

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
VIRTUAL MEETING
JUNE 8, 2020**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O'Hara called the meeting to order at 8:06 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
Jeff Hansen, Village Engineer
Bettina O'Connell, Finance Director
Mike Croak, Building Codes Supervisor
Mike Hosking, Police Chief
Glen Cole, Assistant to the Village Administrator (ATVA)
John Scopelliti, Administrative Intern (AI)

2. PLEDGE OF ALLEGIANCE

President O'Hara led the Pledge of Allegiance.

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

Trustee Markee moved to approve the May 27, 2020 Board of Trustees Regular Meeting Minutes as presented. 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)

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.

Following a request from President O’Hara, ATVA Glen Cole said there are no queued requests.

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 REPORTS FOR MAY 16-31, 2020, JUNE 1-15, 2020 AND MAY 2020 PAYROLL EXPENDITURES

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$297,302.13 for May 16-31, 2020, funds for payment of invoices in the amount of \$207,701.37 for June 1-15, 2020 and expenditure of Village funds for payment of payroll in the amount of \$292,250.67 for May 2020 for a total amount of \$797,254.17.

As there were no comments, Trustee Charlot moved to approve the Warrant Report. 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)

7. ITEM #6B – APRIL FINANCE REPORT

At President O’Hara’s request, Finance Director Bettina O’Connell provided a summary of the April 2020 Finance Report highlighting major revenue sources and expenditures for the period.

- The sales tax revenue on a cash basis for FY20 through April is \$3,043,842, \$183,474 or 5.7% less than the same reporting period in FY2019. Due to the State of Illinois deadline extensions, April revenues may not be received until August;
- Home rule sales tax revenue on a cash basis for FY20 through April is \$884,352, or 4.4%, less than the same reporting period in FY2019 with annual administrative fees totaling \$13,438;
- Building Permit revenue for FY20 to date is \$357,229 or \$41,837 less than last fiscal year for the same period;
- The May-April FY20 expenditures of \$9,376,554 are \$1,323,516 less than the expenditures for the same period in FY19. It is important to note that year-end accounting entries will change some account balances and in addition, FY20 capital expenses in the General Fund were less than FY19. Additionally the reversal of the FY20 Interfund transfers also contributed to expenditure reductions; and
- Current expenditures are consistent with or less than the budget.

In response to a question from Trustee Towle, Finance Director O'Connell said sales tax revenue is usually posted in June back to the prior fiscal year but due to the State deadline extensions, April revenue may not be received until August or September.

Village Administrator Drew Irvin commented on the information shown in the sales tax revenue graphs on page three (3) of the report and noted generated sales tax for this year will depend on the economic recovery from the COVID-19 pandemic.

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

8. ITEM #7 – VILLAGE ADMINISTRATOR'S REPORT

Village Administrator Irvin said AI John Scopelliti has completed Graduate School and accepted a Planner Position in Wisconsin. He said Mr. Scopelliti has been an exceptional Staff member and his superior attitude as well as great skills will take him far, and he thanked him for being a part of the administrative team.

President O'Hara said AI Scopelliti has a fabulous sense of humor and work ethic. She said he was always a ray of sunshine to those visiting Village Hall and she thanked him for his exceptional professional service to the Lake Bluff community.

Village Administrator Irvin continued his report by stating Staff received positive feedback from residents and restaurateurs regarding the modified Central Business District outdoor dining area. Also, the first Farmers Market went off extremely well. He said patrons are not observing the face covering requirement when they are not eating or drinking, so Staff will continue to patrol events to ensure compliance.

President O'Hara said COVID-19 statistics shows that more testing is being done, and there are fewer positive cases, but she is concerned because actual cases continue to increase. She asked everyone to observe precautionary safety measures and wear face covering to prevent another wave of the pandemic.

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 reported on March 18, 2020 President O'Hara issued a Declaration of Emergency for the Village of Lake Bluff (Declaration) related to the COVID-19 emergency and requested that the Declaration be extended until the next regular Village Board meeting.

Trustee Dewart made a motion to extend the Declaration to the next regular or emergency Village Board meeting. Trustee Ankenman 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 continued her report by stating she thinks the modified Farmers Market and outdoor dining areas were well organized and thanked everyone involved in making both events successful.

President O'Hara said recently two demonstrations were held in our town in support of the Black Lives Matter movement. The demonstrations consisted of approximately 15 people from the North Chicago area and the larger walk included some local residents and both the demonstrators and citizens of Lake Bluff were very polite and respectful. She said in 2017 the Village adopted its second Strategic Plan which outlined the following seven (7) guiding principles which applies to everyone without exception:

- Take personal responsibility for the quality of our community
- Act with integrity, accountability, and in the best interest of all
- Demonstrate kindness, neighborliness, and concern for others
- Be inclusive, welcoming, and open-minded
- Interact with respect and civility in all circumstances
- Embrace positive, forward-looking orientation
- Cherish our history, culture, and legacy of excellence

President O'Hara said the guiding principles are just words unless we strive to follow them and the behavior display during the demonstrations are a good example of the guidelines being followed. She said it is important to remember that our actions are more powerful than words and so much more sustainable. The events occurring in our country have shown that Lake Bluff needs to keep its guidelines in the forefront and mirror our actions accordingly.

11. ITEM #10 – ACCEPTANCE OF THE CORRESPONDENCE

President O'Hara introduced the correspondence from the Informational Reports on May 22 and 29, 2020.

Trustee Markee made a motion to accept the correspondence as submitted. Trustee Towle 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 – A RESOLUTION APPROVING A SITE PLAN FOR THE ANIMAL HOSPITAL OF WEST LAKE FOREST AT 999 SHERWOOD DRIVE

President O'Hara reported the Animal Hospital of West Lake Forest is proposing to move into one of the two buildings on the Smedbo property at 999 Sherwood Drive. The Village Board approved a Special Use Permit at their December 9 meeting and a Site Plan for their parking lot expansion at their January 13 meeting. She further reported at the June 2 Architectural Board of Review (ABR) meeting, Dr. Brian DiFuccia presented plans for a garbage enclosure, rooftop HVAC unit screening, and building alterations that include a new front entry. The ABR voted 6-0 to recommend that the Village Board approve the site plan for the proposed changes.

As there were no questions from the Board, Trustee Meyer moved to adopt the resolution. Trustee Ankenman 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 APPROVING A SITE PLAN FOR ALTERATIONS TO THE COURTYARD AT CARRIAGE WAY SHOPPING MALL AT 201-235 WAUKEGAN ROAD

President O’Hara reported Taxman Corporation, the owners of the Carriage Way Mall, would like to provide more space for outdoor dining to accommodate outdoor dining with proper spacing due to COVID-19. They are proposing to infill four of the eight landscaped areas in the courtyard with concrete and to change the material of the center circle from paver bricks, which have to be re-leveled frequently, to concrete. She further reported the ABR reviewed their proposal at their June 2 meeting and voted 6-0 to recommend that the Village Board approve the site plan with the following conditions: that the applicant consider an alternative color and pattern in lieu of the stamped artificial stone texture for the center circle, that the applicant provide a design for the pattern of score lines for all the new concrete, and that these details be submitted to staff and the ABR Chairman for final approval.

As there were no questions from the Board, Trustee Markee moved to adopt the resolution. 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)

14. ITEM #13 – A RESOLUTION APPROVING A LICENSE AGREEMENT TO USE A PORTION OF VILLAGE PROPERTY (West of 19 East Blodgett Avenue)

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. Edward and Erica Deegan have owned and lived at 19 E Blodgett Avenue since 2004. At the time they purchased the property, a portion of the Village-owned property to the west was separated from the larger Village greenspace by a row of bushes. She further reported this Village property immediately to their west had a fence and a playset on it. The Deegans have continued to mow and maintain the landscaping on this property as the previous owners did and wish to maintain a fence and play equipment on it.

Village Administrator Irvin said due to technical difficulties the Board meeting this evening is not televised but it will be posted on the Village website once it becomes available. Also, he said Trustee Ankenman recused herself from the discussion and has left the virtual meeting.

In response to a question from Trustee Dewart, ATVA Glen Cole said neither the visual or audio components of the meeting is available. ATVA Cole said the technical difficulty is that the live meeting cannot be switch at the enter connection point in the City of Lake Forest.

Village Attorney Friedman said this is a communication problem and will not create a legal problem.

In response to a question from Trustee Towle, Village Administrator Irvin said it is his understanding the previous owners used the property in a similar manner. He added that the Village has used license agreements

to manage clean-up items associated with improvements on public property, and this request does not conflict with any current Village goals or objectives.

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

Ayes: (5) Markee, Meyer, Towle, Charlot and Dewart
Nays: (0)
Absent: (1) Ankenman

Trustee Ankenman returned to the virtual meeting.

15. ITEM #14 – A RESOLUTION APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL SERVICE AGREEMENT BY AND BETWEEN THE VILLAGE OF LAKE BLUFF AND THE CITY OF LAKE FOREST

President O’Hara reported the Village Administrator, Finance Director and Fire Chief have met with Lake Forest representatives over an extended period of time to review and refresh the Intergovernmental Service Agreement (IGA) which has been in place decades and most recently updated in May 2011. The primary purpose of the review was to determine an equitable fee structure for Ambulance Services which has been a matter of dispute for the past three years. After lengthy negotiations, staff is recommending the Village amend the IGA to reflect the following changes:

1. **Ambulance Service.** Provide payments to the City of Lake Forest for ambulance service based on a “Time and Materials” approach (including specific rates for patient Transports, Non-Transports (where a person declines transport), Lift-Assist and Cancelled Calls for service). While Village costs will go up under this approach, the new approach appears fair, is consistent with the actual cost of the service and the increased fees are accounted for in the current budget (including a portion of payments for prior years of service under the proposed formula); and
2. **Fire Dispatch Services.** Since both the City and the Village are customers of the Village of Glenview Public Safety Dispatch and neither agency operates a dispatch system, this section of the IGA can be eliminated.

President O’Hara reported the Village Finance Committee discussed this at their Wednesday, May 27, 2020 meeting and unanimously recommended that the Village Board approve the amendments.

Village Administrator Irvin said the language modification regarding public access television services was not included in the memorandum but was incorporated in the agreement. He shared the “state of affairs” regarding the television shared services. He said Lake Forest may not invest in the existing technology in the long term, but both government entities will continue to provide the television services for the near-term as well as provide updates as the process evolves.

Trustee Charlot commented on his discussion with Staff regarding ambulance service and expressed his concern regarding possible cost increase due to the COVID-19 pandemic and fluctuation regarding the budgeted 20% percent. Village Administrator Irvin said there are certain factors that impact the Village ambulance cost, budget and billing process. Village Administrator Irvin said that there will be a pandemic impact on revenue and he said Staff does not have control over the volume of calls so he is unsure how revenue will be impacted.

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

Village Administrator Irvin said it was important to resolve this matter because there have been serious disputes between the government entities regarding billing. Village Staff, Fire Chief David Graf and the Finance Committee have had discussions regarding service provisions relating to economics, quality, and level of service. The Village will continue to examine and make recommendations regarding how to provide more efficient ambulance services to include in-house service if needed.

President O'Hara said this is an ongoing matter and the Village would like to assure the community that the Fire Department, Administration and Board will continue to explore more cost-effective ways to provide ambulance service to its residents.

16. ITEM #16 – A RESOLUTION AUTHORIZING A CHANGE ORDER NO. 1 FOR HOERR CONSTRUCTION FOR SANITARY SEWER LINING PROJECT

President O'Hara reported on February 24, 2020 the Village Board approved a resolution authorizing the execution of a construction contract with Hoerr Construction, Inc. of Goodfield, Illinois (Contractor) for the 2020 Sanitary Sewer Lining Project in the amount of \$112,136.20. During construction additional unexpected costs were incurred. The three major sources of additional cost came from:

1. Additional cleaning of sewers was required prior to lining. It was anticipated that the sewers would need only minimal cleaning due to having been cleaned in the prior year;
2. One cast iron sewer lateral was protruding into the Village's main and needed to be cut to allow for the installation of the liner. Cast iron laterals are considerably more difficult to cut than the much more common clay laterals; and
3. The quantity of 6" sewer lining was increased to complete a segment on Circle Drive in poor condition.

President O'Hara reported this additional work raised the final value of the contract approximately \$10,600 more than the originally approved amount. In accordance with the Village Purchasing Policy, a change order of this amount requires the approval of the Village Board. The work was completed in FY2020 and the FY2020 Budget contained adequate funds for the increase in work. She further reported the Village Engineer recommends that the Village Board approve the change order to the construction contract with the Contractor for the increase in scope during the 2020 Sanitary Sewer Lining Project.

Trustee Ankenman said she had asked Staff if the lateral protrusion was due to recent construction or recourse back to the installation. Village Administrator Irvin said Staff estimated that the installation was done in the 1950s.

Trustee Markee said she had asked if cleaning the sewers were indicative of sewage flowing through the pipe or some other problem. Village Engineer Jeff Hansen said minerals, not sewage, had to be removed because pipe cleaning does not effectively remove mineral deposits it cleans mostly sewage, debris and roots.

As there were no further questions from the Board, Trustee Dewart moved to adopt the resolution. Trustee Ankenman 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)

Village Administrator Irvin recommended taking agenda item #15, there were no objections from the Board.

17. ITEM #15 – A RESOLUTION WAIVING COMPETITIVE BIDDING AND APPROVING AN AGREEMENT WITH PAYLOCITY CORPORATION (Payroll and Human Resources Services)

President O’Hara reported Staff has identified opportunities to improve human resources management that would best be accomplished in conjunction with the Village’s payroll software. In short, these opportunities move towards an integrated human resources system rather than a simple payroll provider. These include:

- Migrating paper workflows – such as personnel actions – to electronic workflows.
- Eliminating manual accounting work necessary to coordinate payroll and the general ledger.
- Better tracking of employee training; this is particularly valuable for risk management.
- Self-directed training to reduce in-person assemblies and training fees.

President O’Hara reported while the Village’s current provider, ADP, offers products that are responsive to some of these needs, the Village has not evaluated competing payroll firms in some time. Staff engaged in a review of competitors and recommends the Village migrate to Paylocity. Their proposal includes the above improvements (which would be an additional fee with ADP) and, after implementation costs in the first year, would provide an ongoing annual cost savings of about \$3,700 or about 25% compared to the Village’s ~\$13,000 annual charges with ADP. Paylocity has also offered additional one-time incentives, including three free months of service, worth approximately \$2,300.

In addition, President O’Hara reported the Finance Committee considered this item on May 27 and recommended approval. The Resolution would authorize the change in providers and allow the Village Administrator to add or remove services as appropriate up to an annual total equal to the Village Administrator’s purchasing authority (\$20,000).

Trustee Markee thanked Staff for exploring cost savings and identifying a more innovative and flexible company than the current vendor.

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

18. ITEM #17 – AN ORDINANCE REGARDING THE RETURN OR FORFEITURE OF GUARANTEE DEPOSITS FOR BUILDING AND RIGHT-OF-WAY PERMITS

President O'Hara reported the Village collects cash deposits in connection with major construction projects (such as new houses) as well as construction in the Village right-of-way (such as driveways). These deposits ensure that permittees pursue their work to completion or else restore construction sites (including Village property) to their original condition. By ordinance, the deposit is returned upon the completion of the permitted work or forfeited to the Village if the work is not properly completed. She further reported as of the Village's last audited financial statements (April 30, 2019), the Village holds a total of 211 such deposits totaling \$429,217.51 that are not associated with an active permit. The oldest deposit held dates to 1993. These deposits no longer need to be maintained by the Village. The Finance Committee considered this item on May 27 and recommended approval. The Ordinance would establish a process for Staff to dispose of these deposits as discussed by the Committee, including:

- Following a review of outstanding deposits, any that were associated with a permit that was clearly not completed would be forfeited to the Village.
- In all other cases, the permit applicant would be mailed a notice at their last known address and asked to demonstrate that work was completed. A refund would be provided if they do so. Subsequent notices would be mailed at 30-day intervals. If an applicant still had not replied 30 days after a third notice (90 days total), the deposit will be forfeited to the Village.
- Provisions have been made for publishing notice in the newspaper for deposits where no address is known, as well as for the ability for the Village to inspect work before a refund in certain cases. In addition, Staff recommends a change to one code provision to clarify that the applicant bears the burden of requesting a timely final inspection in order to receive their deposit back.

Following a comment from Village Administrator Irvin, President O'Hara opened the floor to the queued public caller.

Joe Roth with the Illinois Association of Realtors said their concerns are not necessarily about the process, refund, or current elected officials and Staff. Mr. Roth stated that they look at this from a view of who will be reading this ordinance in the future and how it can be interpreted at that time. He thinks there is a lot of ability here to maybe deny more returns than getting deposits back into the hands of property owners in a timely manner. He knows having gone through home improvements projects himself that often time projects go past the initial target date, especially when discussing issues such as sewer line connections, those are items that will often fail an initial inspection because additional work needs to be done. Mr. Roth said he thinks if the intent is to refund the money that is great but their concerns were in regards to the second provision in the ordinance which ties the deposit to more than just the protection of public properties.

Village Administrator Irvin said he had a conversation with Mr. Roth and explained that Village practice is not to take these monies, the Village first and foremost goal is to return the money. Village Administrator Irvin stated the proposed amendments clarify a rational and logical process to establish communicate with property owners regarding money which the Village has been sitting on for an extended period of time, and a pathway to refund the money.

In response to a comment from Trustee Ankenman, Building Codes Supervisor Mike Croak said the current enterprise software does help because it generates reports that shows which permits have expired or are about to expire; therefore, Staff may communicate with property owners and inquire of the status of the project.

Following a brief discussion, Trustee Meyer moved to approve first reading of the ordinance. Trustee Towle 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)

19. ITEM #18 – TRUSTEE’S REPORT

There was no Trustee’s Report.

20. ITEM #20 – CONSIDERATION OF THE MINUTES OF THE MAY 27, 2020 EXECUTIVE SESSION MEETING

Trustee Dewart moved to approve the May 27, 2020 Board of Trustees Executive Session Meeting Minutes as presented. Trustee Ankenman 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)

21. ITEM #21 – ADJOURNMENT

Trustee Meyer moved to adjourn the regular meeting. Trustee Charlot seconded the motion and the motion passed on a unanimous roll call vote at 9:00 p.m.

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

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Megan Michael
Village Clerk