

The City of Lake Forest  
CITY COUNCIL  
***Proceedings of the Monday, October 2, 2017***  
City Council Meeting - City Council Chambers, 6:30pm

The City Clerk asked for a motion to appoint Alderman Newman as acting Mayor. Alderman Rummel made a motion, seconded by Alderman Reisenberg. Motion carried unanimously by voice vote

CALL TO ORDER AND ROLL CALL: Acting Mayor Tim Newman called the meeting to order at 6:31pm, and City Clerk Margaret Boyer called the roll of Council members.

Present: Alderman Beidler, Alderman Morris, Alderman Newman, Alderman Rummel, Alderman Tack, Alderman Reisenberg, Alderman Moreno and Alderman Buschmann.

Absent: Mayor Lansing.

Also present were: Robert Kiely Jr., City Manager; Victor Filippini, City Attorney; Catherine Czerniak, Director of Community Development, Elizabeth Holleb, Finance Director; Michael Thomas, Director of Public Works; Susan Banks, Communications Manager; Mike Strong, Assistant to the City Manager; Joe Gabanski, Assistant IT Director; and Anne Whipple along with other members of City Staff.

There were approximately 25 persons present in the Council Chambers.

CALL TO ORDER AND ROLL CALL 6:31 pm

PLEDGE OF ALLEGIANCE was recited by all those present in the Chamber.

**REPORTS OF CITY OFFICERS**

**COMMENTS BY MAYOR**

**A. Resolution recognizing the 100<sup>th</sup> Anniversary of Lake Forest Flowers**

Acting Mayor Newman read the Resolution and presented it to John Looby and Eileen Looby Weber. Photos were taken.

**COUNCIL ACTION: Approval of the Resolution**

Alderman Beidler made a motion to approve the resolution, seconded by Alderman Moreno. Motion carried unanimously by voice vote.

**B. Housing Trust Fund Board Report and Recommendation**  
- Donald Schoenheider, Chairman

Acting Mayor Newman introduced Don Schoenheider, former Mayor and Chairman of the Housing Trust Fund Board.

**1. Consideration of a Recommendation from the Housing Trust Fund Board in Support of a Continued Partnership with Community Partners for Affordable Housing and Extension of the Agreement. (Consideration of a Motion)**

Chairman Schoenheider gave an overview of the HTFB recent works and asked the City Council for support of a continued partnership with Community Partners for Affordable Housing (CPAH). The City's agreement

with CPAH be extended authorizing expenditures of up to \$335,000 over the next 24 months from the Housing Trust Fund. The recommended funding would be allocated as follows: Contributions of \$150,000 per house to support the purchase of two additional houses in Lake Forest which will remain as affordable homes in perpetuity with the ground leases held by CPAH. A service fee paid to CPAH for work related to the acquisition, improvement, marketing, sale and oversight of the homes in the amount of \$15,000 per home. Pay CPAH consulting fees in an amount not to exceed \$5,000 to assist the Housing Trust Fund Board and City staff in overseeing the affordable rental and for sale units in the residential developments now under construction in the Central Business District.

The City Council had discussion on the partnership with Community Partners and housing stock.

Acting Mayor Newman asked if there was anyone from the Public who would like to comment on this item. Seeing none, he asked for a motion.

**COUNCIL ACTION:** If desired by the City Council, approve a motion directing the City Manager to update and extend the agreement with Community Partners for Affordable Housing to authorize the purchase and improvement of existing single family homes in Lake Forest and going support from CPAH toward the City's goal of offering a diverse housing stock, in an amount not to exceed \$335,000 over a period of 24 months from the date of the agreement.

Alderman Moreno made a motion to approve a motion directing the City Manager to update and extend the agreement with Community Partners for Affordable Housing to authorize the purchase and improvement of existing single family homes in Lake Forest and going support from CPAH toward the City's goal of offering a diverse housing stock, in an amount not to exceed \$335,000 over a period of 24 months from the date of the agreement, seconded by Alderman Rummel. The following voted "Aye": Alderman Beidler, Morris, Newman, Rummel, Tack, Reisenberg, Moreno, and Buschmann. The following voted "Nay": None. 8-Ayes, 0 Nays, motion carried.

#### **COMMENTS BY CITY MANAGER**

City Manager Robert Kiely invited residents to a meeting at Trinity International University hosted by The City of Lake Forest and the Villages of Bannockburn, Deerfield, Glenview and Northbrook to discuss the future of rail traffic in the region.

##### **A. Community Spotlight**

###### **- Lake Forest College, Stephen Schutt, President**

City Manager Robert Kiely introduced Stephen Schutt, President of Lake Forest College. President Schutt noted that this year Lake Forest College is celebrating its 160<sup>th</sup> Homecoming Anniversary and reviewed upcoming events. He also acknowledged the donors for funding the Willard Science Center.

The City Council had discussion on the conversations that the College and students are having relating to current events, and the Community Dinner program, a student pilot program.

##### **B. Comcast Annual Update**

###### **- Frank Deuel, Senior Manager of Government Affairs**

City Manager Robert Kiely introduced Frank Deuel, Senior Manager of Government Affairs. Mr. Deuel gave an overview of Comcast's goals to provide world class customer service. He reviewed the investment in the customer experience, investment in development of products and services and investments in communities.

#### **3. COMMENTS BY COUNCIL MEMBERS**

**4. OPPORTUNITY FOR CITIZENS TO ADDRESS THE CITY COUNCIL ON NON-AGENDA ITEMS**

Dan Seabald, 560 Ivy Ct, Lake Forest, offered his opinion to the City Council on Omnibus items # 7 and # 8.

**5. ITEMS FOR OMNIBUS VOTE CONSIDERATION**

- 1. Approval of the September 5, 2017 City Council Meeting Minutes**
- 2. Approval of the September 18, 2017 City Council Workshop Meeting Minutes**
- 3. Check Register for the period of August 26 – September 22, 2017**
- 4. Approval of a Proclamation in full support of Illinois Rail Safety Week September 24-30, 2017**
- 5. Award of a One-Year Contract Renewal with InterDev for Information Technology Support**
- 6. Waive Bidding Requirements and Approve the Purchase of Two Stryker Ambulance Cots**
- 7. Consideration of Recommendations from the Plan Commission in Support of Actions Related to Final Approval of the 770 Westleigh Road (The Preserve at Westleigh) Planned Preservation Subdivision. (If desired by the Council, Waive First Reading and Grant Final Approval of Ordinances as Detailed Below)**
- 8. Consideration of a Recommendation from the Plan Commission in Support of a Special Use Permit for The Gallery Restaurant. (If desired by the Council, Waive First Reading and Grant Final Approval of the Ordinance.)**
- 9. Consideration of Ordinances Approving Recommendations from the Building Review Board. (First Reading and if Desired by the City Council, Final Approval)**
- 10. Consideration of Ordinances Approving Recommendations from the Historic Preservation Commission. (First Reading and if Desired by the City Council, Final Approval)**
- 11. Consideration of an Ordinance Approving a Recommendation from the Zoning Board of Appeals. (First Reading, and if Desired by the City Council, Final Approval)**
- 12. Request for City Council Approval of a Resolution to Adopt the 2017 Lake County All Natural Hazards Mitigation Plan**

**COUNCIL ACTION: Approval of the twelve (12) Omnibus items as presented**

Acting Mayor Newman asked members of the Council if they would like to remove any item or take it separately. The City Council had discussion on item #8 and removed item #7. Hearing no further discussion, Acting Mayor Newman asked for a motion to approve the eleven Omnibus items as presented.

Alderman Reisenberg made a motion to approve the eleven omnibus items as presented, seconded by Alderman Beidler. The following voted "Aye": Alderman Beidler, Morris, Newman, Rummel, Tack, Reisenberg, Moreno, and Buschmann. The following voted "Nay": None. 8-Ayes, 0 Nays, motion carried.

ITEM # 7 REMOVED for further discussion: Consideration of Recommendations from the Plan Commission in Support of Actions Related to Final Approval of the 770 Westleigh Road (The Preserve at Westleigh) Planned

Preservation Subdivision. (If desired by the Council, Waive First Reading and Grant Final Approval of Ordinances as Detailed Below) [as listed on the Omnibus agenda].

Alderman Rummel recused herself from discussion and vote on this item.

Catherine Czerniak, Director of Community Development gave an overview to the City Council on this item. The opportunity for Mr. Seabald to re-address the City Council on this item was offered and he declined further comment.

Acting Mayor Newman asked if there was any further discussion on this item. Seeing none, he asked for a motion.

**COUNCIL ACTION: If determined to be appropriate by the City Council:**

- 1. Grant final approval of an Ordinance rezoning the 22 acre parcel from R-5 to R-4.**
- AND**
- 2. Waive first reading and grant final approval of an Ordinance granting a Special Use Permit and approving the 770 Westleigh Road (The Preserve at Westleigh) Planned Preservation Subdivision subject to the conditions of approval as detailed in the Ordinance.**

Alderman Moreno made a motion to grant final approval of an Ordinance rezoning the 22 acre parcel from R-5 to R-4. AND Waive first reading and grant final approval of an Ordinance granting a Special Use Permit and approving the 770 Westleigh Road (The Preserve at Westleigh) Planned Preservation Subdivision subject to the conditions of approval as detailed in the Ordinance, seconded by Alderman Reisenberg. The following voted "Aye": Alderman Beidler, Morris, Newman, Rummel, Tack, Reisenberg, Moreno, and Buschmann. The following voted "Nay": None. 7-Ayes, 0 Nays, 1-abstention, motion carried.

*Information such as Purpose and Action Requested, Background/Discussion, Budget/Fiscal Impact, Recommended Action and a Staff Contact as it relates to the Omnibus items can be found on the agenda.*

<b>6. ORDINANCES</b>
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- 1. Approval of an Ordinance amending City Code Relating to Real Estate Transfer Taxes (Waive First Reading and Grant Final Approval)**

Elizabeth Holleb, Finance Director, reported that this item is an update from the January 2015 City Council approval of an Ordinance adopting an updated code. As a follow up, City Staff and the City Attorney have proceeded to review certain provisions of the Code to determine whether changes are required to reflect current practices and policies of the City. The proposed Ordinance recommends revisions to the City Code section on Real Estate Transfer Tax.

Ms. Holleb also reported that in addition, the City Council approved amendment of City Code section 39.166 on April 17, 2017, but requested that staff consider further revision as part of its comprehensive review of the RETT provisions. On July 25, the PCA Committee recommended further amendments to allow the City Manager to act on hardship variances for extending the one-year thresholds up to two years, while the PCA Committee would hear appeals of the City Manager decision or appeals to extend the one-year thresholds beyond two years. The PCA Committee would also continue to hear appeals of other RETT provisions.

Approval of this item would have a modest financial impact, in that an occasional refund of real estate transfer tax would be made that would not have otherwise occurred under current City Code provisions.

The City Council had discussion on appeal procedure, the impact of a two year window for appeal and language changes. The City Council stated it would like to see the recommended changes at its next City Council meeting, making this item first reading.

Acting Mayor Newman asked if there was anyone from the public who would like to comment on the item. Seeing none. He asked for a motion to approve first reading with recommended changes.

**COUNCIL ACTION: If determined to be appropriate by the City Council, waive first reading of an Ordinance amending City Code relating to Real Estate Transfer Taxes.**

Alderman Beidler made a motion to approve first reading of an Ordinance amending City Code relating to Real Estate Transfer Taxes with recommended changes, seconded by Alderman Reisenberg. Motion carried unanimously by voice vote.

**7. NEW BUSINESS**

**1. Discussion of City Council Role in Matters before the Boards and Commissions**

City Manager Robert Kiely reported that this item comes up before the Council about every seven years, and that understanding the difference between legislative and judicial roles can be challenging. Mr. Kiely introduced City Attorney Victor Filippini who defined the City Council's role as quasi-judicial in land use and zoning issues that come before the City Council. The City Attorney reported that to avoid prejudice, City Council members are encouraged to exercise discipline and discouraged exparte contact. Members of the City Council had discussion on the difference between talking with constituents and inadvertently violating rules when it comes to land use and zoning issues when a public hearing is involved. The City Council talked about the difference of educating constituents vs. advocating for constituents on any topics.

**2. Discussion on Minimum Legal Sales Age for Tobacco Products**

Alderman Rummel reported that Lake County and a number of other communities have recently passed legislation raising the legal sales age for tobacco products and would like the City Council to consider the option. After discussion the City Council had consensus that it does not want to regulate this issue in Lake Forest.

**8. ADDITIONAL ITEMS FOR COUNCIL DISCUSSION**

**9. ADJOURNMENT INTO EXECUTIVE SESSION**

Acting Mayor Newman reported that there will be no further business following executive session. He asked for a motion to adjourn into executive session.

**1. EXECUTIVE SESSION pursuant to 5ILCS 120/2 (c), (6), The City Council will be discussing the disposition of property and the consideration for the sale or lease of property owned by the Public Body.**

Alderman Reisenberg made a motion to adjourn into executive session pursuant to 5ILCS 120/2 (c), (6), The City Council will be discussing the disposition of property and the consideration for the sale or lease of

property owned by the Public Body, seconded by Alderman Morris. The following voted "Aye": Alderman Beidler, Morris, Newman, Rummel, Tack, Reisenberg, Moreno, and Buschmann. The following voted "Nay": None. 8-Ayes, 0 Nays, motion carried.

**-ADJOURNMENT-** the City Council adjourned into executive session at 8:45 pm

The City Council reconvened into regular session at 9:55pm

<b>10. ADJOURNMENT</b>
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There being no further business. Alderman Rummel made a motion to adjourn, seconded by Alderman Newman. Motion carried unanimously by voice vote at 9:56p.m.

Respectfully Submitted  
Margaret Boyer

*A video of the City Council meeting is available for viewing at the Lake Forest Library and on file in the Clerk's office at City Hall. You can also view it on the website by visiting [www.cityoflakeforest.com](http://www.cityoflakeforest.com). Click on I Want To, then click on View, then choose Archived Meetings Videos.*