

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
MAY 9, 2022**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President Charlot called the meeting to order at 7:00 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
Drew Irvin, Village Administrator
Bettina O’Connell, Finance Director
Mike Croak, Building Codes Supervisor
Jeff Hansen, Village Engineer
Jake Terlap, Public Works Superintendent
Mike Hosking, Police Chief
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 APRIL 25, 2022 VILLAGE BOARD MEETING

Trustee Ankenman moved to approve the April 25, 2022 Board of Trustees Regular Meeting Minutes as presented. Trustee Markee seconded the motion. The motion passed a unanimous voice vote.

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.

Sandy Hart, Lake County Board Chair, announced that Lake County in conjunction with Pace and other local partners across Lake County has launched “Ride Lake County Paratransit Service” then she elaborated on the service which is available to seniors (age 60+) and individuals with disabilities, 7 days a week (6:00 a.m. to 6:00 p.m.). A discussion followed.

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

President Charlot stated he would, if there were no objections, take Agenda Item #12, #13 and #16 then return to the regular order of the meeting. There were no objections from the Board.

6. ITEM #12 – AN ORDINANCE AMENDING A SPECIAL USE PERMIT AND GRANTING PARKING VARIATIONS AND SITE PLAN APPROVAL FOR THE CENTER AVENUE PARTNERS DEVELOPMENT (79 and 91 East Scranton Avenue) (Pedestrian Walkway Expansion)

President Charlot said on March 28, 2022, the Village of Lake Bluff received a zoning relief application from Center Avenue Partners (Applicant) to modify the parking lot of their development in order to expand the pedestrian walkway on its eastern edge. This walkway is commonly known as the “Scranton Alley” and is the site of outdoor dining operations by Prairie Espresso. Expansion of the pedestrian walkway requires the relocation of certain parking spaces and the repurposing of the abandoned drive-through lane as a dedicated parking stall. The owners will also be relocating a stormwater inlet elsewhere within the parking lot. President Charlot further stated to authorize these changes, the Village’s Zoning Regulations require amendments to the property’s existing special use permit; the issuance of a new variation to allow for the creation of a parking lot without a turnaround area; and site plan approval. On Thursday, April 28, the Plan Commission and Zoning Board of Appeals (PCZBA) conducted a public hearing and unanimously recommended the Village Board grant the requested relief. On Tuesday, May 3, the Architectural Board of Review (ABR) conducted a public hearing and unanimously recommended the Village Board grant the requested relief.

In response to a comment from Trustee Markee, Ron Oesterlein of Center Avenue Partners, said the features on the drawings (food truck area, firepit, etc.) indicate potential future use of the drive through area and he is not asking for approval of these amenities at this time.

In response to questions from Trustee Rappin, Mr. Oesterlein said one parking spot will be displaced and relocated to the drive through area. The curb cut for the handicap parking spot is located near Inovasi Restaurant and is currently be used for deliveries and Prairie Espresso will use the parking spots near the brick alleyway because of the lack of turnaround. Mr. Oesterlein said the plan is to enhance the aesthetics in the area and there is no request to modify or expand its outdoor seating. Village Administrator Irvin stated there is flexibility in the SUP which allows the Village Administrator to authorize different uses and seating layouts for the area. A discussion followed.

Trustee Ankenman said Scranton Alley is a well-used space and expressed her concern that the improvements could make the area feel less public and more private. She asked how would the area

be identified as a public space. Following a brief discussion, Trustee Ankenman said she want to encourage accessibility for people to access the area. Village Administrator Irvin said Scranton Alley is not public property; however, the existing alleyway must remain accessible to the public as a thoroughfare pursuant to the original zoning relief for the property.

Trustee Rider moved to approved first reading of the ordinance. Trustee Rappin seconded the motion. The motion passed a unanimous voice vote.

President Charlot said the Applicant submitted a request to waive second reading of the ordinance then inquired of the reason for the request. Following a comment from Village Administrator Irvin, Mr. Oesterlein said the intent is to apply for the building permit as soon as possible because the storm sewer inlet, that was supposed to be moved, must be replaced because it is not functional.

Following a comment from Trustee Rider, Trustee Rappin moved to waive second reading of the ordinance. Trustee Briand seconded the motion. The motion passed on the following roll call vote:

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

7. ITEM #13 – AN ORDINANCE GRANTING VARIATIONS FOR THE RENOVATION OF A GARAGE (112 East North Avenue)

President Charlot said on February 28, 2022, the Village of Lake Bluff received a zoning variation application from Ronald Gauvin, Trustee (Applicant) for zoning relief necessary to renovate an existing non-conforming garage located at the rear of the applicant’s property at 112 East North Avenue. The Applicant asserts that the existing structure is over 100 years old and is structurally unsound due to wall and foundation issues. The renovations, as described, would resolve these issues and finish the existing second floor of the structure for use as an exercise room. President Charlot further stated owing to its age, the structure is non-conforming with the Village’s current Zoning Regulations in numerous ways. Section 10-8-2 of the Zoning Regulations requires that, when a structure is to be restored or rebuilt to the extent of more than 50% of the cost of replacement new, the structure would otherwise be required to come into conformity with the Zoning Regulations. Accordingly, while the proposed work would not increase the degree of non-conformity with any particular requirement, it requires numerous variations as shown in the attached Ordinance.

President Charlot said on Thursday, April 28, the PCZBA conducted a public hearing and unanimously recommended the Village Board grant the requested relief, with the additional condition that the zoning relief is intended to allow for the renovation of the garage and not its demolition and reconstruction. Section 4(D) of the Ordinance (Preservation) has been prepared by the Village Attorney to implement this recommendation.

Following a comment from Trustee Ankenman, Trustee Rider moved to approved first reading of the ordinance. Trustee Markee seconded the motion. The motion passed a unanimous voice vote.

8. ITEM #16 – A RESOLUTION APPROVING A SITE PLAN TO ADD PLANTER BEDS AT THE LAKE BLUFF LIBRARY AT 123 EAST SCRANTON AVENUE

President Charlot said the Library would like to start a learning garden to compliment the summer reading club theme, “Growing Readers.” They are proposing two raised planter beds on the west side of the building, in the grass area between the public sidewalk and the flower beds. The Library has signed a non-exclusive special license agreement to have the planter beds in the public right-of-way. He further stated the item was reviewed by the ABR at their meeting on May 3. The ABR voted 5-0 to recommend that the Village Board approve the site plan.

Eric Bailey, Library Director, said additional information was submitted in regards to the growing readers program, planter beds design/materials, and trellises for the vining crops which will be a beautiful addition to the site. President Charlot expressed his thanks for enhancing the community.

In response to a question from Trustee Ankenman, Mr. Bailey said the intent is to maintain and evaluate the project through the summer, if successful, the plan would be to continue the project next year.

In response to a question from Trustee Markee, Mr. Bailey said the planter beds will be used as a library garden program to get children and adults involved in learning how to garden, and he noted the watering and garden care will be handled primarily by volunteers.

In response to a question from Trustee Briand, Mr. Bailey said the vegetable seedlings under lights in Youth Services will be replanted in the beds and harvest by the volunteers.

As there were no further questions, Trustee Fisher moved to adopt the resolution. Trustee Rappin seconded the motion. The motion passed a unanimous voice vote.

9. ITEM #6A – WARRANT REPORT FOR APRIL 26 – MAY 9, 2022 AND APRIL 2022 PAYROLL EXPENDITURES

President Charlot reported expenditure of Village funds for payment of invoices in the amount of \$311,429.79 for April 26 – May 9, 2022 and expenditures of Village funds for payment of payroll in the amount of \$299,614.42 for April 2022 for a total amount of \$611,044.21. 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.

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

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

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

Following a request from President Charlot, Finance Director Bettina O’Connell said the report provides an annual summary of year end cash balances, revenues, and expenses. It is State Statute that this report be provided by the second Tuesday every May. It also requires a list of all disbursements be provided and also a current list of active member contributions and employee deductions. Finance Director O’Connell said overall, the fund has seen a decline this year of 6.3% with an asset transfer to the State consolidated Fund by June 1.

In response to a comment from Trustee Briand, Finance Director O’Connell said there was some litigation in place which could have potentially stopped the transfer but litigation is no longer a class action filing and municipalities will not be impacted. State Statute currently states that each pension fund needs to transfer assets by the end of June and the Village’s first movement of assets will occur on June 1.

In response to a question from Trustee Rappin, Finance Director O’Connell said the loss in revenues for the past 12 months was market driven. Following a comment from Village Administrator Irvin, Finance Director O’Connell said in 2018 the fund was just over \$10 million and 2022 at \$12.3 million and noted the previous market has had phenomenal gains while the last 12 months have seen some losses. Village Administrator Irvin shared information regarding the establishment of the police pension fund and said he is hopeful that the pooling of this with other entities will benefit us as well as everyone else.

Trustee Briand asked if Staff anticipate the investment strategies will be potentially more conservative when it is transferred and how the assets will be diversified. Finance Director O’Connell said the State has not provided a formal policy defining the asset allocations.

Trustee Markee moved to accept the report. Trustee Rappin seconded the motion. The motion passed a unanimous voice vote.

11. ITEM #7 – VILLAGE ADMINISTRATOR’S REPORT

Village Administrator Irvin said the Board recently discussed the existing outdoor dining arrangement (Block One) and proposed to modify the configuration to allow two-way traffic, dining on the north side, and parklet which would best mimic the approved concept plan. He said Block One businesses and Property Manager, Rob Douglass presented their plan to the ABR, which considered the plan and recommended Chair Hunter collaborate with the building operator and restaurateurs to finalize a plan and present it to the Board at its next meeting.

12. ITEM #8 – VILLAGE ATTORNEY’S REPORT

Village Attorney Peter Friedman expressed his thanks to everyone that attended the Elrod Friedman Biannual Seminar.

13. ITEM #9 – VILLAGE PRESIDENT’S REPORT

President Charlot had no report.

14. ITEM #10 AND #11 – CONSENT AGENDA

President Charlot introduced the following Consent Agenda items for consideration:

- 10. Correspondence Delivered in the April 22 and 29, 2022 Informational Reports; and
- 11. Second Reading of an Ordinance Amending Title 6, Chapter 2 of the Municipal Code Concerning Vehicle Licenses.

As there were no comments from the Board, Trustee Markee moved to approve the consent agenda. Trustee Ankenman seconded the motion. The motion passed on the following roll call vote:

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

15. ITEM #14 – AN ORDINANCE AMENDING TITLE 3 OF THE VILLAGE OF LAKE BLUFF MUNICIPAL CODE CONCERNING CLASS “A”, “R”, “W”, AND “Z” LIQUOR LICENSE

President Charlot said the Ordinance, as recommended by the Liquor Commissioner, reducing the number of available “A”, “R”, “W”, and “Z” licenses by one each due to the following non-renewals of current liquor licenses:

- **Chipotle Mexican Grill, Inc.** (945 Rockland Rd., Ste. A) has ceased their retail sales of liquor prior to the renewal date and did not file a 2022-2023 renewal application for their class “R” license.
- **Tempehl Co. dba Be Market** (24 East Scranton Avenue) has applied to renew their class “A”, “W”, and “Z” licenses. However, both the Illinois Liquor Control Act (235 ILCS 5/6-2(a)(13)) and the Village Code (Sec. 3-2-5(K)) prohibit the issuance of a liquor license to “a person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.” Tempehl Co. did not provide a lease with their application and is presently the defendant in a pending eviction suit before the Lake County Circuit Court filed by their landlord. As their application is materially incomplete, the Village cannot issue Tempehl Co. a 2022-2023 liquor license.

President Charlot said the Liquor Commissioner requests that the Board waive second reading of the Ordinance and adopt it at its May 9 meeting.

Trustee Briand inquired of the rationale for waiving second reading. Village Attorney Friedman explained the legal ramifications regarding the liquor license process.

Trustee Fisher moved to approved first reading of the ordinance. Trustee Briand seconded the motion. The motion passed a unanimous voice vote.

Trustee Fisher moved to waive second reading of the ordinance. Trustee Briand seconded the motion. The motion passed on the following roll call vote:

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

16. ITEM #15 – A RESOLUTION AUTHORIZING THE PURCHASE OF A REPLACEMENT BACKHOE LOADER AND RELATED EQUIPMENT AND DECLARING ONE 2002 CASE BACKHOE LOADER AND RELATED EQUIPMENT AS SURPLUS

President Charlot said with over 5000 hours of use and no longer under warranty, the Village's 2002 Case Backhoe Loader is planned for replacement this fiscal year; the Vehicle and Equipment Replacement Fund includes \$110,000 for this replacement. Utilizing the Sourcewell national joint procurement cooperative pricing (consistent with Village Purchasing Policies) and a \$20,000 Village trade-in allowance, the replacement Backhoe Loader with the necessary attachments is available for delivery in mid-January of 2023 at a total price of \$107,462.07. He further stated, If approved, the Resolution will authorize the purchase of one Case Backhoe Loader with a hydraulic breaker from Burris Equipment, Inc. of Waukegan, Illinois and trade in of the old Backhoe Loader.

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

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

17. ITEM #17 – TRUSTEE'S REPORT

Trustee Ankenman thanked Elrod Friedman for the informative and educational information provided at its seminar.

18. ITEM #18 – CONSIDERATION OF THE APRIL 25, 2022 EXECUTIVE SESSION MEETING MINUTES

Trustee Markee moved to approve the April 25, 2022 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) Rider, Ankenman, Briand, Fisher, Markee, Rappin
Nays: (0)
Absent: (0)

President Charlot stated upon the adjournment of closed session, there will be no further public business, and the public meeting will close automatically.

19. ITEM #20 – EXECUTIVE SESSION

At 8:05 p.m. Trustee Ankenman moved to enter into Executive Session for the purpose of discussing Land Use Acquisition (5 ILCS 120/2(c)(2)). 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)

There being no further business to discuss, Trustee Rider moved to adjourn out of executive session. Trustee Briand seconded the motion and at 8:47 p.m. the motion passed on the following roll call vote:

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

20. ITEM #22 – ADJOURNMENT

Trustee Rider moved to adjourn the regular meeting. Trustee Briand seconded the motion and the motion passed on a unanimous voice vote at 8:48 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Katharine Hatch
Village Clerk