

**VILLAGE OF LAKE BLUFF  
BOARD OF TRUSTEES  
REGULAR MEETING  
JULY 22, 2019**

**APPROVED MINUTES**

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

Village President O’Hara called the meeting to order at 7:07 p.m. in the Lake Bluff Village Hall Board Room, and Village Clerk Megan Michael called the roll.

The following were present:

Village President: Kathleen O’Hara

Trustees: Barbara Ankenman  
Eric Grenier  
Joy Markee  
William Meyer

Absent: Regis Charlot, Village Trustee  
Aaron Towle, Village Trustee

Also Present: Megan Michael, Village Clerk  
Ben Schuster, Village Attorney  
Drew Irvin, Village Administrator  
Bettina O’Connell, Finance Director  
Jeff Hansen, Village Engineer  
Mike Croak, Building Codes Supervisor  
Jake Terlap, Public Works Superintendent  
Mike Hosking, Interim 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 MINUTES OF THE JULY 8, 2019 VILLAGE BOARD MEETING**

Trustee Grenier moved to approve the July 8, 2019 Board of Trustees Regular Meeting Minutes as presented. Trustee Markee seconded the motion. The motion passed on a unanimous voice vote.

Following a comment from Village Administrator Irvin regarding a typographical error, Trustee Ankenman moved to approve the July 8, 2019 Board of Trustees Regular Meeting Minutes as amended. Trustee Meyer 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.

George Russell said the Criterium bike race and block party is scheduled for Saturday, July 27<sup>th</sup> and approximately 45 volunteer course marshals are needed to safely staff the upcoming event. Anyone interested should google *lakebluffcriterium.com* and select the volunteer tab to register. He said this year as an enticement the course marshals will be entered in a drawing for \$75 gift certificates to downtown restaurants.

**5. ITEM # 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 JULY 16-31, 2019**

President O'Hara reported expenditure of Village funds for payment of invoices in the amount of \$711,537.42 for July 16-31, 2019 which resulted in total expenditures of \$711,537.42.

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

Ayes: (4) Ankenman, Grenier, Markee and Meyer  
Nays: (0)  
Absent: (2) Charlot and Towle

**7. ITEM #6B – FINANCE REPORT**

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

- The sales tax revenue on a cash basis for FY19 May-April of \$3,227,315 is \$41,578 or 1.3% greater than the same reporting period in FY18;
- Home rule sales tax revenue for FY19 May- April of \$925,009 is 4.3% less than the same reporting period in FY18, with an annual administrative fees totaling \$14,052;
- Building Permit revenue for revenue for FY20 to date is \$66,565 or \$14,665 less than last fiscal year for the same time period;
- The May-June FY20 General Fund expenditures of \$1,195,885 are \$425,889 less than the expenditures for the same period in FY19. This can be attributed to pending capital expenditures of \$336,298 paid in July related to the non MFT resurfacing and the Metra lot paving project; and
- Current expenditures are consistent with or less than the budget.

Following a request from President O'Hara, Village Administrator Irvin provided an update on the Metra parking lot pavement project and said it should be done this week.

As there were no questions from the Board, Trustee Markee moved to accept the Finance Report. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

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

Village Administrator Irvin said there will be public safety officials present at the upcoming Critterium bike race sponsored by Northwestern Lake Forest Hospital and commented on why the cyclists appreciate the technical nature of the race course and public safety support facilities.

Village Administrator Irvin reported that the regularly scheduled August 12<sup>th</sup> Village Board meeting has been cancelled and the next meeting will be on August 26<sup>th</sup>.

In response to a question from Trustee Grenier, Village Administrator Irvin said emergency services for the bike race will be provided by Lake Forest Hospital.

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

Village Attorney Ben Schuster had no report.

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

President O’Hara said uptown parking could be impacted by the bike race and block party.

**11. ITEM #10 – ACCEPTANCE OF THE CORRESPONDENCE**

President O’Hara introduced the correspondence from the Informational Reports on July 5 and 12, 2019.

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

**12. ITEM #11 – A RESOLUTION AMENDING AN OUTDOOR DINING FACILITY PLAN FOR TEMPEHL CO. (Be Market – 20 East Scranton Avenue)**

President O’Hara reported pursuant to Resolution 2017-58, Be Market operates outdoor dining facilities in the public right-of-way in front of their store at 20 E. Scranton Avenue in Block One of the Central Business District. Following the placement of furniture contrary to their outdoor dining approval, Be Market was directed to seek Village Board approval of their modified outdoor dining site plan to reflect the new types and locations of furniture. President O’Hara further reported the Village Administrator recommends the Board approve the requested amendment, contingent upon the following adjustments to Be Market’s requested site plan that are incorporated in Exhibit B of the attached draft Resolution:

- Removing one table and four chairs on the east side of the building to increase separation from Hansa Coffee.
- Shifting furniture on the east side of the building further south to increase separation from Hansa Coffee.
- Removing one table and four chairs on the south side of the building to improve crosswalk access.
- Relocating one table and two chairs on the south side of the building to improve crosswalk access.
- Reducing a lounge set near the building’s front entry from four seats to two to improve entry access.

Trustee Meyer asked if the recommended changes reflect the current state of affairs. Village Administrator Irvin said the revised site plan is contingent upon reducing a lounge area near the entrance to two seats, removal of one table and four chairs on the east side of the building, on the south side of the building removal of one table and four chairs, and relocate one table and two chairs to improve crosswalk access. A discussion followed.

In response to a question from Trustee Ankenman, Village Administrator Irvin said a broken glass top table precipitated the changes. Also, the replacement furniture was contrary to the approved outdoor dining site plan.

President O'Hara said outdoor seating is welcome downtown but sidewalks are for pedestrian access and often it is difficult to navigate downtown; therefore, it is important that all downtown businesses be reminded to keep seating areas within the required constraints.

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

Ayes: (4) Grenier, Markee, Meyer and Ankenman  
Nays: (0)  
Absent: (2) Charlot and Towle

**13. ITEM #12 – A RESOLUTION APPROVING A COMMUNITY SOLAR SUBSCRIPTION AGREEMENT WITH MC SQUARED ENERGY SERVICES, LLC FOR VILLAGE FACILITIES AND APPROVING THE WAIVER OF COMPETITIVE BIDS**

President O'Hara reported at the June 24 meeting of the Finance Committee, the attached Resolution would authorize the Village Administrator to enter into an agreement with MC Squared Energy Services, LLC to purchase community solar credits from a solar array under construction in Elgin. President O'Hara further reported details concerning community solar projects in Illinois and the contract were provided to the Finance Committee in the attached memorandum. In summary, the agreement allows the Village to realize a 10% discount on electricity over a 20-year term. The Village has the option to unilaterally terminate the agreement upon 30 days' notice.

President O'Hara reported the final terms of the agreement and the exact volume of credits available for the Village are still being negotiated. However, to secure its share of the array's limited credits available for purchase, the Village will need to act prior to the Village Board's next scheduled meeting on August 26. At this time, Staff anticipates that the Village will be able to purchase approximately 150,000 kilowatt hours from the Elgin facility at an annual cost of \$9,000; annual realized savings of \$1,000; and a total contract value of \$180,000 over 20 years. President O'Hara further reported as the amount of the contract will exceed \$20,000, Board authorization is required. Additionally, as the Elgin solar array is currently the sole source available to the Village to purchase community solar credits, Staff further requests that the Board waive competitive bidding.

Trustee Grenier asked if the estimated annual savings will increase as energy cost increases. Village Administrator Irvin said the Village will receive the renewable form of energy as part of the North Shore Electricity Aggregation Consortium.

Following a request from Village Administrator Irvin, AVA Cole said additional future savings will be captured as energy prices and subscription value fluctuate over time.

In response to a question from Trustee Grenier, AVA Cole said the Elgin plant is the sole source because it had begun the process before the State approved legislation but there will be other projects available in the future.

Village Attorney Schuster said if the Village desires to renegotiate or seek another vendor, the contract provides the Village unilateral right to terminate the subscription agreement at any time upon 30-day notice to the provider.

In response to a question from Trustee Ankenman, AVA Cole said the Village will purchase community solar credits at a cost of 90% of the applicable retail electricity rate inclusive of market adjustments, thereby yielding a 10% savings for the amount of electricity purchased. The only cap would apply to the number of kilowatt hours the Village will receive.

In response to a comment from Trustee Ankenman, AVA Cole concurred that if the Village spends \$50,000 a year, the anticipated savings should amount to \$5,000 and noted that eventually the Village will reach its maximum electricity purchase. A discussion followed.

In response to questions from the Board, AVA Cole said currently there are no other plants online in the ComEd region. He explained that the process would allow ComEd to purchase 100% of the plant's output then determines who will receive the credit on their bill. Also, the Village agreement with MC Squared is not contingent on any other municipality.

Village Administrator Irvin said this fits into the Village larger sustainability goals of energy conservation and alternative sources of energy.

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

Ayes: (4) Markee, Meyer, Ankenman and Grenier  
Nays: (0)  
Absent: (2) Charlot and Towle

**14. ITEM #13 – A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE VILLAGE'S BLOCK ONE TREE GRATE PROJECT**

President O'Hara reported on April 16, 2019 the Village entered into a contract with Horvat Design Group or Lake Bluff, IL to install five new tree grates on the north side of E Scranton Avenue in Block One of the Village's Central Business District (CBD). The contract was in the amount of \$18,976 and was approved by Village Administrator Drew Irvin under his authority. The project was done jointly with Village Public Works personnel performing some of the tasks and Horvat personnel performing others. Two portions of the work being done by Horvat Design Group included pouring concrete supports for the new grates and replacing sections of bluestone that were temporarily removed while the tree grates were installed. During construction additional work was required in relation to these two tasks:

- When the existing area was excavated it was determined that the underlying soil did not have adequate strength to support the tree grates and additional concrete and steel reinforcing bars were going to be required.
- A portion of the bluestones that were to be re-set were in poor condition and replacement stones were necessary.

President O'Hara reported Horvat Design Group performed the additional work at a cost of \$6,814.00. With the change order the total contract amount is increased to \$25,790, necessitating Village Board approval. The Village's capital plan includes \$40,000 for this CBD improvement project. In addition to the contract with Horvat Design Group the Village purchased the tree grates for a cost of \$13,785, bringing the total project cost to \$39,575. She further reported the Village Engineer recommends that the Village Board approve the change order to the construction contract with Horvat Design Group.

In response to questions from Trustee Meyer, Village Engineer Jeff Hansen said it was discovered during the excavation that the subbase was too soft and the additional rebar and concrete needed to support the tree grates was not included in the original scope of work.

Village Administrator Irvin commented that the businesses in that area were very cooperative and love the improvements.

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

Ayes: (4) Meyer, Ankenman, Grenier and Markee  
Nays: (0)  
Absent: (2) Charlot and Towle

**15. ITEM #14 – TRUSTEE'S REPORT**

There was no Trustee's report.

**16. ITEM #15 – EXECUTIVE SESSION**

At 7:31 p.m. Trustee Meyer moved to enter into Executive Session for the purpose of discussing Appointment of an Official (5 ILCS 120/2(c)(3)) and Personnel (5 ILCS 120/2(c)(1)). Trustee Grenier seconded the motion. The motion passed on the following roll call vote:

Ayes: (4) Ankenman, Grenier, Markee and Meyer  
Nays: (0)  
Absent: (2) Charlot and Towle

There being no further business to discuss, Trustee Ankenman moved to adjourn out of executive session. Trustee Meyer seconded the motion and the motion passed on a unanimous voice vote at 7:43 p.m.

**17. ITEM #16 – CONSIDERATION OF THE JULY 8, 2019 EXECUTIVE SESSION MEETING MINUTES**

Trustee Ankenman moved to approve the July 8, 2019 Board of Trustees Executive Session Meeting Minutes as presented. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

**18. ITEM #17 – ADJOURNMENT**

Trustee Markee moved to adjourn the regular meeting. Trustee Ankenman seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 7:44 p.m.

Respectfully Submitted,

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R. Drew Irvin  
Village Administrator

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Megan Michael  
Village Clerk