

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 9, 2020**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O’Hara called the meeting to order at 7:03 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
Regis Charlot
Mark Dewart
Joy Markee
William Meyer
Aaron Towle

Also Present: Megan Michael, Village Clerk
Peter Friedman, 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, Police Chief
Glen Cole, Assistant to the Village Administrator

2. PLEDGE OF ALLEGIANCE

President O’Hara led the Pledge of Allegiance.

3. CONSIDERATION OF THE MINUTES OF THE FEBRUARY 24, 2020 VILLAGE BOARD MEETING

Trustee Markee moved to approve the February 24, 2020 Board of Trustees Regular Meeting Minutes as presented. Trustee Dewart seconded the motion. The motion passed on a unanimous voice vote.

4. ITEM #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

Trustee Meyer made a motion to take Agenda Items #15 and #16 then return to the regular order of the meeting. Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

6. ITEM #15 – AN ORDINANCE AMENDING SECTIONS 10-15-3 AND 10-15-4 OF THE LAKE BLUFF ZONING REGULATIONS TO PERMIT APPLICANTS TO SEEK HEIGHT MODIFICATIONS AS PART OF THE APPROVAL OF A PLANNED MIXED-USE DEVELOPMENT

President O'Hara reported in November and December, the Joint Plan Commission and Zoning Board of Appeals (PCZBA) conducted workshops regarding a proposed 20-unit condominium redevelopment of the former PNC Bank site at 120 East Scranton Avenue, also known as Block 3 of the Central Business District. At the conclusion of its December workshop, the PCZBA requested that the Village Board initiate the process to eliminate the two story or 30 foot maximum height restriction applicable to Planned Mixed-Use Developments (unless a variation is received). At its January 13, 2020 meeting, the Village Board voted to submit the application for a text amendment as requested. The PCZBA conducted its public hearing on Wednesday, February 19 and considered three options presented by Staff, including:

1. Take no action and leave the height limitation in place.
2. Delete the height limitation applicable to Planned Mixed-Use Developments. A developer would still need to seek a modification and satisfy certain standards to exceed the applicable underlying height limitation.
3. In addition to #2, adjust the underlying height limitations applicable to Block Three and the adjacent residential zones only when pursuing a unified development. No modification would be needed to exceed the applicable underlying height limitation.

President O'Hara reported following considerable public comment and discussion, the PCZBA recommended (3-2) that the Village Board take no action and leave the height limitation and associated variation process in place. On February 24, 2020 the Village Board accepted a staff report regarding the PCZBA's recommendation, received public comment and, following a discussion, directed staff to prepare an ordinance to eliminate the height limitation and associated variation process applicable to Planned Mixed Use Developments.

President O'Hara opened the floor to public comments and asked everyone to limit their comments to three (3) minutes.

Becky Kluchka, a longtime Village resident (131 East Scranton), said PCZBA members should be recognized for their support and expressed her belief that the committee wasted its precious time only to have the Village Board ignore its recommendation. She said her family have given countless volunteer hours to the Village which resulted in her husband receiving accolades for serving as a volunteer firefighter/EMT. Ms. Kluchka said she purchased property on Route 41, with a Lake Bluff zip code, only to be handed off to the City of North Chicago governing body because it was in the best interest of the Village. She stated she never had the opportunity to plead her case to any Advisory Board that she had to accept the decision. To her the discussion this evening is because people have purchased lots in the Village, at their own risk, and now residents have to tirelessly keep steward over this intricate piece of transition in this unique community. Ms. Kluchka said “no” to her is defined as “no projects that cannot be within the parameters of zoning will either have to adjust or find a different community.” The Village Board has been elected to preserve and protect the Village, and she hopes the committee will understand and listen to its residents that are committed to the Village and their values.

In response to a question from Resident Jim Arnold, President O’Hara said Staff will speak with him regarding the definition of a planned mixed use development.

Holly Volkert, 108 East North Avenue, said there have been numerous discussions regarding Block Three and nothing came of those efforts except the 30 ft. height restriction. From her experience with this process she has learned that nothing she says will be heard. It is her opinion the Village Board has made up their mind to push through its agenda and ignore the recommendation of its appointed advisory board. At the previous meeting no one spoke in favor of eliminating the 30 ft. height restriction, except the realtor representing the proposal, and the Village Board voted unanimously to remove the height restriction. Also, it is her opinion that there is a proposal on the table but it just has not been formally submitted. She feels it is imperative to provide interested developers with specifications and said she hopes the Village Board will suggest a 3D model of the existing CBD; she further stated that it would be prudent to place the parameters of proposed developments into the 3D model to show the height differences, bulk comparison, and shade variances. She also suggested that an addendum be included that would deny members of the Village Board or Subcommittees that have a vested interest (financially or as a resident) in a project. Additionally, she thinks the amendment should deny anyone serving on a governing board or subcommittee, as well as their extended family members, from residing at the development for a minimum of five years upon completion of the project. Ms. Volkert said she feels any proposal submitted for consideration should be transparent in regards to investors, funding, and contractors. She said property tax credits should be given to surrounding homes negatively impacted by sunlight exposure, increase in traffic or determent due to a PMD project. She said the Roanoke Group was the first developer that submitted a proposal for Block Three and owners of the disastrous Stonebridge property. Although, the parameters of the PMD included maintenance and upkeep of the Manor House, the developer has been allowed to let the structures dilapidate without any consequences, and are now seeking a demolition permit for the structures. These actions demonstrate what developers think of the existing Village rules and regulations, and why they feel they can renege on promises when working with a governing body that will not stand firm on contractual obligations. She asked the Village Board to consider her suggestions and stand firm on its expectations.

Resident Patricia Havrin expressed her concern regarding inconsistencies. She commented that it has been said that short term rental guests will negatively impact neighboring property values, but the Village is considering a 20 unit condominium that could also significantly decrease property values.

Kate Briand said it is nonsensical to assume this is about making it possible to hear proposals because to her it is really about one proposal. She commented on a few of the correspondence distributed in the PCZBA packets regarding the Block Three proposal. It is her belief that this matter is in response to a comment made at a previous PCZBA meeting, that if the text amendment is not supported the developer would pull the proposal. The Village Board gave the developer his support and to her that is not governing or good policy. Ms. Briand said she is a little skeptical because three reserve payments have been accepted on the proposed project and noted that in 2016 the Village Board unanimously voted for the height restrictions and not a single circumstance has changed.

Mark Stolzenburg presented a video of Trustee Meyer's comment from the September 12, 2016 Village Board meeting and said as of today he has not heard a better justification or explanation for the 30 ft., two story, height limitation and associated variation procedure. Mr. Stolzenburg asked what has changed and noted he is struggling with the fact that nothing has changed in his view. He commented that certain provisions in the PMD provide absolutely no protection for families and taxpayers that have chosen to invest in Lake Bluff. He went on to say that should the Village Board decide to remove the height restriction, its legacy will be a broken promise of "No 3 on 3" and place the interest of developers and land speculators above tax payers. Mr. Stolzenburg asked the Village Board to keep its word and choose families over developers, and maintain the height restriction.

Brad Andersen thanked everyone for their careful consideration of the possible changes in the zoning code. He thinks these changes will allow future developments to be objectively considered and criticized by both the PCZBA and Village Board. Also, the change will encourage developers to come forward with a thoughtful plan and work with the PCZBA and Village Board to eventually develop the property.

Mickey Collins, 217 East Scranton, said waiting to see what gets proposed for a specific site is considered incredibly bad zoning and the concept could be associated with spot zoning and sometimes special privilege. Ms. Collins went on to say that, at the PCZBA public hearing for this matter, Ms. Kluchka gave an emotional presentation and questioned why one applicant is receiving special consideration. She stated that the best zoning practice would be to establish standards which will guide developers, and align with the goals and desires of the community. Ms. Collins said the only reason to change the height for this particular lot is that the entire CBD should be three stories and she thinks residents like the small scale "Mayberry" feel of the Village and that this should be kept in mind during this deliberation.

Terry Moran said his family moved to Lake Bluff in the 1950s, shared some family memories and said he is hopefully that he will not have to leave the hustle-bustle of Lake Bluff.

Terry Bleck, 17 East North Avenue, said approximately 27 years ago she purchased an affordable townhome on Block One to live in Lake Bluff, the town that she grew up in and where her father was the former Village Engineer, prior to George Russell. She commented that now the majority of the townhomes where she lives have now been purchased by a single owner, Brad Andersen, and she feels more like a renter than a property owner. Ms. Bleck said that she cannot say that a 20 unit, three story building would be for the betterment of Lake Bluff or in the best interest of its residents; it is her opinion it is simply for greed.

Tony Maholeski, 757 Lincoln Avenue, said he moved to Lake Bluff because he enjoy the small town atmosphere but he thinks downtown needs development. He is currently renovating his home and Village regulations includes the installation of a sprinkler systems, upgrade water lines, amongst other requirements, although he is not changing the overall footprint of the house, and he said everyone should be expected to follow the rules and regulations. He said affordable homes have been on the market for an extended period of time and it make no sense to add more condominiums, he thinks downtown needs more retail type businesses.

Jean Niemi, 580 Evanston Avenue, said numerous people have given concrete, economic and emotional reasons as to why this project is not a good idea for Lake Bluff. She asked why the Village Board is voting against the citizens it represents and the PCZBAs recommendation, to take no action and leave the height limitation and associated variation process in place. At the PCZBA public hearing only one person stated “if the restriction was not removed the proposal would be pulled”, and asked why one statement, as opposed to many statements, resulted in a unanimous vote from the Village Board. She asked how the Village Board could represent its people if the desires of the many are not being heard. She believes there needs to be established guidelines to help developers submit an appropriate proposal.

As there were no further public comments, President O’Hara opened the floor to comments from the Village Board.

Trustee Meyer said it is clear to him the neighbors do not want the new project, familiarized themselves with the project, and as he has not heard a compelling case to the contrary and he intends to vote “no” to first reading of the ordinance.

In response to a question from Trustee Ankenman regarding underlying zoning, Village Administrator Drew Irvin said if a developer applied for a PMD development, as it stands today without the text amendment, the developer would be required to seek a variation if the project exceeded the allowable underlying zoning height. He stated that presently there are two different zoning districts on the south side of Block 3, the height limit for the eastern parcels is 34 ft. and the height limit for the CBD zoned western parcels are two stories or 30 ft. He said pursuant to the proposed ordinance, if the text amendments are approved, developers would go through a modification process and underlying zoning will not change. He said developers would not be allowed to build as of right at heights in excess of the underlying zoning district, but would need to follow a modification process, and satisfy the special use permit standards associated with the PMD tool.

Trustee Ankenman said the important distinction is that underlying zoning will remain if the height restriction is removed from the PMD. She would like to see what could be creatively done, if many variables such as greenspace could be used, and wonders if the slightly higher underlying zoning for the eastern lots could be used on the development. Trustee Ankenman said she is interested in seeing possibilities for the site, multi-family housing not listed on the high end of the spectrum, but she is not interested in a three story development. She said her vote to allow a 30 ft. restriction was to inspire more creativity and accomplish some larger goals. However, there appears to be a lack of public trust which believes the Village Board is acting independently, not acting in the best interest of the community and concerns regarding transparency. Trustee Ankenman said removal of the 30 ft. restriction could be perceived as the Village Board not being transparent. Trustee Ankenman said important goals to her are to fulfil diverse housing, seek creative solutions, protect green space but these are nebulous because no formal proposal has been presented and she is really torn and concerned about the lack of public trust raised by certain residents.

Trustee Charlot said he moved to Lake Bluff because it is a special community. He commented on how new developments negatively impacted his property on East Washington and Moffett Road and expressed the need to have harmonious developments. He said Lake Bluff does not have sufficient housing diversity for people seeking to downsize and remain in the area. He would like to consider harmonious developments and he is concern about transparency because people are doubtful about what is occurring on the Advisory Boards.

Trustee Dewart said he is interested to find out what a creative architect or developer might have to offer to the Village and noted his comment is not in regards to a specific development. The Village needs to be attentive to the functional attributes of planning technologies such as 3D modeling, and the analyses of daylight coverage and shade studies; these are critical to the Village's exploration and consideration of proposals. Trustee Dewart said he is not aware of any transparency issues and to prevent any conflict of interest Board Members are required to recuse themselves, leave the room, with no monitoring or listening, no participation in the discussion, or undue influence before the public. He stated that he and his fellow Board members take these matters very seriously.

Trustee Markee echoed her colleague's comments and said she feels the Village Board considers what would be in the best interest of the Village. She said public feedback is appreciated and help when making these decisions. Trustee Markee said she feels the text amendment will give the Village Board an opportunity to look at different creative projects for that area. She expressed her understanding that there is a need for diverse housing downtown. She commented on how there was opposition to growth on the west side of Lake Bluff, specifically, development of the Terrace Subdivisions and she feels the community needs to be open to change and growth. However, she doesn't feel like the time for that change is now, and hopes that it will be an option in the future. Trustee Markee said she is concerned that people feel the Village Board is not doing what is in the best interest of the Village.

Trustee Towle said he appreciate the constructive public comments as it may provide some direction to the Village Board but he find the accusatory comments insulting. He is still opposed to any development greater than two stories and he wonders if there could be an additional option,

eliminate the 30 ft. maximum height restriction but keep it two stories. The majority of people that attend the meetings spoke against three story developments but he thinks there is quite a bit of support in the Village for these type of developments. Trustee Towle said he is torn because he would be fine if the Village Board decides to eliminate the restriction or leaving it in place, but he is leaning toward keeping the height restriction because he does not want a development larger than two stories on that property.

In response to a question from President O’Hara, Village Attorney Friedman said it is possible to maintain two stories and remove the 30 ft. height restriction, but floors have different heights and the 30 ft. specificity could be lost.

Trustee Towle expressed his understanding that it may be difficult to work within the 30 ft. restriction but he is set on two stories and open to less restrictive height. A discussion followed.

Trustee Ankenman said the lack of public trust is significant and she would like to have more latitude, but the public comments will definitely impact her vote. Just prior to her vote, she clarified the motion on the table.

Trustee Ankenman made a motion to approve the ordinance as written. Trustee Markee seconded the motion. The motion failed on the following roll call vote:

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

President O’Hara allowed a brief intermission to allow people to leave the meeting.

7. ITEM #16 – AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A RESTAURANT AND DRINKING PLACE AND BULK AND PARKING VARIATIONS (Lawrence English Pub – 103-113 East Scranton Avenue)

President O’Hara reported on January 9, 2020, the Village of Lake Bluff received a zoning relief application from Lawrence Property, LLC (Applicant) to enclose the former Lake Forest Bank and Trust drive-through at the southern end of 103-113 East Scranton Avenue and to repurpose it as an English pub (restaurant and drinking place). The tenant space would accept pedestrian traffic from the west through the privately owned Scranton Alley as well as from the south by converting the bank drive aisle into a pedestrian walkway. This development requires the issuance of a special use permit; setback and parking variations; and site plan review.

President O’Hara reported the PCZBA opened a public hearing concerning the requested special use permit at its February 19 meeting. At the conclusion of the hearing, the PCZBA recommended unanimously that the Village Board grant the requested special use permit subject to various special conditions, including, notably:

- Closure of Former Drive Through. The Applicant will convert the drive-through to a pedestrian walkway and provide an easement assuring its future public access.

- Construction of Public Parking Spaces. The Applicant will construct and dedicate three new parking stalls at Oak Avenue, generally in the location of the former curb cut for the drive-through.
- Employee Parking at Train Station. Consistent with other CBD restaurants, the employees of the Restaurant will be required to park at the train station using an annual permit.
- Hours of Operation. The Restaurant's hours of operation are limited as follows:
 - i. Monday through Friday, between the hours of noon to 11:00 p.m.
 - ii. Saturday, between the hours of 7:00 a.m. to 10:00 a.m. and 2:00 p.m. to midnight.
 - iii. Sunday, between the hours of 2:00 p.m. to 10:00 p.m.
 - iv. The outdoor dining area will always close no later than 10:00 p.m.(This condition may be amended by the Village Board by resolution without a subsequent application.)

President O'Hara reported at the ABR's March 3 meeting, the ABR recommended approval subject to various design modifications. These modifications are currently listed in the Ordinance; however, Staff is working with the Applicant to obtain a revised set of plans prior to second reading approval. The revised plans will include details regarding a replacement fence along the south property line, design elements intended to reduce noise transmitted to adjacent condominium residents. After construction, the Applicant would also be required to seek a liquor license. This will also require an amendment to the Village Code by the Village Board and issuance of a license by the Village President (in the capacity as Liquor Commissioner).

Trustee Markee questioned if the proposed additional three parking spaces on Oak Avenue would be sufficient parking for the proposed development project.

In response to a question from Trustee Towle, Village Administrator Irvin said the Center Avenue Partners property rear parking lot is designated as private parking.

In response to a question from Trustee Ankenman, Gary Lawrence said the total capacity for the interior dining area is approximately 42 seats and 10 seats for the outdoor garden area. Trustee Ankenman thanked the Applicant for the redevelopment proposal and said she appreciate the theme of bringing people together around something positive.

In response to a question from Trustee Meyer, Mr. Lawrence said there is no-pass through access between the interior and exterior areas of the restaurant. The plan is to install an iron gate opposite the rear service entrance to allow Staff to exist the building directly into the outdoor garden area. Trustee Meyer expressed his concern regarding food and alcohol being delivered through Scranton Alley.

Scott Streightiff said the PCZBA and ABR requested revisions to the plans and that a final version be submitted prior to second reading of the ordinance.

In response to a question from Trustee Markee, Mr. Lawrence said there has been communication with their building tenants and they are addressing noise concerns as a result of the concerns

expressed by residents living the condo building. Trustee Markee said this is a nice idea for Lake Bluff.

President O’Hara opened the floor for public comment.

Jerry Kluchka said he is in favor of the project and based on his observation there should not be any parking issues on Oak Avenue.

Denise Petticord said she lives in the condo building located south of the proposed development and asked what does the statement “this condition may be amended by the Village Board by resolution without a subsequent application” under the hours of operation mean. Village Administrator Irvin said the Village Board could make a decision regarding the hours of operation outside of a public hearing, but a public process is required for the reading of the resolution which the Village Board could act on without seeking input from the Advisory Boards or written notice to nearby property owners.

In response to questions from Denise Petticord, Village Administrator Irvin said second reading of the ordinance is scheduled for the first meeting in April and if desired Staff could notify her when the meeting materials are posted which will include the final plans.

Trustee Ankenman made a motion to approve first reading of the ordinance with an amendment to Section 6D that would read: “Unless otherwise approved by the Village Board of Trustees by resolution duly adopted after reasonable advance written notice to all property owners within 300 ft. of the Subject Property.” Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

8. ITEM #6A – WARRANT REPORT FOR MARCH 1-15, 2020 AND FEBRUARY 2020 PAYROLL EXPENDITURES

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$417,205.84 for March 1-15, 2020 and expenditure of funds for payment of payroll in the amount of \$295,150.10 for February 2020 for a total amount of \$712,355.94.

Trustee Meyer, Seconded Trustee Markee. The motion passed on the following roll call vote:

Ayes: (6) Charlot, Dewart, Markee, Meyer, Towle and Ankenman
Nays: (0)
Absent: (0)

9. ITEM #7 – VILLAGE ADMINISTRATOR’S REPORT

Village Administrator Irvin said there will be one Village Board meeting in March because of a lack of quorum due to spring break and the next official Village Board meeting will be in April. He advised that the Roanoke Group, Stonebridge property owners, submitted an application to amend the Planned Residential Development which governs that property. The PCZBA will hold

a public hearing at its next meeting regarding the proposed new plan which has been shared with the public for 98 units and demolition of the Manor and Gate houses.

Village Administrator Irvin said Staff and public safety officials have begun preparation to locally manage the coronavirus pandemic.

10. ITEM #8 – VILLAGE ATTORNEY’S REPORT

Village Attorney Peter Friedman had no report.

11. ITEM #9 – VILLAGE PRESIDENT’S REPORT: APPOINTMENT OF JILL DAHLMANN ROSA TO THE SENIOR RESOURCES COMMISSION

President O’Hara said Governor J.B. Pritzker pronounced a State of Emergency decree in response to the coronavirus threat. The disaster proclamation is an operational procedures which will allow federal government to reimburse costs related to the State’s response and make state disaster relief funds available. She said first responders, public safety personnel, municipalities, schools, Park District and Lake County Health Department are working closely together to keep everyone updated. She asked everyone to strictly follow the common sense safety guidelines and check on their vulnerable friends and neighbors.

President O’Hara recommended the appointment of Jill Dahlmann Rosa to fill the vacancy on the Senior Resources Commission and said she thinks Ms. Rosa will be a great asset to the commission.

President O’Hara said Susan Benjamin, an architectural consultant, will present her community survey findings at the upcoming Historic Preservation Commission meeting.

Trustee Dewart made a motion to approve the appointment. Trustee Charlot seconded the motion. The motion passed on a unanimous voice vote.

12. ITEM #10 – ACCEPTANCE OF THE CORRESPONDENCE

President O’Hara introduced the correspondence from the Informational Reports on February 21 and 28, 2020.

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

President O’Hara made a motion to take agenda item #14. There were no objections from the Board.

13. ITEM #14 – SECOND READING OF AN ORDINANCE AMENDING THE LAKE BLUFF ZONING REGULATIONS AND THE LAKE BLUFF MUNICIPAL CODE TO EXTEND THE SHORT-TERM RENTAL REGULATIONS FOR AN ADDITIONAL YEAR

President O’Hara introduced the agenda item then opened the floor to public comments.

Resident Patricia Havrin said she does not agree that having a guest in her home for two weeks out of the year will decrease property values. She added that the current STR regulations include a limitation where adjacent properties with shared driveways, and driveway in the regulations is defined as “any driveway that is within 5 ft. of another driveway,” be addressed and that homeowners property rights not be taken away. She expressed her belief this certain Village Board members may view this as an investment issue, not a family issue, because she is not allowed to use her home as a short-term rental even though she would be present in the home.

As there were no comments from the Board, Trustee Dewart made a motion to approve second reading of the ordinance. Trustee Charlot seconded the motion. The motion passed on the following roll call vote:

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

14. ITEM #11 – A RESOLUTION AUTHORIZING THE PURCHASE OF A NEW FUEL TANK GAUGE AND A FUEL MANAGEMENT SYSTEM AT THE PUBLIC WORKS GARAGE

President O’Hara reported the FY2020 Village budget includes \$25,000 for a new Public Works fuel management system. The system replaces existing technology utilized for fleet operations to control access, and monitor the underground fuel storage tanks for leaks. The present equipment is over twenty years old and no longer supported or compatible with current computer operating systems. Data collected and measured by the new management system will be automatically sent via a network connection to software providing real-time on-site reporting, monitoring access and consumption.

President O’Hara reported the Public Works department recommends the combined purchase of \$25,890 from Stenstrom for the fuel management system FuelMaster manufactured by Syn-tech Systems (\$15,430) and the automatic tank gauge Veeder Root manufactured by Gilbarco (\$10,460) under the Sourcewell-NJPA purchasing cooperative.

In response to a comment from Trustee Meyer regarding outsourcing fuel, Village Administrator Irvin said this is a minor investment and replacement of the underground storage tanks could be discussed at future budget meetings. The Village insurance is sliding scale based on the age of the tanks and at some point it may become palpable to keep paying the insurance. There have been preliminary discussions regarding outsourcing the fuel but from a public safety and public works perspective it is more cost effective and easier to operate on site.

Public Works Superintendent Jake Terlap said the Village would probably hire a consultant to determine when the underground storage tanks should be replaced and/or removed and there will be significant cost associated with removal of the existing equipment and contaminated soil. However, there are several options available should the Village decide to outsource or do above ground tanks.

Village Administrator Irvin said the Village has contingency plans regarding onsite fuel tanks. This minor investment is to ensure the system is working properly and the information will be sent to the State Fire Marshall's Office to ensure the Village is meeting its regulatory obligations.

In response to a comment from Trustee Markee, Public Works Superintendent Terlap said he does not anticipate any additional cost as part of the installation.

As there were no questions 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: (6) Markee, Meyer, Towle, Ankenman, Charlot and Dewart
Nays: (0)
Absent: (0)

15. ITEM #12 – A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH BAXTER & WOODMAN, INC (Phase 1 Design Agreement for Green Bay Bridge Rehabilitation Project)

President O'Hara reported the Village has secured federal funding through the Surface Transportation Program – Bridge (STP-BR) for the replacement of the superstructure of the bridge on Green Bay Road over the Union Pacific Railroad tracks. The current bridge was constructed in 1988 and the bridge deck beams and other elements have deteriorated to the point where they will need to be replaced in the next several years. The project has been awarded STP-BR funding which will pay for 80% of the Phase I Engineering, Phase II Engineering, and Phase III Construction costs. The three phases of the bridge project are estimated to cost a total of \$2.25M, of which \$1.8M will be federal funds and \$475,000 will be Village funds. The construction schedule is dependent on the Village securing federal funding for the Green Bay Road Reconstruction project, and is likely to happen in either 2022 or 2023.

President O'Hara reported in compliance with Federal funding requirements, the Village requested qualified engineering firms submit a Statement of Qualifications (SOQ) for performing the Phase I work for the project. Five firms submitted SOQ's and Village personnel determine the most qualified and responsive firm was Baxter & Woodman, Inc. of Crystal Lake, Illinois. Baxter & Woodman subsequently submitted a proposal to complete Phase I of the project for a fee not to exceed \$109,967.88. The agreement has been approved by the Illinois Department of Transportation (IDOT) and calls for the Village to pay the consultant directly for engineering work and for IDOT to reimburse the Village for 80% of the funds expended. The Village's proposed FY2021 budget includes \$110,000 for Phase I of the project. The Village's Capital Improvements Fund has available funds to spend a portion of the budget in the current fiscal year (Estimated at \$35k) and is recommended that the Village Board approve the agreement and expend a portion of the funds in the current fiscal year to move the project forward without delay.

In response to a question from Trustee Ankenman regarding reimbursement, Village Engineer Jeff Hansen said the Village pays the consultant invoices then submit a reimbursement request to the Illinois Department of Transportation and the process takes approximately 90 days.

Following a request from Village Administrator Irvin, Village Engineer Hansen provided information regarding stagnation of the road segment process and the possibility of aligning the street and bridge projects.

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

Ayes: (6) Meyer, Towle, Ankenman, Charlot, Dewart and Markee
Nays: (0)
Absent: (0)

16. ITEM #13 – A RESOLUTION APPROVING A SITE PLAN TO REPLACE THE DUMPSTER ENCLOSURE AT THE PUBLIC SAFETY BUILDING AT 45 EAST CENTER AVENUE

President O’Hara reported the existing enclosure around the dumpster and generator behind the Safety Building is worn, and in need of repair and paint. The walls of the enclosure are also too close to the generator, interfering with the required airflow for cooling. With the recommendation of the Architectural Board of Review, the Village Board had approved a site plan to modify the existing enclosure at their December 9, 2019 meeting, enclosing only the dumpster and not the generator. During the discussion at the ABR, some members had commented on the desirability of enclosing the dumpster with wood fence instead. Staff has since found a good quality 6’ wood fence that can be installed within budget.

The proposed new fence was reviewed by the Architectural Board of Review (ABR) at their meeting on March 3. The ABR recommended that the fence be stained either white or tan to match elements on the building and voted 4-0 to recommend that the Village Board approve the site plan.

Following a comment from Village Administrator Irvin, Building Codes Supervisor (BCS) Mike Croak confirmed that the main muffler and coolant fan are the two primary noise sources for the generator which is located over 250 ft. from the nearest house. The main muffler is pointed upward and will not change or be impacted by the absence of the fence. The coolant fan blows out the west side through widely spaced louvers which are directed away from any residential structures.

In response to a question from Trustee Dewart, BCS Croak said automatic exercise and testing are the two frequency of use options for the generator. The plan is to set it for twice a week and a 20 minute test cycle. BCS Croak said Staff is exploring noise reduction options for the Village Hall generator and the improvements could possibly decrease the noise level by 15 decibels.

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

Ayes: (6) Towle, Ankenman, Charlot, Dewart, Markee and Meyer
Nays: (0)
Absent: (0)

17. ITEM #17 – TRUSTEE’S REPORT

There was no Trustee’s report.

18. ITEM #18 – EXECUTIVE SESSION

At 7:53 p.m. Trustee Dewart moved to enter into Executive Session for the purpose of discussing Litigation (5 ILCS 120/2(c)(11)) and Meeting Minutes (5 ILCS 120/2(c)(21)). Trustee Meyer 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 Towle seconded the motion and the motion passed on a unanimous voice vote at 8:57 p.m.

19. ITEM #17 – CONSIDERATION OF THE FEBRUARY 24, 2020 EXECUTIVE SESSION MEETING MINUTES

Trustee Meyer moved to approve the February 24, 2020 Board of Trustees Executive Session Meeting Minutes as presented. Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

20. ITEM #18 – ADJOURNMENT

Trustee Dewart moved to adjourn the regular meeting. Trustee Ankenman seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 8:58 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Megan Michael
Village Clerk