

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR VIRTUAL MEETING
MAY 11, 2020**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O'Hara called the meeting to order at 7:01 p.m. 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
Glen Cole, Assistant to the Village Administrator (AVA)
John Scopelliti, Administrative Intern (AI)

2. PLEDGE OF ALLEGIANCE

President O'Hara led the Pledge of Allegiance.

3. CONSIDERATION OF THE MINUTES OF THE APRIL 27, 2020 VILLAGE BOARD MEETING

Trustee Dewart moved to approve the April 27, 2020 Board of Trustees Regular Meeting Minutes as presented. Trustee Towle 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

There were no requests to change the order of the meeting.

6. ITEM #6A – WARRANT REPORT FOR MAY 1-15, 2020 AND APRIL 2020 PAYROLL EXPENDITURES

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$258,639.10 for May 16-31, 2020, and expenditure of Village funds for payment of payroll in the amount of \$289,047.25 for April 2020 for a total of \$547,686.35.

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

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

7. ITEM #6B – TREASURER’S ANNUAL REPORT OF THE POLICE PENSION FUND

Following a request from President O’Hara, Finance Director Bettina O’Connell briefly summarized the report. She said police sworn personnel are covered by a pension fund plan. Although this is a single employer pension plan that defines benefits an employee and employer contribution levels are governed by The Illinois Compiled Statutes (40 ILCS 5/3-141) and maybe amended by Illinois Legislature. As such statuses of the annual pension fund are required to be reported to the Village Board by the Treasurer of the pension fund, by the second Tuesday of May each year. Finance Director O’Connell said the Police Pension Board is governed by a five (5) member board of trustees, two members are appointed by the Village President, one member is elected by the pension beneficiaries, and two members are elected by active police employees. The primary financial objectives of the Pension Fund are the preservation of principal from the impact of inflation growth and the provision of liquidity needed to meet the pension benefit payment requirements.

Finance Director O’Connell stated that the funds weathered the recent market volatility related to COVID-19 shutdown of the economy and the credit market collapse that accompanied plummeting oil prices. Total assets as of December 2019 increased by 8.4% from the fiscal year beginning May 1, 2020. However, the unbelievable market sell-off that took the S&P 500 on the 34% decline in March 2020 has driven down the pension fund’s assets. She said as of April 30, 2020 we have declined to approximately \$10,342,000, and even as of today with some market volatility and fluctuation in April we are hovering around the exact same amount which is an approximate 1.5% annual decrease. The pension fund code restricts investment authority to move no more than 60% in agencies with duration ranges of plus or minus 25% of index and cash less than 10%. It also limits mutual funds equities as a percentage based on assets and overall the time weighted investment return ending April 30, 2020 was a negative (-1.15). She stated that the upcoming fiscal year annual property tax extension notice indicates a distribution of \$744,734 in anticipated property tax receipts and there are currently fourteen active employees contributing to the fund, with an estimated \$148,000 in payroll for contributions for FY21.

Finance Director O’Connell said the funded ratio for the most recent 2019 actual revaluation report indicated a 57.9% funding rate which was slightly lower than the prior year rate and not based on the

current economic or financial reporting. The rate changes were due to retirement rates, increased annuitants and change to the recent experience mortality tables by the Department of Insurance.

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

Village Attorney Peter Friedman said the Village Board should be doing roll call votes but if a voice vote is taken on a non-controversial agenda item, the President must ask if there are any “nay” votes.

8. ITEM #7A – VILLAGE ADMINISTRATOR’S REPORT: 2020 LAKE BLUFF FARMERS MARKET REPORT

Following the introduction, AI Scopelliti said this is the Lake Bluff Farmers Market 27th season and the effect of the COVID-19 pandemic is unique in this Market’s history. The Farmers Market Committee is recommending that the Market regular season operate from June 5 to October 9 (7:00 a.m. to noon.) The Governor’s current “Stay at Home” order recognizes the Market and its vendors as essential businesses. An open-air market intrinsically provides more opportunities for social distance, and this year’s Market would include new policies to promote social distance and safety, including:

- **More space for social distance** – The physical layout of this year’s Market is substantially different. Notably, current plans contemplate the full closure of Scranton Avenue (except the Lake Forest Bank & Trust ATM lane) west of Center Avenue to create more space for vendors and patrons, as well as increased distance between vendors and increased setbacks from the sidewalk. Markers will be placed at 6’ intervals near vendors to help customers distance correctly;
- **Reduced crowds** – At least at the beginning, the Market cannot be the social experience that it was in the past years. There will be no entertainment or special events, no pets (except service animals), and no consumption of food on-site. (Of course, there may be the opportunity to safely reintroduce these elements later in the year.) Households will be encouraged to send the minimum number of people possible to shop. The Market will advertise pre-order systems by vendors to further reduce the time that must be spent at the Market;
- **Increased hand hygiene** – Hand sanitizer will be provided for customers and required for vendors. Customers will not be allowed to touch produce prior to purchase, and vendors will provide contactless payment. Finally, there will be no food sampling and no use of reusable bags;
- **Controlled entry** – There will be a limited number of access points. Customers will be required to wear face coverings, and entry points may be temporarily closed if the Market becomes overcrowded;
- **Communications to customers** – The Market’s signage and advertising will educate customers on these different policies, especially on the need to wear masks; stay socially distant; and not stay at the Market for an extended period of time.

AI Scopelliti said as the circumstances surrounding COVID-19 continue to evolve we anticipate a total of 20 to 25 vendors will ultimately participate. This is a moderate reduction from prior years, but will help decrease traffic while still allowing the Market to be viable.

In response to a question from Trustee Dewart, AI Scopelliti said there will be a Farmers Market Committee volunteer located at the northeast corner to control access and provide hand sanitizer. He also noted that both the southwest and northwest entrances will be closed, if it is determined there is an overpopulation of customers at the Market.

Trustee Markee asked if customers will be provided with maps showing vendor locations and how to navigate the Market. AI Scopelliti said larger maps maybe placed at both entrances, if necessary from the customer standpoint, maps can be printed as well as a list of vendors and their products. He also noted the vendor map will be posted on the Farmers Market page of the Village website.

Following a comment from Trustee Towle, AI Scopelliti commented on how customers would access the Market specifically from the southwest entrance.

In response to a question from Trustee Charlot, AI Scopelliti said pursuant to this layout, if East Scranton Avenue is closed, the maximum number of customers could be 150 to 180.

AVA Cole noted there is no previous data regarding the overall number of pedestrians that access the Market. The decision on the day of the market to close entry points would be based on the behavior rather than a point in place count. Trustee Charlot expressed his understanding that the plan is to keep the same visitor volume but have a more spacious layout for the vendors. A discussion followed.

In response to a question from Trustee Towle, Village Administrator Irvin said the initial plan is to require customers to wear face covering but the requirement maybe reassessed at a later time.

Trustee Dewart commented there could be customers browsing on the north and south side of Scranton Avenue as well as customers heading home and asked if there is sufficient space for each group to safely maneuver down the middle of Scranton Avenue. Village Administrator Irvin said this is a learning process and adjustments would be made if needed. He advised that the Farmers Market Chair and Manager have done some really good reconnaissance at other markets that have already started instituting COVID-19 measures, and that best practices from the National Farmers Markets Association have been incorporated into the proposed layout.

Trustee Markee commented on what she has observed while traveling throughout the community, and said she has a feeling people will be thankful that the market is open and will use good judgement. A discussion followed.

AVA Cole thanked everyone who contributed to the successful and unique planning of the Market's 27th season.

President O'Hara said she was hesitant to think a safe market could be operated during these times, but she think the efforts of the Farmers Market Committee and Staff have made it possible and this will be a pleasant experience for everyone.

Village Administrator Irvin thanked the Farmers Market Committee and Staff for their work. He said this is the last Village Board meeting for the month of May due to the Memorial Day holiday, and the next regular meeting is scheduled for June 8th.

9. ITEM #8 – VILLAGE ATTORNEY'S REPORT

Village Attorney Peter Friedman had no report.

10. ITEM #9A – VILLAGE PRESIDENT'S REPORT: MOTION TO EXTEND THE VILLAGE PRESIDENT'S DECLARATION OF CIVIL EMERGENCY

President O’Hara introduced the agenda item and requested that the Declaration be extended until the next regular Village Board meeting.

As there were no question from the Board, Trustee Meyer made a motion to extend the Declaration to the next regular or emergency Village Board meeting. Trustee Charlot seconded the motion. The motion passed on the following roll call vote:

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

President O’Hara reported that on May 25th a pre-recorded Memorial Day ceremony will be shown on the Village website, Lake Bluff Museum website and Lake Bluff Strong. She thanked the following individuals whom will assist with the presentation: Joanna Rolek, Executive Director of the Lake Forest/Lake Bluff Chamber of Commerce, Members of the Lake Forest American Legion, Lake Forest High School Students, and a local Navy Seal.

11. ITEM #10 – ACCEPTANCE OF THE CORRESPONDENCE

President O’Hara introduced the correspondence from the Informational Reports on April 24 and May 1, 2020.

Trustee Markee made a motion to accept the correspondence as submitted. Trustee Ankenman seconded the motion. The motion passed on the following roll call vote:

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

12. ITEM #11 – SECOND READING OF AN ORDINANCE AMENDING TITLE 6 OF THE LAKE BLUFF MUNICIPAL CODE REGARDING PARKING REGULATIONS IN THE VILLAGE

President O’Hara reported the Lake Bluff Municipal Code (“Code”) sets forth certain motor vehicle and parking regulations for the Union Pacific/Metra Commuter Station, the Lake Bluff Commuter Parking Lot, and other vehicle parking areas throughout the Village. A recent review by the Police Department revealed a number of discrepancies between the parking signs posted throughout the Village and the parking regulations within the Code. The recommended amendments to the various parking schedules correct the regulations to make them fully enforceable, as was originally intended, and do not require any changes to the existing posted signage. The Village Board approved first reading of the ordinance at its April 27 meeting.

Village Administrator Irvin read an email from a resident which stated: “Hello Village of Lake Bluff, I notice you were planning to make revisions to parking restrictions at your upcoming meeting. I was wondering if you would consider allowing residents to park in front of their own homes on Center Avenue. We have a narrow driveway and have to move cars all the time. We would really like to be able to park a car in front of our own home overnight, and I’m sure others would like that too. Please let me know if there’s an opportunity to consider this request. Best France Pitera (508 East Center Avenue).

Village Administrator Irvin said he had a conversation with Ms. Pitera and explained to her the origins of these changes to the Municipal Code and that the purpose of the changes were not to modify or suggest changes to the parking environment, but to ensure rules within the code consistent with on-street signage. Also, he explained how to pursue her concerns and shared information regarding previous discussion regarding parking for this specific geographical location.

As there were no questions from the public or Board, Trustee Towle moved to approve the ordinance. Trustee Dewart 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)

13. ITEM #12 – A RESOLUTION ADOPTING A REVISED EMPLOYEE HANDBOOK FOR THE VILLAGE OF LAKE BLUFF

President O’Hara reported the Employee Handbook sets forth the conditions of employment applicable to all employees of the Village except that certain sections are superseded by applicable collective bargaining agreements. Annually, Village Administration reviews and recommends the Board adopts changes to the Manual in keeping with best practices in human resources and the recommendations of the Village’s labor counsel. She further reported following this year’s review, in addition to routine updates recommended by the Village’s labor counsel, the Village Administrator recommends that the Village introduce a voluntary sick time donation program for employees who are experiencing a personal or family medical emergency and who have exhausted all other forms of paid leave. The proposed language has been designed to meet IRS guidelines regarding the taxability of leave donations. (This proposal was under consideration prior to the COVID-19 pandemic.)

Following a request from Village Administrator Irvin, AVA Cole explained how members of the public can participate in the meeting pursuant to the video meeting guide. President O’Hara allowed a brief intermission to allow the public an opportunity to address the Board. There were no requests to address the Board.

As there were no questions from the public or Board, Trustee Towle moved to adopt the resolution. Trustee Charlot 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)

14. ITEM #13 – A RESOLUTION PROVIDING FOR AN ALTERNATIVE METHOD FOR REVIEWS OF APPLICATIONS TO THE BACKYARD CHICKEN AND BEEKEEPING PILOT PROGRAMS DURING THE COVID-19 EMERGENCY

President O’Hara reported on January 8, 2018, the Village Board approved two pilot programs to authorize the keeping of chickens and bee hives on residential properties within the Village as a pilot program ending March 1, 2021. At present, there are two chicken permittees and zero bee permittees within the Village. There have been no reported issues with either chicken keeping permit. She further reported the Village’s pilot programs for backyard chicken and beekeeping both require that a Village advisory body hold a

public meeting regarding an application before a permit is issued. However, due to the COVID-19 pandemic and the suspension of all Village advisory board and commission meetings, this requirement cannot be satisfied.

President O'Hara reported the resolution would provide an alternate pathway to approve these applications during the COVID-19 state of emergency. The Village Administrator would be required to provide a copy of the application and a comment opportunity to neighboring owners and residents as well as the members of the Sustainability and Community Enhancement Ad Hoc Committee.

As there were no comments from the public or Board, Trustee Markee moved to adopt the resolution. Trustee Charlot 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)

15. ITEM #14 – A RESOLUTION APPROVING A LICENSE AGREEMENT TO USE A PORTION OF VILLAGE PROPERTY (751 North Moffett Road)

President O'Hara reported the Village has previously approved other license agreements to authorize the installation of private improvements, such as fencing and landscaping, in Village-owned areas adjacent to private property. She further reported Scott and Loraine Pomerich recently purchased the property at 751 N. Moffett Ave. and desire to build a decorative fence in their front yard. (The Village's zoning code would ordinarily allow this fence to be built up to four feet tall at or behind the lot line.) Based on consultation with the Village Engineer, the attached draft license agreement would allow this decorative fence to be constructed approximately 14 feet forward of their property line in the public right-of-way. In exchange, the owners would be responsible for landscape maintenance between the fence line and their property line and would bear the costs of preparing the license agreement.

Following a comment from Trustee Markee, Village Administrator Irvin said the Village has considered license agreements with other property owners to allow for the installation of improvements such as fencing and other hardscapes. It is Village practice to present these types of request to the Village Board in the form of a license agreement. He shared photographs from the residents of the proposed low scale fence which was not included in the packet.

In response to a comment from President O'Hara, Village Administrator Irvin said there are provisions within the agreement that gives the Village the ability to have the fence removed and make the homeowner responsible for maintaining the property.

In response to a question from Trustee Charlot, Village Administrator Irvin said there are provisions in the license agreement regarding ownership of land and how it may be used.

Trustee Towle asked if there have been any objections from neighboring property owners. Village Administrator Irvin said a public hearing process is not required and has not been done for these type of requests historically.

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

16. ITEM #15 – TRUSTEE’S REPORT

Trustee Dewart said as a good fortune a significant grant from the Abbott Laboratories was awarded to the Lake Bluff History Museum to fund the app driven Lake Bluff history tours. There will be a total of 10 tours and the App is intended to get people outside walking and/or biking in the community and can be downloaded at lakebluff125.org. He thanked the lake Bluff 125 Committee and Lake Bluff History Museum for their support as well as Abbott for the funding in recognition of Elmer Vliet, Chairman of Abbott Laborites.

Following a comment from President O’Hara, Trustee Dewart elaborated on the type of tours which will included such as the map driven apps for “dogs on parade” and historic Lake Bluff homes in excess of 100 years old.

Following a comment from Village Administrator Irvin, President O’Hara request to take agenda item #17. There were no objections from the Board.

17. ITEM #17 – CONSIDERATION OF THE MINUTES OF THE APRIL 27, 2020 EXECUTIVE SESSION MEETING

Trustee Ankenman moved to approve the April 27, 2020 Board of Trustees Executive Session Meeting Minutes as presented. Trustee Markee seconded the motion. The motion passed on the following roll call vote:

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

18. ITEM #16 – EXECUTIVE SESSION

At 8:00 p.m. Trustee Meyer moved to enter into Executive Session for the purpose of discussing Pending Litigation (5 ILCS 120/2(c)(11)) and Purchase of Real Property (5 ILCS 120/2(c)(5)). Trustee Charlot seconded the motion. The motion passed on the following roll call vote:

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

There being no further business to discuss, Trustee Dewart moved to adjourn out of executive session. Trustee Charlot seconded the motion and the motion passed on a unanimous voice vote at 9:34 p.m.

19. ITEM #18 – ADJOURNMENT

Upon coming out of Executive Session Village President O’Hara declared the meeting was adjourned at 9:34 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Megan Michael
Village Clerk