. ITEM #8 – VILLAGE ADMINISTRATOR’S REPORT

Village Administrator Irvin had no report.

12. ITEM #9 – VILLAGE ATTORNEY’S REPORT

Village Attorney Peter Friedman had no report.

13. ITEM #10 – VILLAGE PRESIDENT’S REPORT APPOINTMENTS TO VILLAGE ADVISORY BOARDS AND COMMISSIONS

The Village President is required by the municipal code to appoint/reappoint members to the Village’s various advisory Boards and Commissions, subject to the consent of the Board of Trustees. The following Village residents are recommended as indicated below:

Architectural Board of Review (2 year term):	Robert Hunter Carol Russ Julie Wehmeyer
Board of Fire & Police Commissioners (3 year term):	Ed Wynn
Historic Preservation Commission (4 year term):	Steve Kraus Lois Nicol
Joint Plan Commission and Zoning Board of Appeals (3 year term):	Jill Danly George Russell Jim Murray
Police Pension Fund Board (2 year term)	Peter Arnstein
Senior Resources Commission (2 year term):	James Blanda
Sustainability and Community Enhancement Ad Hoc Committee	Leslie Bishop

The Village President also recommends reappointment of the following chairpersons and vice chairperson to one year terms:

- Architectural Board of Review – Robert Hunter
- Historic Preservation Commission Chair – Steve Kraus
- Historic Preservation Commission Vice Chair – Robert Hunter
- Plan Commission and Zoning Board of Appeals Chair – Gary Peters

President O’Hara highlighted significant membership changes to the Village Advisory Boards noting Steven Kraus will serve as Chair of the Historic Preservation Commission, Leslie Bishop will serve on the SEC and Jill Danly will be her replacement on the PCZBA.

Trustee Grenier moved to approve the Advisory Board appointments. Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

14. ITEM #11 AND #12 – CONSENT AGENDA

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

11. Correspondence delivered in the April 6 and 13, 2018 Informational Reports; and
12. A Resolution Approving the Appointment of the Building Commissioner and Deputy Building Commissioners.

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

15. ITEM #14 – SECOND READING OF AN ORDINANCE ADOPTING THE BIENNIAL BUDGET FOR THE VILLAGE OF LAKE BLUFF FOR THE FISCAL YEARS COMMENCING MAY 1, 2018 AND ENDING APRIL 30, 2020

President O'Hara reported this tentative budget, in the amount of **\$16,420,985** plus **\$1,956,594** in inter-fund transfers for FY2019 and **\$15,114,209** plus **\$1,911,275** in inter-fund transfers for FY2020, includes the Village of Lake Bluff funds and the Lake Bluff Public Library funds. 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. She further reported the primary objectives of this budget are to: (i) maintain current fund balances at or above Village minimum reserve levels, (ii) control operational costs, (iii) continue reinvestment in Village infrastructure, and (iv) continue to deliver quality and efficient services residents expect from the Village of Lake Bluff. Additionally, this budget has been assembled with the intention to allocate resources consistent with the developed 2023 Village Strategic Plan.

President O'Hara reported the operating budget (all costs except capital and contingency) for the Village and the Library is \$11.188 million for FY2019 and \$11.110 million for FY2020, representing a 2% and 1.3% increase (respectively) from the previous year budget. The capital expenditure budget of \$4.95 million for FY2019 and \$3.72 million for FY2020 represents 30% and 25% of the total budget. Property taxes and sales taxes continue to be the two largest sources of revenue at \$4.20 million and \$3.18 million, for each respective fiscal year. Sales tax revenue projections are 5% and 1.5% higher for FY2019 and FY2020. While sales have recovered from prior years and remain consistent, the State continues to raise concerns as they seek to find additional revenue streams that may have a direct impact on municipal budgets. She further reported on March 17, 2018 the Finance Committee discussed and unanimously recommended approval of this tentative budget document, which is available for public inspection at the Village Hall, the Public Safety Building as well as on-line at the Village's website at lakebluff.org. On April 9th, 2018 the Village Board approved the first reading of the Biennial Budget for FY2019-2020.

As there were no questions from the Board, Trustee Dewart moved to approve the ordinance. Trustee Ankenman seconded the motion. The motion passed on the following roll call vote:

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

16. ITEM #15 – A RESOLUTION APPROVING THE VILLAGE OF LAKE BLUFF FY2019 OFFICIAL PAY PLAN

President O'Hara stated the resolution approving the Village of Lake Bluff Official Pay Plan (Pay Plan) for Fiscal Year beginning May 1, 2018, 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. Actual employee pay increases are contingent on performance evaluations. The Fiscal Year 2018 Annual Budget includes a 3% pool for non-union salary adjustments. She further reported at their March 17th meeting, the Finance Committee reviewed the schedule of salary ranges, the actual current salaries with a survey of comparable communities, and unanimously recommends approval of the Pay Plan with no modifications from the FY2018 Official Pay Plan.

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

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

17. ITEM #16 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT WITH PETER BAKER AND SON COMPANY OF LAKE BLUFF, ILLINOIS FOR THE VILLAGE OF LAKE BLUFF’S FY2019 STREET RESURFACING PROGRAM

President O’Hara reported the Village of Lake Bluff partnered with the City of Lake Forest to jointly bid the FY2019 roadway resurfacing work for both municipalities. A joint project was prepared because it is believed that a larger contract may result in lower unit prices for the work to be performed. Two bids were received for the project and the lowest bid was submitted by Peter Baker & Son Company of Lake Bluff, Illinois. A comparison to the unit prices the Village received for the FY2019 Street Resurfacing Program shows that the prices of the current bid are approximately 4% lower than the prior year. She further reported with the favorable bid prices, it is recommended that a 550’ section of West Washington Avenue from Green Bay Road to the west be included in this year’s project. Peter Baker & Son has performed this annual contract for the Village many times in the past and has proven to be capable of completing the work.

President O’Hara reported the low bid amount attributable to Lake Bluff’s portion of the work at the bid opening was \$465,102.75. Including West Washington in the project and correcting an error in the bid documents raises the cost to \$549,018.90. The Village’s proposed FY 2019 Budget includes \$675,000 for the Street Resurfacing and Asphalt Patching projects. This budget is intended to include the resurfacing contract, the asphalt patching contract, the construction engineering of the current project, and the design engineering for the FY2020 project. She further reported the total of these four contracts are estimated to be \$655,000. The Village Engineer is recommending that Village award the contract to Peter Baker and Sons Construction for the amount of \$549,018.90.

Trustee Lemieux thanked Staff for seeking cost saving joint bidding opportunities for the Village.

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

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

18. ITEM #17 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT WITH CHICAGOLAND PAVING CONTRACTORS, INC FOR THE VILLAGE OF LAKE BLUFF’S FY2019 ASPHALT PATCHING PROGRAM

President O’Hara reported the Village of Lake Bluff, through the Municipal Partnering Initiative, joined with the City of Lake Forest and the Villages of Lincolnshire, Bannockburn, and Grayslake to jointly bid the FY2019 asphalt patching work for all five municipalities. She further reported four bids were received for the joint project and the lowest bid was submitted by Chicagoland Paving Contractors, Inc. of Lake

Zurich, Illinois. The low bid amount attributable to Lake Bluff's portion of the work is \$40,050. The Village generally contracts approximately \$50,000 for asphalt patching annually. Chicagoland Paving Contractors has performed similar work for other municipalities and is capable of completing the work.

President O'Hara reported the Village's FY2019 Budget includes \$675,000 for the Street Resurfacing and Asphalt Patching projects and the bid amount for Asphalt Patching fits within that budget. The Village Engineer is recommending that Village award the contract to Chicagoland Paving Contractors for the amount of \$40,050.00.

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

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

19. ITEM #18 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSTRUCTION ENGINEERING SERVICES AGREEMENT WITH GEWALT HAMILTON ASSOCIATES, INC FOR THE VILLAGE OF LAKE BLUFF'S FY2019 ROADWAY IMPROVEMENT PROGRAM

President O'Hara reported in conjunction with the award of construction contracts to Peter Baker & Son Company and Chicagoland Paving Contractors for the Village's FY2019 Roadway Improvement Projects, the Village Engineer has solicited a proposal from the professional engineering firm, Gewalt Hamilton Associates, Inc, of Vernon Hills, Illinois, for the necessary construction observation and materials testing services required for implementation of the roadway resurfacing work. She further reported the proposed agreement provides for all material testing required for the Village's FY2019 Roadway Improvement Program and for the inspection personnel to perform observation of the contractor's operations, the maintenance of daily records, resolution of construction issues/complaints, and the preparation and submittal of various documentation to close out the project.

President O'Hara reported payment will be made on an hourly basis to include profit and overhead at the hourly rates as specified in the agreement. A cost not to exceed amount of \$45,102.00 is specified without additional written authorization from the Village. The Village's proposed FY2019 budget includes funds for the necessary construction observation services. The Village Engineer recommends adoption of the resolution approving the construction engineering services agreement.

In response to a comment from Trustee Lemieux, Village Administrator Irvin stated the law prohibits bid solicitation for a professional service agreement.

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

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

20. ITEM #19 – A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GEWALT HAMILTON ASSOCIATES, INC (2019 Water Main Replacement Projects)

President O’Hara reported the Village’s has identified three locations of concern within its water distribution system where past leaks in Village water mains have occurred. These locations are on Cambridge Lane, on East Sheridan Place in front of the Lake Bluff Middle School, and on Armour Drive between Lancaster Court and Inverness Court. She further reported a proposal was requested from Gewalt Hamilton Associates, Inc. to design and assist the Village with the bidding and permitting of a project to replace these sections of water main. Gewalt Hamilton Associates, Inc. has exhibited specific expertise in the design of water distribution systems and has successfully done projects for the Village in the past.

President O’Hara reported the proposed project schedule is for engineering design during the summer and fall of 2018, bidding in the winter of 2018-2019, and construction during the summer of 2019. The proposal from Gewalt Hamilton Associates, Inc. is for time and expense not to exceed \$27,698. The project is in the current capital improvements plan and is included in the FY2019 budget. It is recommended that the board approve the proposal from Gewalt Hamilton Associates, Inc. for \$27,698.

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

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

21. ITEM #20 – A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH CHRISTOPHER B. BURKE ENGINEERING, LTD (West Sheridan Place Storm Sewer Improvements Project)

President O’Hara reported since the subdivision was originally developed over 50 years ago, the Village has experienced flooding on West Sheridan Place just west of Lincoln Avenue; this area is one of the first streets to flood in the Village during heavy rains and becomes impassable several times a year. The adjacent homes on the south side of West Sheridan Place also have flooded due to rising water in the street and rear yards. Following the flooding events of July 12, July 20, and August 3, 2017 in which the road was impassable each time and at least two homes in the area experienced flooded basements, the Village authorized the engineering firm Christopher B. Burke Engineering, LTD (CBBEL) to analyze the storm sewers in the area to determine if improvements could be made to reduce the frequency of flooding. She further reported CBBEL determined that increasing the storm sewer capacity from West Sheridan Place to the east, south down Lincoln Avenue, and east on Park Lane from Lincoln Avenue to Mawman Avenue could meet the Village’s current storm water infrastructure standard of keeping roadways from flooding during a 10-year storm and preventing home flooding during the 100-year storm. This improvement was included for design in the FY2019 budget and construction in the FY2020 budget.

President O’Hara reported the Village requested and received a proposal from CBBEL for the engineering design, permitting, and bidding assistance of the West Sheridan Place storm sewer project in an amount not to exceed \$68,700. The FY2019 budget includes \$50,000 for the design and construction of the project. Despite this overage, no budget adjustment is anticipated at this time as other projects may be constructed under budget. She further reported the project is scheduled for design in the summer and fall

of 2018, bidding in the winter of 2019, and construction in the spring and summer of 2020. The Village Engineer recommends the approval of the contract with CBBEL for \$68,700.

In response to a comment from Trustee Lemieux, Village Administrator Irvin stated the cost amount, not to exceed \$42,000, for Agenda Item #21 (Lincoln Avenue Storm Sewer Improvements Project) is referenced in Section 2 of the resolution. He clarified the funding for the significant capital improvement project was approved in the recent budget and the construction cost is estimated at \$730,000.

Trustee Dewart expressed his understanding the plan is to enhance the storm sewer east on West Sheridan Place then south on Lincoln Avenue to Park Avenue and asked if there will be a 12 inch sewer line behind the existing hose. Village Engineer Jeff Hansen stated there is an existing 8 inch sewer line which service backyards further west on Park Avenue but clogs frequently. He would prefer to install a new sewer line on Lincoln Avenue extending westward but an easement would be required.

In response to a comment from Trustee Dewart, Village Engineer Hansen confirmed that the outfall would occur at Mawman Avenue where the sewer line connects to the Village storm system and the final outfall will travel toward the railroad tracks through the park.

Trustee Grenier said the Village has a number of flooding issues and asked if Staff feels confident this particular project can cure this problem. Village Engineer Hansen stated the previous modeling work indicated a capacity issue as well as dip in the road at this location. He explained how the proposed improvements could solve the problem. The study shows the improvements may have a small negative impact on the viaduct area. Village Engineer stated the July 2017 storm events was significant and the improvements would not have made an impact but he is confident the improvements will address the 100 year storm event.

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

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

22. ITEM #21 – A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH CHRISTOPHER B. BURKE ENGINEERING LTD (Lincoln Avenue Storm Sewer Improvements Project)

President O'Hara reported the Village has experienced frequent flooding at the intersection of Hancock Avenue and Lincoln Avenue for many years. The streets flood during heavy rains and water then flows east between homes on Lincoln and Rockland Avenues. A project was identified several years ago to install a storm sewer from the intersection that carries water to the south and discharges into an area on the south side of West Scranton Avenue. She further reported this project was not budgeted in the past in part due to questions about the potential increase of flooding at the West Scranton Avenue Underpass (Underpass) if the proposed Lincoln Avenue storm sewer was constructed. Following the flooding event of July 12, 2017 in which at least two homes in the area had flooded basements, the Village authorized the engineering firm CBBEL to build upon their existing hydraulic model of the Underpass area to determine the impact of the proposed Lincoln Avenue storm sewer. CBBEL's updated analysis showed

the project would (i) have a relatively small impact on the viaduct and (ii) prevent home flooding at this location during 100-year storm events.

President O'Hara reported the FY2019 budget includes \$250,000 for the design and construction of the project. The Village requested and received a proposal from CBBEL for the engineering design, permitting, and bidding assistance of the Lincoln Avenue storm sewer project for a fee not to exceed \$42,000. The project is scheduled for design and bidding in the summer and fall of 2018 and construction in the winter/spring of 2019. The Village Engineer recommends the approval of the contract.

In response to a question from Trustee Towle, Village Engineer Hansen confirmed this type of work requires a permit from the Illinois Department of Transportation and there is a potential for the project to be delayed by the permitting process.

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

23. ITEM #23 – TRUSTEE’S REPORT

Trustee Lemieux thanked Staff for pursuing the capital project improvements so aggressively. Village Administrator Irvin stated Village Engineer Hansen was responsible for tirelessly pursuing the flooding issues throughout the Village.

24. ITEM #25 – CONSIDERATION OF THE MINUTES OF THE APRIL 9, 2018 EXECUTIVE SESSION MEETING

Trustee Dewart made a motion to approve the minutes as presented. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

25. ITEM #26 – ADJOURNMENT

Trustee Meyer moved to adjourn the regular meeting. Trustee Grenier seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 9:30 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Joy Markee
Village Clerk