

**VILLAGE OF LAKE BLUFF  
BOARD OF TRUSTEES  
REGULAR MEETING  
AUGUST 27, 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  
Aaron Towle

Absent: William Meyer

Also Present: Joy Markee, Village Clerk  
Peter Friedman, Village Attorney  
Drew Irvin, Village Administrator  
Bettina O’Connell, Finance Director  
David Belmonte, Police Chief  
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 JULY 23, 2018 VILLAGE BOARD MEETING**

Trustee Dewart moved to approve the July 23, 2018 Board of Trustees Regular Meeting Minutes as presented. 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.

There were no requests to address the Board.

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

At the request of those present, President O’Hara moved to take Agenda Item #13, #12 and #16 then return to the regular order of the meeting. There were no objections from the Board.

**6. ITEM #13 – A RESOLUTION APPROVING A PLAT OF SUBDIVISION AND WAIVING CERTAIN REQUIREMENTS OF THE LAKE BLUFF SUBDIVISION ORDINANCE (12409 AND 12389 West Quassey Avenue Unincorporated Knollwood Area)**

President O’Hara reported State law and the Village’s Subdivision Regulations (Title 11 of the Municipal Code) provide that subdivisions lying within 1.5 miles of the Village’s corporate limits are subject to the Subdivision Regulations where the Village is the closest municipality to the land being subdivided. She further reported the subdivision will create a new buildable single-family lot, and the Subdivision Regulations require the subdividing party to contribute land or cash to provide for the current and future needs of taxing jurisdictions that will serve residents of the new dwelling unit. Consistent with past practice, the resolution will require these fees to be paid prior to the issuance of a building permit for the new lot.

President O’Hara reported the waiver of certain other requirements of the Subdivision Regulations is recommended as the subdivision is subject to review by Lake County pursuant to their Unified Development Ordinance. Lake County intends to review and may take final action concerning the plat amendment at a special meeting called on August 29.

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

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

**7. ITEM #12 – A RESOLUTION APPROVING A SITE PLAN FOR A PERGOLA AND PATIO FOR UNION CHURCH AT 515 EAST PROSPECT AVENUE**

President O’Hara reported the Union Church recently completed the construction of their new manse (pastor’s house) and tore down the old manse. They are proposing to construct a patio and pergola for outdoor events near the site of the old manse, as was discussed during their special use permit review last year. She further reported the pergola, patio, and associated lighting and landscaping were reviewed by the Architectural Board of Review at a special meeting on August 14. The ABR voted 6-0 to recommend that the Village Board approve the site plan.

Trustee Lemieux said in response to his questions that it is his understanding the sidewalk will end on Prospect Avenue and the lighting intensity will be minimal.

Jon Hirsch of Krugel Cobble, explained the lighting configuration and noted the lights will be pointed downward to illuminate the pillars and step area.

In response to questions from the Board regarding lighting, Mr. Hirsch stated the lights will not be on a timer nor illuminated during the evening hours unless there is a planned event. He reviewed the proposed courtyard layout and noted the plan is to create a welcoming space for anyone to use.

Trustee Lemieux asked when the project would be done. Mr. Hirsch said the plan is to begin immediately and complete the project by October. He reviewed the proposed plans for the pergola, flooring materials, accent lighting, and courtyard landscaping and he stated there will be benches located in the courtyard, ADA access ramp, raised altar and a cedar fence.

President O'Hara stated the proposed improvements will be a great asset to the streetscape and community.

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

**8. ITEM #16 – AN ORDINANCE AMENDING THE LAKE BLUFF ZONING REGULATIONS RELATING TO SOLAR ENERGY SYSTEMS**

President O'Hara reported at its regular meeting in August, the Joint Plan Commission and Zoning Board of Appeals (PCZBA) held a public hearing to consider amendments to the Lake Bluff Zoning Ordinance that would relax the standards applicable to building-mounted solar energy systems in residential areas. At the conclusion of the public hearing, the PCZBA recommended unanimously that the Village Board, by text amendment:

- Allow building-mounted solar panels in all districts without a special use permit;
- Remove the requirement that residential solar panels be reviewed by the ABR;
- For residential installations, add a height restriction and an optional referral for architectural review; and
- Add protective language and an installer's certification concerning glare for all installations.

President O'Hara reported there is a pending special use permit application to operate a building-mounted solar energy system at 600 Arbor Drive that was also recommended unanimously by the PCZBA at its August meeting. If the subject text amendment is approved, this special use permit would no longer be required. She further reported because the Village's current solar panel regulations require site plan review by the ABR, whose next meeting is on September 11, an ordinance issuing the special use permit will be provided for the Board's first reading consideration at its September 10 meeting.

Trustee Lemieux stated he likes the intent of this ordinance and Staff informed him that ground-mounted solar panels will be considered a special use in all districts. He asked which Advisory Board would be the arbitrator for ground-mounted solar systems and if there will be any conflicting matters.

Village Administrator Drew Irvin commented on the PCZBA aforementioned recommendation and he stated the special use permit is a separate process but for this matter the revised language eliminates ABR review for roof-mounted residential systems.

Trustee Lemieux expressed his concerns and questioned if the PCZBA would be the best arbitrator to consider aesthetics for ground-mounted solar systems. Village Administrator Irvin clarified that ground mounted solar energy systems will go through the ABR review process pursuant to the revised Ordinance (Section 10-44-B).

Trustee Lemieux expressed his understanding that if the ordinance is approved, ground-mounted solar systems will go through the ABR review process and PCZBA special use permit process. Village Attorney Peter Friedman stated the provision for building-mounted solar systems on properties used for residential purposes is not a zoning issue but the Building Commissioner could determination if it should go to the ABR for review.

President O'Hara asked if the ABR reviewed the draft ordinance. Village Administrator Irvin said an ABR review is not required but nothing precludes the Board from recommending the ABR review the draft ordinance.

In response to comments from Trustee Dewart, Village Administrator Irvin stated the Board is responsible for any referrals to the Advisory Boards and noted the ABR have not commented on the proposed changes. A discussion followed.

Trustee Ankenman inquired of the reason for the ordinance. Village Administrator Irvin said the current PCZBA members expressed a desire to modify the zoning code to reflect more contemporary building and community standards. There was a survey conducted which indicated the Village was the most restrictive in terms of highest regulatory efforts associated with solar energy systems.

In response to a question from Trustee Ankenman, Village Administrator Irvin stated he is aware of one house in the Village with a visible solar energy system.

Trustee Towle stated there are cost savings associated with the revised ordinance which will allow fewer hurdles but maintain regulatory procedures.

Trustee Dewart said he thinks this could become a more significant issue and any actions pursued should be environmentally sensitive.

Trustee Dewart moved to approved first reading of the ordinance. Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

**9. ITEM #6A – WARRANT REPORT FOR AUGUST 16-31, 2018**

President O'Hara reported expenditure of Village funds for payment of invoices in the amount of \$438,172.56 for August 1-15, 2018, expenditure of Village funds for payment of invoices in the amount of \$299,849.91 for August 16-31, 2018, and expenditure of Village Funds for payroll in the amount of \$415,557.81 for July 2018, which results in total expenditures of \$1,153,580.28 for the period.

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

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

**10. ITEM #6B – JULY 2018 FINANCE REPORT**

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

- Sales tax revenue for May 2018 of \$286,143, slightly greater than May 2017 revenue of \$281,889;
- Home rule sales tax for May 2018 revenue of \$83,442 is \$4,458 greater than May 2017. The State continues to charge an admin fee; the May 2019 fee was \$1,420.40;
- Building permit revenue for FY19 May- July is \$93,970 compared to \$296,140 for FY18 May-July;
- Some FY19 capital expenditures for the train station improvements and the audio/video equipment in the board room, as well as the non-MFT paving expenses have been paid; and
- Current expenditures are consistent with or less than the budget.

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

**11. VILLAGE ADMINISTRATOR’S REPORT: REQUEST FROM CENTRAL LAKE COUNTY JOINT ACTION WATER AGENCY TO WAIVE BUILDING PERMITS FEES FOR GRADING WORK**

Village Administrator Irvin stated CLCJAWA is requesting waiver of permit fees for grading work necessary to eliminate seepage into the water plant located at 200 Rockland Road. If a waiver is not granted, CLCJAWA will pay a \$150 permit fee.

Trustee Grenier moved to waive the permit fee in the amount of \$150. Trustee Towle seconded the motion. The motion passed on the following roll call vote:

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

**12. VILLAGE ATTORNEY’S REPORT**

Village Attorney Friedman had no report.

**13. VILLAGE PRESIDENT’S REPORT**

President O’Hara reported subject to the consent of the Board of Trustees, the Village President appoints members to the Village’s various advisory Boards and Commissions. Village President O’Hara recommends the appointment of Sophia Twichell to serve on the Sustainability and Community Enhance Ad Hoc Committee.

Trustee Towle moved to approve the appointment. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

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

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

- 10. Correspondence Delivered in the July 20, 27 and August 3, 10 and 17, 2018 Informational Reports;
- 11. Second Reading of an Ordinance Amending Title I of the Municipal Code regarding the Comprehensive Fee Schedule and approving an amendment to a professional services agreement with Passportparking, Inc.

Trustee Ankenman moved to approve the consent agenda. Trustee Grenier seconded the motion. The motion passed on the following roll call vote:

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

**15. ITEM #14 – A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH T.Y. LIN INTERATIONAL (Green Bay Road Bridge Rehabilitation Project)**

Village Administrator Irvin stated Village Engineer Jeff Hansen is at an out-of-state conference and he expressed his desire to further discussion with the Village consultant before Board consideration.

It was the consensus of the Board to table the agenda item until an upcoming meeting.

**16. ITEM #15 – AN ORDINANCE AMENDING THE LAKE BLUFF ZONING REGULATIONS RELATING TO SWIMMING POOLS**

President O’Hara reported at its regular meeting in August, the PCZBA held a public hearing to consider amendments to the Lake Bluff Zoning Ordinance that would relax the standards applicable to swimming pools in residential areas. At the conclusion of the public hearing, the PCZBA recommended unanimously that the Village Board, by text amendment:

- Replace the current location restrictions for swimming pools with new regulations prohibiting pools:
  - Within the front yard of a lot;
  - Within 10 feet of any lot line; or,
  - Within any minimum corner lot side yard setback.
- Remove swimming pools from the calculations for maximum permissible lot coverage or floor area ratio.
- No longer prohibit swimming pools on lots where any other non-conformity exists.
- Eliminate language applicable to commercial swimming pools, as this section is in the residential chapter of the Zoning Ordinance.

Trustee Lemieux moved to approved first reading of the ordinance. Trustee Grenier seconded the motion. A discussion followed.

Trustee Lemieux stated he is onboard with the PCZBA initiatives regarding revisions to the solar energy system and swimming pool regulations. However, he is concerned because the proposed ordinance allows a property owner to have an above ground pool and a deck without going through an advisory review process.

Following a brief discussion, Trustee Lemieux moved to refer the draft ordinance back to the PCZBA for further consideration as to whether or not above ground pools should be permitted at all, if so, how might they be better managed through zoning tools to address potential impacts. Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

**17. ITEM #17 – TRUSTEE’S REPORT**

There was no Trustee’s report.

**18. ITEM #18 – EXECUTIVE SESSION**

At 7:41 p.m. Trustee Grenier moved to enter into Executive Session for the purpose of discussing Ongoing Litigation (5 ILCS 120/2(c)(11)) and Minutes (5 ILCS 120/2(c)(21)). Trustee Dewart seconded the motion. The motion passed on a unanimous voice vote.

There being no further business to discuss, Trustee Towle moved to adjourn out of executive session. Trustee Lemieux seconded the motion and the motion passed on a unanimous voice vote at 7:52 p.m.

**19. ITEM #19 – CONSIDERATION OF THE MINUTES OF THE JULY 23, 2018 EXECUTIVE SESSION MEETING**

Trustee Dewart moved to approve the July 23, 2018 Board of Trustees Executive Session Meeting Minutes as presented. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

**20. ITEM #26 – ADJOURNMENT**

Trustee Ankenman moved to adjourn the regular meeting. Trustee Grenier seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 7:53 p.m.

Respectfully Submitted,

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R. Drew Irvin  
Village Administrator

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Joy Markee  
Village Clerk