

**VILLAGE OF LAKE BLUFF  
BOARD OF TRUSTEES  
REGULAR MEETING  
NOVEMBER 8, 2021**

**APPROVED MINUTES**

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

Village President Charlot called the meeting to order at 7:10 p.m. and Village Clerk Katharine Hatch called the roll.

The following were present:

Village President: Regis Charlot

Trustees: Barbara Ankenman  
Kate Briand  
Taryn Fisher  
Joy Markee  
Stephen Rappin  
Susan Rider

Also Present: Katharine Hatch, Village Clerk  
Peter Friedman, Village Attorney (via zoom)  
Drew Irvin, Village Administrator  
Bettina O’Connell, Finance Director  
Jake Terlap, Public Works Superintendent (PWS)  
Glen Cole, Assistant to the Village Administrator (AVA)

**2. PLEDGE OF ALLEGIANCE**

President Charlot led the Pledge of Allegiance.

**3. CONSIDERATION OF THE MINUTES OF THE OCTOBER 25, 2021 VILLAGE BOARD MEETING**

Trustee Ankenman moved to approve the October 25, 2021 Board of Trustees Regular Meeting Minutes as presented. Trustee Markee seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Ankenman, Briand, Fisher, Markee, Rappin, Rider  
Nays: (0)  
Absent: (0)

**4. ITEM #4 – NON-AGENDA ITEMS AND VISITORS**

President Charlot 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.

**Resident Comment**

Stephanie Bjork came forward to address the Board. She commented on the previous infrastructure management services presentation regarding village streets and inquired of the materials used in the slurry seal product mentioned during the presentation.

Village Administrator Drew Irvin introduced the queued callers.

**Union Pacific and Metra Comments**

Mark Stolzenburg expressed his understanding that Union Pacific Railroad (UP) recently won a decision in Federal District Court regarding passenger service on its trains, track and parking lots. He expressed his understanding that UP owns its train stations and adjacent land which includes the Lake Bluff Metra Station and adjacent parking lot. He commented on information published in a *Sun Times* article regarding a contract, which appears to have some sort of right of refusal, with UP and an unnamed developer to purchase 41 train stations and parcels of land adjacent on its operating lines. Mr. Stolzenburg said the historic Lake Bluff train station building and parking lot are important to the community and asked the following questions: (i) Is Lake Bluff train station covered by the sales contract between UP and the developer; (ii) What is the price for Lake Bluff to buy back the train station and parking lot; (iii) Do we know where we are in this process and what measures are being taken to ensure that the Lake Bluff train station and parking lot, if covered by the sales contract, will not be sold out from underneath us; and (iv) What impact might the recent streetscape project expenditures, including construction costs/consulting fees, have on the Village ability to buy back its train station and parking lot.

Village Attorney Peter Friedman commented on the ongoing litigations between UP and Metra and noted that Metra does intend to appeal the courts decision. He said the Lake Bluff train station and parking lot are part of the 41 properties identified in the newspaper article and subject to the UP contract; although, no one has seen the contract the developers have been identified. Village Attorney Friedman mentioned that the developers had met with several of the communities identified, not Lake Bluff, operating on the UP Northwest lines.

Following a request from Village Attorney Friedman, Village Administrator Irvin said that the Metra parking lot is inclusive in the train station property footprint. He continued by stating that Staff did have a preliminary conversation with the developers, and like many of the other communities, thinks that their offering price (\$3.23 million) is slightly amplified. Also, the developers must go through the Village Advisory Board process as the property is zoned “railroad” and has an historic structure located on the property. He elaborated on the potential risks to the developer in regards to resources and court proceeding.

Trustee Rapping said he thinks developers may become disinterested because the parking lot generates approximately \$50,000 in revenue which does not pay the \$2 million debt service.

President Charlot said the Village is aware of the matter and thanked the resident for his concern.

**Navy Station Great Lakes Comments**

Kenneth Endress, Liaison Officer for the Commanding Officer Naval Station Great Lakes, said he has been with the organization for 42 years and enjoys interacting with the surrounding communities then he

shared information regarding the new Base Commander and community events such as the “First Friday” which is an opportunity for community leaders to visit the base.

Village Administrator Irvin said the Village and Great Lakes Navy Station has enjoyed a great working relationship and he looks forward to continuing the partnership as it benefits both communities.

President Charlot thanked Mr. Endress for his managing the relationship with the Village.

**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 OCTOBER 26 – NOVEMBER 8, 2021 AND OCTOBER 2021 PAYROLL EXPENDITURES**

President Charlot reported expenditure of Village funds for payment of invoices in the amount of \$688,415.34 for October 26 – November 8, 2021 and expenditure of Village funds for payment of payroll in the amount of \$292,668.91 for October 2021 for a total amount of \$981,084.25. He said the Invoice Register Report shows checks with a status of “open” or “paid”. All checks with the status of “open” are computer generated checks for the Board’s final approval. Checks with the status of “paid” are manual checks processed.

In response to Trustee Ankenman previous questions regarding expenditures to Baxter and Woodman for NPDS Stormwater Probe and Possibility Place Nursery, Village Administrator Irvin said the Baxter and Woodman expenditure covered ongoing compliance with the Federal Government requirements regarding stormwater discharge into federal and state waterways and stormwater programs then briefly commented on the Federal and Clean Water Act control measures. Village Administrator Irvin continued by commenting on a previous discussion regarding tree replacement. He said the Village purchased 75 native trees from Possibility Place Nursery and will be working with Lake Bluff Open Lands to plant the trees throughout the Village and open space along Route 176.

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

**7. ITEM #7A – VILLAGE ADMINISTRATOR’S REPORT: Informational Report Regarding Accessory Dwelling Units in Residential Zoning Districts (Upcoming Joint Plan Commission and Zoning Board of Appeals Hearings)**

Village Administrator Irvin reported consistent with the Village’s 2023 Strategic Plan and Comprehensive Plan, the PCZBA has been discussing Accessory Dwelling Units (ADUs) which are small houses, apartments, etc. that are on the same zoning lot as a single-family residence. They are commonly called “granny flats” or “in-law suites.” The Village Board last received an update and presentation on the PCZBA’s review of ADUs in August 2020. He said the Joint Plan Commission and Zoning Board of Appeals (PCZBA) has continued to develop a proposed set of regulations over the course of eight meetings in 2020-2021, including a Staff presentation to the Architectural Board of Review and with the assistance of a professional architect/planner who prepared prototypical illustrations based on common Village lot arrangements. At this time, the PCZBA has reached a consensus to begin hearings on a draft Ordinance that would authorize ADUs as a special use in all residential districts rather than a permitted use. Village

Administrator Irvin continued by stating the PCZBA’s recommendation, as drafted, states that the Village should re-evaluate this need within five years and should consider fee relief for applicants in this instance. In addition, as compared to the last update, the draft provides more specific location, scale, and parking requirements applicable to ADUs. A public hearing to consider adopting these regulations will start at the PCZBA’s Wednesday, November 17 regular meeting.

In response to a comment from Trustee Rider, Village Administrator Irvin said the Village has granted zoning relief for ADU most recently for the Shore Acres project and moving forward will consider ADUs as a special use permit as opposed to as of right.

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

Village Attorney Peter Friedman had no report.

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

President Charlot had no report.

**10. ITEM #10 AND #11 – CONSENT AGENDA**

President Charlot introduced the following Consent Agenda items for consideration:

- 10. Correspondence Delivered in the October 22 and 29, 2021 Informational Reports; and
- 11. A Resolution Approving a Third Amendment to a Professional Services Agreement with Passport Labs, Inc.

Trustee Markee moved to approve the consent agenda. Trustee Briand seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Fisher, Markee, Rappin, Rider, Ankenman, Briand  
Nays: (0)  
Absent: (0)

**11. ITEM #12 – A RESOLUTION APPROVING THE PURCHASE OF ROCK SALT FOR THE PURPOSE OF SNOW AND ICE REMOVAL FROM COMPASS MINERALS AMERICA, INC.**

President Charlot reported the Village’s FY2021-22 budget includes \$50,000 for the purchase of rock salt for ice and snow control operations. Annually, the State of Illinois Office of Procurement conducts a joint bid for roadway maintenance agencies statewide. This year’s approved bid of \$61.93 per ton was awarded to Compass Minerals America Inc, of Overland Park, KS. This year’s price reflects a 25% increase in price per ton. At this price the Village will be able to purchase approximately 600 tons of rock salt totaling \$37,158.00. President Charlot further reported the Village must commit to purchase 100% of the order and the supplier commits to provide 120% of the ordered amount at the bid price if severe weather conditions arise. Last year’s price per ton was \$49.40 with the Villages salt usage totaling 700 tons due to an average winter. The Village currently has approximately 630 tons left over from last season. With the purchase of 600 more tons of salt the Village will be able to adequately cover the winter season. This year’s increase in price can be attributed to the loss of a salt mine in Louisiana leading to the permanent closure of a significant source of supply.

In response to a comment from Trustee Rappin, Village Administrator Irvin said the Village and surrounding communities have seen the cost of salt commodity increase dramatically but the Village does budget conservatively to accommodate price fluctuations.

In response to a question from President Charlot, PWS Jake Terlap said he thinks a severe winter would require at least 1,000 tons of salt. He said the Village must commit to the salt purchase by March and he would prefer to maintain at least 1,200 tons of salt onsite for the winter season.

In response to a question from Trustee Markee, Village Administrator Irvin said the Village participates in the State of Illinois joint bid to receive the best price as opposed to seeking bids independently.

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

Ayes: (6) Markee, Rappin, Rider, Ankenman, Briand, Fisher  
Nays: (0)  
Absent: (0)

**12. ITEM #13 – A RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE (Sergeants)**

President Charlot said the Collective Bargaining Agreement (CBA) with the Village’s Police Sergeants expired on April 30, 2021. The Village negotiating team (Chief of Police, the Finance Director, and the Village Administrator with guidance from Village Labor Attorney Jill O’Brien) started conversations with the Sergeants earlier this year. Following multiple negotiating sessions, the team is recommending:

- a 3-year agreement (expired CBA had a 4-year term), and
- 2.5% increases in wages each year with retroactivity to 05/01/2021.

President Charlot said the proposed agreement also incorporates updated language to reflect recent case law in the “Dues Deduction & Indemnification” article. On October 25, 21 Sergeant Tom Vinson notified the Village that the proposed CBA has been agreed to by a majority of the members. Labor Attorney Jill O’Brien and Village Staff will be present to respond to questions from the Village Board.

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

Ayes: (6) Rappin, Rider, Ankenman, Briand, Fisher, Markee  
Nays: (0)  
Absent: (0)

**13. ITEM #14 – A RESOLUTION APPROVING A CONTRACT WITH PIZZO & ASSOCIATES, LTD FOR THE REMOVAL OF INVASIVE SPECIES FROM VILLAGE PROPERTY (Invasive Species Removal – Route 176 Corridor (Fall 2021))**

President Charlot said following the Village’s acceptance of a grant awarded by ComEd and Openlands earlier this year, Staff has solicited proposals to clear a dense thicket of buckthorn on Village-owned property lying between Illinois Route 176 and the Lake Bluff Golf Course. More specifically, the work to be performed

consists of clearing approximately five acres of invasive species as well as initial and recurring herbicide treatments to prevent the re-emergency of buckthorn and other woody invasive species. This project was developed with the participation of a number of outside stakeholders through the development of the Village's Thematic Landscape Identity, Gateway, and Corridor Plan (Res. 2019-16). President Charlot further stated as required by the Village's Purchasing Policy and Procedures Manual, the Village conducted a competitive solicitation of proposals for firms to complete the work. Seven firms participated in the pre-bid meeting for the work and three firms submitted proposals (see attached tabulation). Staff recommends the Village approve an agreement with Pizzo & Associates, Ltd. to complete the project for the total amount of \$39,042.00. This includes the initial removal work as well as Alternate B, which provides for two subsequent years of herbicide treatment to continue to suppress any reemergence of buckthorn.

In addition, President Charlot said the Village's adopted Fiscal Year 2021-22 budget includes \$16,500 intended for this work. Rather than only clear part of the area, the Village Administrator recommends expending an additional \$16,782 from the Village's budget contingency in order to complete all work in 2021-2022. (The \$2,880 per year for the additional treatments provided in Alternate B would be budgeted and spent in subsequent years.) He further stated the Village, in partnership with Lake Bluff Open Lands Associations (LBOLA), received a \$10,000 grant from ComEd / Openlands in connection with this project. The Rotary Club of Lake Forest and Lake Bluff is additionally providing \$1,200 as a donation to support tree planting through this project.

In response to a question from Trustee Ankenman, Village Administrator Irvin said the Village has never contracted with Pizzo and Associates but they have done satisfactory work in town.

In response to a question from Trustee Rappin, Village Administrator Irvin said the work performed will be a one-time buckthorn clearing and chemical treatment.

In response to a question from Trustee Markee, AVA Glen Cole said if approved, the work would start immediately and be completed by March 2022.

Trustee Briand said the work will tremendously improve the look of that area and continue LBOLA's great work.

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

Ayes: (6) Rider, Ankenman, Briand, Fisher, Markee, Rappin  
Nays: (0)  
Absent: (0)

**14. ITEM #15 – A RESOLUTION APPROVING AND AUTHORIZING THE PURCHASE OF A VACANT LOT ON HAWTHORNE COURT IN LAKE BLUFF**

President Charlot said this fall the Village was contacted by the owner of an undeveloped property located in the Terrace Subdivision (south of the CLCJAWA facility and within the Skokie River Prairie) looking to sell the lot. The *Village of Lake Bluff 2002 Inventory Report on Village Owned Lots and Unique Village Rights-of-Ways* recommends the Village acquire these privately held lots as opportunities arise to control all of the land within this natural area. A review of Village records revealed that the last purchase of property in this same area occurred in 2005 when the Village acquired a 75 x 150 lot for \$3,750. The

owner of the 65 x 160 lot is willing to accept that same price for the property; the Village Administrator recommends purchasing the property identified by pin # 12-20-304-015 for \$3,750.

In response to a question from Trustee Markee, Village Administrator Irvin said if this lot was purchased then the Village would only be looking to acquire two remaining lots. He commented on the nature preserve designation process and said he thinks the intent would be to upgrade the quality of the preserve.

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

Ayes: (6) Ankenman, Briand, Fisher, Markee, Rappin, Rider  
Nays: (0)  
Absent: (0)

**15. ITEM #16 – A RESOLUTION ESTIMATING THE AMOUNT OF THE ANNUAL AGGREGATE 2021 PROPERTY TAX LEVY**

President Charlot said annually the Village is statutorily required to estimate the funds to be raised from taxes on real property in the Village prior to the adoption of the levy. This is an estimate and does not limit the Board's ability to levy a different amount provided it is in compliance with the Truth in Taxation Law and all applicable notice and hearing provisions. The Finance Committee, at their October 25<sup>th</sup> meeting, reviewed the 2021 levy projections and unanimously recommended approval of an aggregate property tax levy of \$4,556,638. President Charlot further stated the Village share of the property tax levy of \$3,523,925 or \$62,117 more than the 2020 property tax extension. The Library Board's anticipated levy request of \$1,032,713 represents a \$18,203 increase from the 2020 Levy. The total Village extension amount including the Library is \$4,556,638, which is \$80,320 or 1.79% greater than the 2020 levy. This estimated levy is in compliance with the amount allowed under the Property Tax Limitation Act. The first reading of the 2021 tax levy ordinance and the public hearing will be held on Monday, November 22<sup>nd</sup>.

Trustee Briand expressed her concern regarding the proposed levy and said the Board can not consider the matter in good faith as fiduciaries unless a spending freeze is also considered. She commented on a news article regarding the impact of car parts on the economy and said the Village should anticipate a reduction in revenue. Trustee Briand said the exact same scenario exists today that existed in October 2020, for different reasons and a spending freeze needs to be considered for future projects. She said she would prefer to have some forecasting done as to what the future Village revenue would look like if revenue from car sales decreases. Trustee Briand said there needs to a conversation regarding a spending freeze because she cannot support a discussion on property taxes increases under these circumstances.

In response to questions from Trustee Briand, Finance Director Bettina O'Connell said last year, sales tax reductions of 28% were forecasted, and budgeted. She explained how sales taxes were applied to last years budget and said Staff will review and present updated data to the Board. Finance Director O'Connell said the numbers are based on the Illinois Department of Revenue data releases.

In response to comments from Trustee Ankenman, Finance Director O'Connell explained the factors which would cause a reduction in EAV such as reassessments related to the commercial sectors in town. Also, the previous year had a larger number of protests, exemptions that reduced EAV and trickled down into this year. Finance Director O'Connell continued by explained the EAV calculating process

noting the method reviews the last three years of assessed property values and the Village captures the increases or changes.

Trustee Briand asked if the Board was comfortable discussing an increase in taxes. She said the materials provided helped her understand the Village current predicament but she is trying to anticipate future predicaments.

Trustee Rider commented on the multitude of known future expenditures and suggested a gradual increase by taking the full CPI this year would be beneficial without even considering the streetscape improvements.

Trustee Markee shared her opinion as to why the Board had previously decided to approved a spending freeze and said she is okay with taking the CPI this year because the situation is different. She said the sales tax revenue this year has been tremendous and can be used if needed. Trustee Markee said her concern would be how to manage next year because she thinks CPI will increase as a result of inflation.

Trustee Fisher said she is reserving comment because everyone has covered her thoughts. She said she liked the idea of a gradual increase with as much transparency as possible because she does not want to see the community struggle if there is a large increase.

Trustee Rappin said he appreciated the comments regarding looking toward the future. He expressed his uncertainty regarding future car sales and said he would support the recommendation to increase CPI at this time but pay attention to future expenditures.

President Charlot agreed that the Board was elected to represent the community and make difficult decisions. The Village was in a difficult position last year due to the pandemic and uncertainty regarding the future. He commented on the previous presentation regarding infrastructure and roadway repairs and said it is a difficult decision but he would support increasing tax revenue at this time.

Trustee Briand said the Village is not in a different situation than in 2020 instead of job loss there is inflation. It is her belief that the Village reacts a lot but the discussion allowed an opportunity to be proactive and she is not suggesting that the increase be denied, as an incremental increase would be great, but discussed the matter in conjunction with an agreement amongst the Board regarding spending.

Trustee Markee expressed her opinion that the Board does review each project thoroughly and if needed may periodically reassess capital projects.

President Charlot said the goal is to make decision based on the information presented at that time and continue to reassess as needed.

Trustee Briand commented on the CPI percentage related to the ongoing streetscape projects. She said she voted against part of the project, but if she had know the percentage rate at that time, she would have voted against all of the project. Trustee Briand said she would implore consideration for future expenditures because she fears next year will be more difficult than anticipated.

Trustee Rappin said it may be beneficial for Staff to conduct some sensitivity analysis to determine if there were any inflationary impacts. He said the capital reserves are at a healthy level and he does not want to be short sighted regarding future projects for our community out of fear of the unknown. Also, he

said he does not want the Village to paralyze itself when an analysis can be done and he would like for the factors to be proven before putting on the brakes.

Trustee Briand said she is here for the benefit of other people and her comments are not fear based but proven facts from data provided by the Bureau of Labor Statistics which show the matter on an upward trajectory.

In response to a comment from Village Administrator Irvin, Trustee Ankenman there are benefits associated with the fiscal and calendar year budget scenarios and she thinks with Staff direction and guidance the Village will be prepared. The Board Members provide an abundance of information and resources and she thanked everyone for sacrificing their personal life to serve the community. Also, she encouraged everyone to challenge the status quo and to be mindful of their predecessor's knowledge and history.

President Charlot thanked Staff for their effective planning and said the Village needs to carefully consider future planning to ensure the best possible outcome.

In response to a question from Trustee Briand, Finance Director O'Connell said the proposed resolution, if approved, is an estimate based on what was approved at the Finance Committee meeting and may be amended before final reading of the budget ordinance then shared an example of a previous change.

In response to a question from Trustee Markee, Finance Director O'Connell said the estimated property tax levy resolution and budget ordinance needs to be recorded with Lake County by the second Tuesday in December.

Following an extensive discussion, Trustee Ankenman moved to adopt the resolution. Trustee Markee seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Fisher, Markee, Rappin, Rider, Ankenman  
Nays: (1) Briand  
Absent: (0)

**16. ITEM #17 – A RESOLUTION ADOPTING A POLICY ON THE WAIVER OF BUILDING AND DEVELOPMENT FEES FOR CERTAIN ORGANIZATIONS**

President Charlot said on October 22, 2021 following its review of the draft fee waiver policy, the Finance Committee recommended that the Board adopt a fee waiver policy. The policy would enable the Village Administrator and/or the Village Board to grant a fee waiver or reduction in development related fees for non-profit agencies.

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

Ayes: (6) Fisher, Markee, Rappin, Rider, Ankenman, Briand  
Nays: (0)  
Absent: (0)

**17. ITEM #18 – TRUSTEE’S REPORT**

There was no Trustee’s report.

**18. ITEM #19 – CONSIDERATION OF THE OCTOBER 25, 2021 EXECUTIVE SESSION MEETING MINUTES**

Trustee Markee moved to approve the October 25, 2021 Board of Trustees Executive Session Meeting Minutes as presented. Trustee Briand seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Markee, Rappin, Rider, Ankenman, Briand, Fisher  
Nays: (0)  
Absent: (0)

**19. ITEM #20 – EXECUTIVE SESSION**

At 8:39 p.m. Trustee Briand moved to enter into Executive Session for the purpose of discussing Pending Litigation (5 ILCS 120/2(c)(11)). Trustee Fisher seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Rappin, Rider, Ankenman, Briand, Fisher, Markee  
Nays: (0)  
Absent: (0)

There being no further business to discuss, Trustee Fisher moved to adjourn out of executive session. Trustee Markee seconded the motion and at 9:12 p.m. the motion passed on the following roll call vote:

Ayes: (6) Markee, Rappin, Rider, Ankenman, Briand, Fisher  
Nays: (0)  
Absent: (0)

**20. ITEM #21 – ADJOURNMENT**

Trustee Ankenman moved to adjourn the regular meeting. Trustee Briand seconded the motion and the motion passed on a unanimous voice vote at 9:13 p.m.

Respectfully Submitted,

---

R. Drew Irvin  
Village Administrator

---

Katharine Hatch  
Village Clerk