

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
VIRTUAL MEETING
OCTOBER 12, 2020**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O’Hara called the meeting to order at 7:00 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 (VA)
Drew Irvin, Village Administrator
Bettina O’Connell, Finance Director
Jeff Hansen, Village Engineer (VE)
Mike Croak, Building Codes Supervisor (BCS)
Glen Cole, Assistant to the Village Administrator (ATVA)

President O’Hara said due to the COVID-19 emergency, this meeting will be held primarily virtually. As required by law, at least one representative from the Village will be present at Village Hall and the virtual meeting will be simulcast for members of the public who do not wish to view the virtual meeting from another location. The Board Room can accommodate 13 people, including members of the public body and Village Staff, while maintaining the six feet of social distance between individuals required by Executive Order 2020-43. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a “first come, first-served” basis. She further stated Members of the public may view and participate in the meeting via online lakebluff.org/VirtualMeeting or Dial-in: (312) 626-6799. (Enter meeting ID **884 1619 0394**) Press # when prompted for a Participant ID. Additional instructions are available in the agenda packet immediately following the agenda. Also, the meeting will be live-streamed at lakebluff.org/Channel19, broadcast live on Comcast Channel 19 and once available, a recording of the meeting will be posted on the Village website and periodically rebroadcast on Channel 19.

2. PLEDGE OF ALLEGIANCE

President O’Hara led the Pledge of Allegiance.

3. **AWARDS AND PROCLAMATIONS**

President O’Hara read the proclamation designating the month of October 2020 *Dysautonomia Awareness Month*.

President O’Hara read the proclamation designating October 24, 2020 *World Polio Day*.

4. **CONSIDERATION OF THE MINUTES OF THE SEPTEMBER 28, 2020 VILLAGE BOARD MEETING**

Trustee Dewart moved to approve the September 28, 2020 Board of Trustees Regular Meeting Minutes as presented. Trustee Charlot 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)

5. **ITEM #5 – NON-AGENDA ITEMS AND VISITORS**

President O’Hara said the Village President and Board of Trustees allocate fifteen (15) minutes during this item for those individuals who would like the opportunity to address the Village Board of Trustees 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.

6. **ITEM #6 – VILLAGE BOARD SETS THE ORDER OF THE MEETING**

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

7. **ITEM #7A – WARRANT REPORT FOR SEPTEMBER 29 – OCTOBER 12, 2020**

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$389,248.37 for September 29 – October 12, 2020 for a total amount of \$389,248.37.

As there were no questions from the Board, Trustee Meyer moved to approve the Warrant Report. 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)

8. **ITEM #8A – VILLAGE ADMINISTRATOR’S REPORT: RECOGNITION OF THE 2020 FARMERS MARKET COMMITTEE AND VOLUNTEERS**

Village Administrator Irvin said the Farmers Market season ended this Friday and the amount of effort and work that went into coordinating the event was unbelievable, and the volunteers that managed the entrance and access points every week were spectacular. Village Administrator Irvin recognized the

following Farmers Market participants: **Sponsor** Northwestern Medicine; and **Market Manager** Gridley Swanton; **Volunteers** Susan Hoagland and Committee Members Daria Andrews, Susan Raymoure, Kathy Sheppard and Pony Swanton; **Committee Members** Pony Swanton, Daria Andrews, Sean Bjork, Adrienne Fawcett, Lise Martin, Sarah Raymoure Wnek and Kathy Sheppard; and the Assistant to the Village Administrator Glen Cole and Administrative Interns for their dedication and hard work.

Village Administrator Irvin introduced the queued callers.

Sarah Wnek said she was not one of the volunteers that stood post but she did notice how much the community appreciated the availability of the market. She said it was a really good testament to Lake Bluff to hold the market which provided hope for this particular year. Ms. Wnek said she heard positive feedback from residents and she is very grateful that we could as a Village provide hope for its residents and surrounding communities.

Daria Andrews thanked the Board for the vision, logistics and all the work that went into coordinating the event. She said the market was incredible and it provided an opportunity for people passing by to discover Lake Bluff. She said Lake Bluff is all about its life style and activities, and the community really appreciated the market.

Pony Swanton said he has been part of the market for approximately 27 years and it has been a labor of love for him and Gridley. He thanked Staff for coordinating the logistics needed to host the market as well as the volunteers and vendors. Mr. Swanton said he thinks the market was a huge success and attracted attention to downtown. In addition, he said there plans to host a vendor pick-up in the Metra Train Station parking lot which will offer pre-order/prepaid pick-up service. Addition information will be available on the Village media sources.

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

Village Attorney Peter Friedman reported on the pending cases regarding the Stonebridge litigation. He said the Village motion to dismiss the developers complaint was granted. The Stonebridge developer/owners motion to dismiss the ordinance violations was denied. The owners have since filed an amended complaint and Staff will continue to update the Board regarding the ongoing litigation.

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

President O’Hara said previously Chicago Magazine published its list of the 20 best Farmers Market and Lake Bluff was the only suburban town listed and she would argue that this year Lake Bluff was the best. The production, logistics and work done by everyone was spectacular and truly showed the true Lake Bluff community spirit in terms of volunteerism. She said this was a wonderful year to show how people work together and thanked everyone for representing the Village as true ambassadors.

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 which has been subsequently extended at each meeting since that time and requested that the Declaration be extended until the next regular Village Board meeting.

Trustee Ankenman made a motion to extend the Declaration until the adjournment of the next regular (October 26) or emergency Village Board meeting. Trustee Dewart 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)

11. ITEM #11 – ACCEPTANCE OF THE CORRESPONDENCE

President O’Hara introduced the correspondence from the Informational Reports on September 25 and October 2, 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) Markee, Meyer, Towle, Ankenman, Charlot and Dewart
Nays: (0)
Absent: (0)

12. ITEM #12 – SECOND READING OF AN ORDINANCE AMENDING A SPECIAL USE PERMIT AND GRANTING PARKING VARIATIONS FOR THE CENTER AVENUE PARTNERS DEVELOPMENT (79 and 91 East Scranton Avenue) (Prairie Espresso)

President O’Hara reported this is the first of several Village Board items related to a zoning relief application filed by Prairie Perspective, LLC (d/b/a Prairie Espresso) to allow their expansion into the tenant space addressed as 79 Scranton Avenue (approximately 768 square feet). In addition to the items on Monday’s agenda, Prairie Espresso would require an amendment to their license agreement for the use of Village property (to add outdoor seating), which would be prepared by Staff for consideration at the Board’s October 12 meeting. Prairie Espresso would also require sign and site plan approval at a later date for their proposed exterior alterations.

President O’Hara reported this zoning relief (if granted) would allow Prairie Espresso to accommodate indoor customer seating and offer additional food and beverage options. The new and existing tenant spaces would have an interior service hallway for employees, but customers would reach the property through two separate entrances. The Petitioner has indicated that they would operate the pedestrian alley only seasonally following their expansion. President O’Hara further reported allowing the expansion would require approval of a special use permit and parking variations and would take the form of an amendment to Ord. 2020-13, which governs the various special uses and variations on the property (including Prairie Espresso). At the conclusion of its public hearing on September 16 the Joint Plan Commission and Zoning Board of Appeals (PCZBA) unanimously recommended the Village Board approve the requested relief with the condition that the hours of operation be limited such that:

- The Walkway Restaurant continues to close at 10 p.m. daily.
- Except on Saturday, the Restaurant may operate only between 7 a.m. to 11 p.m.
- On Saturday, the Restaurant may operate only between 7 a.m. and midnight.

In addition, President O'Hara reported the other conditions applicable to Prairie Espresso today (such as the requirement that employees park in the train station parking lot) would continue to apply. Members of the PCZBA emphasized various concerns expressed in testimony regarding parking in the Central Business District. The Village Board approved first reading of the ordinance at its September 28 meeting.

Village Administrator Irvin introduced the queued caller, John Davis to answer questions from the Board.

In response to questions from Trustee Dewart, Mr. Davis said there will be one entrance to the interior space through the existing bike shop, a walkup window at the existing Prairie Espresso space, and a separate entrance on the back side of the building for bathroom use. He said there will be some service at the Scranton alley location and it will not be used for storage.

In response to a question from Trustee Charlot regarding the letter from Gary Lawrence, Mr. Davis said music can be played inside and he does not think there are any variations for outdoor amplified music.

Village Administrator Irvin said there are speakers mounted on the exterior of the alley space which historically have been allowed. On occasion during the summer months there have been special events, such as open mic night and live music performances, authorized pursuant to the existing special use permit, to use amplified equipment. He said the existing ordinance allows the Village Administrator to authorize certain special events that have been allowed to happen and have contributed to a vibrant part of the community. If there were any noise complaints received, they were handled as disturbing the peace and the event was shut down.

In response to a question from Village Administrator Irvin, Mr. Davis said he would love to continue the special events which were widely accepted by the community. He understands there might have been a noise issue from time to time, similar to block parties, and he would like to move the events indoors during the winter months.

Village Administrator Irvin said he does not recall receiving any complaints during open mic nights. However, if the Board desires the ordinance can be amended specifically in regards to amplified music.

President O'Hara said she has an interest in this matter because she lives in close proximity of the very small alley space. She thinks the music events should go without amplification because the noise is overwhelming at times and totally disrupts the livability of the space. President O'Hara said personally she would prefer no acoustic in that space because it reverberates throughout the area and violates the peaceful existence for the residents.

In response to a comment from Mr. Davis regarding block parties, President O'Hara said it is her opinion that the alley space was not designed for acoustic music and noted block party music is not confined to a small space.

In response to a question from Trustee Markee, Mr. Davis said there is no residential living spaces above the existing bike shop.

In response to a question from Trustee Charlot, Mr. Davis said the events could be move indoors, although they would not have the same outdoor feel of Scranton alley during the summer. He expressed his understanding that the provision in the ordinance states if people complain, the event will be shut down.

Trustee Dewart expressed his opinion that events does not need to be amplified, and Mr. Davis said sometimes the noise from the crowds that attend the events can drown out the music.

In response to a question from Trustee Ankenman, President O’Hara said she loves the concept and the noise from everyday activities are not the issue but noise generated from the amplified music that reverberates off the walls. She said the frequency of noise has increased over the years and infringed on the livability of the adjacent properties.

Trustee Meyer said for the purpose of the discussion, the Board should view all comments as private citizen, landlord and resident living in adjacent spaces expressing their concerns regarding noise. He said the matter needs to be addressed because the noise makes it difficult for adjacent residents to enjoy their property.

In response to a question from Trustee Markee, Mr. Davis said musicians have been positioned at various locations but it did not make a difference because the alley space is so small and reverberating. The proposed plans relocate the facility to a larger space, the existing space will be a service window, so the majority of the noise will be interior not in Scranton alley.

Following an extensive discussion, it was the consensus of the Village Board to direct the Village Administrator to limit special events to acoustic only or no amplification.

Village Administrator Irvin introduced the queued caller Gary Lawrence, co-owner of Lawrence Property.

Mr. Lawrence said he and Center Avenue Partners were co-applicants for Prairie Espresso which is located between their properties. He asked if there was an actual width requirement for egress/ingress for the public walkway. Village Administrator Irvin said he does not believe there is an exact limitation but for practically purposes a guide post of 42 inches is used to accommodate wheelchair patrons.

Mr. Davis she he typically provides 3 feet of space between the tables.

As there were no further comments or questions from the Board or Public, Trustee Meyer moved to approve the ordinance. 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)

13. ITEM #13 – SECOND READING OF AN ORDINANCE AMENDING TITLTE 3 OF THE VILLAGE OF LAKE BLUFF MUNICIPAL CODE AND THE COMPREHENSIVE FEE SCHEDULE CONCERNING LIQUOR LICENSES

President O’Hara reported this is the second of two Board items related to a pending zoning relief application filed by Prairie Perspective, LLC (d/b/a Prairie Espresso). The attached Ordinance, recommended by the Liquor Commissioner, proposes the following changes to the Village’s liquor regulations:

- Expands Prairie Espresso’s Class U license into their new tenant space, and increases the fee associated with a Class U license accordingly.
- Expands Inovasi Restaurant, LLC’s off-premises retail sales license to include liquor in addition to wine and beer.

President O’Hara reported the Village Board approved first reading of the ordinance at its September 28 meeting.

As there were no questions, Trustee Charlot moved to approve the ordinance. 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)

14. **ITEM #14 – SECOND READING OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT, SITE PLAN APPROVAL, AND VARIATIONS FOR AN AUTOMOBILE DEALERSHIP (Imperial Motors – 39 -47 Sherwood Terrace)**

President O’Hara reported on February 6, 2020, the Village of Lake Bluff received an application from Green Bay Properties, LLC, for a special use permit and variations necessary to develop the subject property as a new automobiles dealership. The Petitioner is also the operator of Imperial Motors (Jaguar) located nearby, and intends to relocate that dealership to this property. This would allow their existing dealership to be repurposed by a new dealership or other tenant. In total, this application requires site plan review; a special use permit for a new automobiles dealership; and variations concerning the location of parking and loading zones. She further reported the Architectural Board of Review (ABR) reviewed the proposed site plan on March 3, 2020 and recommended approval subject to the following conditions:

- Install the strip windows on the west side elevation with a sun shade over the windows.
- Maintain the exterior lighting at a color temperature of 4,000 degrees Kelvin.
- Combine the entry and welcome sign with the directional sign at the entrance from Route 41.
- Revise the garbage enclosure to horizontal cedar painted or stained to match the building.

President O’Hara reported thereafter, public meetings were suspended due to the COVID-19 pandemic. During this period, the Illinois Department of Transportation (IDOT) notified the Applicant that it would refuse access for a right-in, right-out access to the property from Route 41. (The Applicant intends to continue to seek Route 41 access from IDOT.) At the Applicant’s request, the PCZBA considered the requested zoning relief during a public hearing on September 16. The PCZBA unanimously recommended approval of the application as originally submitted (with Route 41 access) or under an alternate site plan that eliminates the Route 41 access. The only recommended condition of approval was a series of conditions designed to prevent car deliveries from taking place on the shoulder of Route 41.

President O’Hara further reported the ABR conducted a second public hearing at their October 6 meeting to consider the latest revisions, including the west windows without sunshades, new trash enclosure design, and alternate version of the site plan without Route 41 access. The ABR voted 5-0 to recommend approval of the applicant’s proposed revisions as submitted. An updated ordinance reflecting the ABR’s October 6 deliberations has been prepared for second reading consideration on October 12. The Village Board approved first reading of the ordinance at its September 28 meeting.

In response to a question from Trustee Dewart, Village Administrator Irvin said as of today Staff has not heard back from IDOT.

As there were no questions, Trustee Dewart moved to approve the ordinance. 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)

15. **ITEM #15 – A RESOLUTION APPROVING A LICENSE AGREEMENT FOR THE USE OF VILLAGE PROPERTY FOR THE CONSTRUCTION OF BLUFF STABILIZATION IMPROVEMENTS**

President O’Hara reported over the past several weeks the Village has been in discussions with Jason and Kimberly Beans (owner of the property located directly to the south of the Lillian Dells Property [718 Mountain Road]) regarding their (i) proposed bluff stabilization plans and (ii) possible use of Lillian Dells for temporary construction access. At its October 7, 2020 Special Meeting, the Village Board reviewed:

1. An **alternative bluff restoration design** that ensures lake access via stone steps in two different areas and requires the Beans to dedicate a small area of land (approximately 400 sq. ft.) to the Village; and
2. A **Lillian Dell concept plan** that maintains the pleasure drive (improving pedestrian access), achieves ravine slope stabilization and is designed to be stable through a 100-year storm event.

President O’Hara reported following considerable discussion, it was the consensus of the Village Board to move forward with the Beans’ consultants to refine these plans and finalize the license agreement. It is anticipated that Village staff will update the Board of Trustees on the status of these matters tonight.

Trustee Markee made a motion to discussion the agenda item. Trustee Towle seconded the motion. A discussion ensued.

Village Administrator Irvin said there is no new information to report and if the Board desires, Staff will continue to finalize the license agreement pursuant to the memorandum. There were no objections from the Board.

16. **ITEM #16 – TRUSTEE’S REPORT**

There were no Trustee’s report.

17. **ITEM #17 – CONSIDERATION OF THE SEPTEMBER 28, 2020 EXECUTIVE SESSION MEETING MINUTES**

Trustee Meyer moved to approve the September 28, 2020 Board of Trustees Executive Session Meeting Minutes as presented. 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)

18. ITEM #18 – EXECUTIVE SESSION

At 8:17 p.m. Trustee Markee moved to enter into Executive Session for the purpose of discussing Pending, Probable and Imminent Litigation (5 ILCS 120/2(c)(11)) and Security Procedures (5 ILCS 120/2(c)(8)). 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)

There being no further business to discuss, Trustee Dewart moved to adjourn out of executive session. Trustee Ankenman seconded the motion and the motion passed on a unanimous voice vote at 9:40 p.m.

19. ITEM #19 – ADJOURNMENT

Trustee Markee moved to adjourn the regular meeting. Trustee Towle seconded the motion and the motion passed on a unanimous roll call vote at 9:40 p.m.

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

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Megan Michael
Village Clerk