

The City of Lake Forest
CITY COUNCIL
Proceedings of the Monday, December 4, 2017
City Council Meeting - City Council Chambers

CALL TO ORDER AND ROLL CALL: Honorable Mayor Lansing called the meeting to order at 6:30pm, and the City Attorney called the roll of Council members.

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

Absent: none

Also present were: Robert Kiely, Jr., City Manager; Victor Filippini, City Attorney; Catherine Czerniak, Director of Community Development; Susan Banks, Communication Manager; Michael Thomas, Director of Public Works; Pete Siebert, Fire Chief; Sally Swarthout, Director of Parks & Recreation; DeSha Kalmar, Director of Human Resources; Mike Strong, Assistant to the City Manager, along with other members of City Staff.

There were approximately 70 persons present in the Council Chamber.

CALL TO ORDER AND ROLL CALL 6:30pm

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

REPORTS OF CITY OFFICERS

COMMENTS BY MAYOR

Mayor Lansing read a Resolution of Sympathy for former Mayor Rhett Butler. Elizabeth Butler Pruett thanked the Council and shared her father's love for The City of Lake Forest.

A. Approval of a Resolution of Sympathy for former Mayor Rhett Butler

COUNCIL ACTION: Approval of the Resolution

Alderman Tack made a motion to approve the Resolution, seconded by Alderman Newman. Motion carried unanimously by voice vote.

Mayor Lansing shared a speech and photos from the Illinois Bicentennial Flag Raising Ceremony that was held at City Hall at noon on December 4, along with other Illinois communities across the State. The Flag Raising Ceremony kicks off a yearlong celebration of the State of Illinois Bicentennial.

Mayor Lansing reported that on Thursday, the City of Lake Forest received a letter of support from Joe McHugh, Vice President of Amtrak, State Supported Services- Business Development, and he read it into the record.

"On behalf of Amtrak, I am writing today to express Amtrak's support for adding a station stop in Lake Forest, Illinois, to the *Hiawatha* Service. I also want to thank you for your recent visit with us in Washington, DC and for your November 6 correspondence.

Under Federal legislation passed in 2008, services outside the Northeast Corridor of less than 750 miles, such as the *Hiawathas*, must be primarily funded at the State or local level. In the case of the *Hiawathas*,

this funding comes from the Wisconsin Department of Transportation (WisDOT) and the Illinois Department of Transportation (IDOT): Both of these agencies have been in contact with us in recent years on this subject, and per their instructions, we have developed potential schedules and forecasts of ridership and revenue associated with a new stop in Lake Forest. Our forecasting to date has shown that a stop in Lake Forest is expected to bring in close to 40,000 new riders to the *Hiawathas* per year.

At this point, the only obstacle preventing us from beginning service is the lack of a pedestrian underpass at the Lake Forest station that would allow passengers to move safely from one side of the tracks to the other. Given the large number of passenger and freight trains operating on this segment of the railway, there is strong consensus that a pedestrian underpass is essential to ensuring everyone's safety.

The *Hiawatha* Service has the highest number of frequencies of any train outside the east and west coasts, with additional frequencies in the planning process, due in large part to the leadership of WisDOT and IDOT. We share the vision that adding a stop in Lake Forest will leverage the route's current success and make it an even more valuable transportation option for the region.

I encourage you to continue working with the Amtrak team in Chicago to finalize the plans for the underpass and begin construction, and I look forward to the day when we inaugurate service to Lake Forest.”

Mayor Lansing gave a brief history of the project and the support from IDOT, WisDOT, Governor Rauner and possible federal support for the underpass and the universal crossover that will improve service to/from Chicago along with the home values, economy and health of west Lake Forest. He stated that approvals from federal agencies and the funding is necessary for the improved Metra Amtrak passenger Service along with various consultants, advisors and help from Washing D.C. and lobbyists to navigate the technical know-how for an Amtrak stop and underpass. The City of Lake Forest has engaged engineers, consultants and advisors on behalf of improved passenger service over the past two years and a lobbying firm is directly responsible for the City receiving the letter of support from Amtrak. Moving forward, the City can do better by maintaining a visible record of the related third party expenses.

Mayor Lansing reported he and members of the Council received correspondence in regards to the third rail. The City Council shares the concerns of the current impacts and potential impacts of rail traffic and is awaiting on the final EA before making any policy determination. Lastly, Mayor Lansing reiterated that the possibility of the third rail and the Amtrak stop are not dependent on each other.

Mayor Lansing stated that he was going to advance the Plan Commission item to the beginning of the meeting but before doing so, he reminded all those in the audience that the City Council meeting is not a public hearing on the subject. He stated that civility shall be maintained at all times, which means no jeering, shouting or laughing at somebody or something in a mocking or scornful way, and that there shall be no public outbursts. To ensure a dignified debate and fair presentation of all sides of a given question, each person will be given three minutes to speak.

Mayor Lansing introduced Catherine Czerniak, Director of Community Development.

- 1. Consideration of a Recommendation from the Plan Commission in Support of a Special Use Permit Authorizing a Car Wash and Gas Station as Components of a Commercial Development Proposed on the Southeast Corner of Everett and Waukegan Roads. (First Reading of an Ordinance)**

Ms. Czerniak reported the based on a recommendation from the Plan Commission, the City Council is asked to consider first reading of an ordinance approving a Special Use Permit to allow Waterway Carwash to

redevelop the 1-1/2 acre parcel located on the southeast corner of Everett and Waukegan Roads with a carwash, gas station and convenience store.

Ms. Czerniak reported that the property proposed for redevelopment is configured in an L-shape with the narrower portion of the site extending toward the corner of Everett and Waukegan Roads. Redevelopment of this site, including landscaping of the streetscape, has long been anticipated to improve the appearance of the southern entrance to the business district along Waukegan Road and to provide increased services to residents in the surrounding area.

She then gave an overview of the history of the property. The property was the site of a gas station, near the corner, and a garden supply store; both of which vacated the site more than ten years ago. The site has remained unused since then. In 2008, the City approved a plan for redevelopment of the site with two buildings totaling 18,400 square feet of retail and service business space, 75 parking spaces and a drive-thru associated with a drug store. Due to the economic downturn, the redevelopment of the site did not proceed. In 2011, the property was acquired by IP Properties and they intend to retain ownership of the site. Waterway Carwash would redevelop the property and operate on the site under a long term lease.

Ms. Czerniak then gave an overview of the current proposal. Waterway Carwash proposes to redevelop the site with a high quality car wash, gas station and convenience store. A single 7,800 square foot building is proposed to house the car wash and retail space. Five islands with gas pumps are proposed on the southern portion of the site. The car wash tunnel is oriented south to north through the site with the exit located at the north end of the site, near Everett Road. Finishing stations are located beyond the exit from the car wash tunnel and direct traffic away from Everett Road. The convenience store faces Waukegan Road. Thirty-five parking spaces are proposed on the site for employees and customers. Currently, there are six access points to the site, two from Everett Road and four from Waukegan Road. As directed by IDOT, three of the existing access points will be eliminated, of the three remaining access points, two curb cuts will be located on Waukegan Road and one on Everett Road.

REVIEW TO DATE

| Reviewed | Date | Comments |
|-----------------|------------|--|
| Plan Commission | 11/8/2017 | Public Hearing Closed <i>Recommendation forwarded to the City Council subject to conditions.</i> |
| Plan Commission | 3/8/2017 | Public Hearing Continued <i>Commission voiced conceptual support for the petition subject to further due diligence.</i> |
| Plan Commission | 10/22/2015 | Public Hearing Opened <i>Commission directed revisions to the site plan to mitigate impacts on surrounding properties, further due diligence on various issues and directed the petitioner to seek input from IDOT on ingress/egress.</i> |

At each meeting, the Plan Commission heard a significant amount of public testimony and received written testimony and petitions as well. With few exceptions, the testimony was in opposition to the proposed use; primarily the carwash. Concerns included, but were not limited to, off-site noise impacts, traffic congestion, traffic and pedestrian safety, and the appropriateness of the proposed development for the site.

At the conclusion of the public hearing, the Commission voted 4 to 2 to recommend approval of the Special Use Permit to the City Council incorporating various revisions to the plan in response to the concerns raised and conditions of approval. A summary of the key measures put in place to address the concerns raised during the review process is provided below.

- Elongation of the carwash tunnel by 25' to allow the blower (the noise generating mechanical equipment) to be recessed into the center of the tunnel rather than located near the exit door as normally occurs.
- Construction of additional sound baffling walls around the blowers in the center of the carwash tunnel.
- Installation of sound attenuating materials in the tunnel space just beyond the blowers and before the exit door to further buffer the noise from the blowers.
- Installation and use of high speed, automated doors at both the entrance and exit to the car wash tunnel.
- Installation of a 10' solid fence along the east and south property lines along with landscape screening.
- Improvements including landscape enhancements on neighboring properties to the east and south, if desired by neighboring owners, and the installation of sound mitigating glass in windows on neighboring properties.
- Reduction of operating hours from those originally proposed and normally followed at other Waterway locations.
- Relocation of trash/recycling area away from the east property line.
- Installation of lights that direct all light downward and are equipped with shields to block light spillover on to the neighboring properties.

Ms. Czerniak stated that if approved the lighting, landscape and signage will be reviewed by the Building Review Board.

The City Council, Ms. Czerniak and the City Attorney had substantial discussion including the Plan Commission's role, zoning, zoning changes, property values, appropriate/intensity use of space, traffic studies, noise studies, mitigation of impacts to surrounding structures, hours of operation, appearance and landscape plans.

Mayor Lansing opened public comment on the matter. The following persons offered their opinion on the matter.

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| David Rose | 1455 White Oak Road | Lake Forest- deferred his comments to later in the evening |
| Robert Dempsey | 991 S Waukegan road | Lake Forest |
| Jim Monroe | 1030 Mar Lane Drive | Lake Forest |
| MaryAnn Redding | 1541 Kathryn Lane | Lake Forest |
| Casey Shuff | 1148 Lynette Drive | Lake Forest |
| Gary S. | 1111 S Waukegan Road | Lake Forest |
| Jill Kaz | 1045 Mar Lane Drive | Lake Forest |
| David Kaz | 1045 Mar Lane Drive | Lake Forest |
| Sam H. Hallak | 698 S. Waukegan | Lake Forest |
| Richard Sugar | 1059 Mar Lane Drive | Lake Forest |
| Wally Wade | 1028 Mar Lane Drive | Lake Forest |
| Dave Heckler | 1066 Franz Drive | Lake Forest |
| Kent Carson | 1180 Lynette | Lake Forest |
| Mike Mulqueen | 1038 Mar Lane Drive | Lake Forest |
| Louis A. | 1100 Emmons Court | Lake Forest |
| Roderick Johnson | 1250 Kajer Lane | Lake Forest |
| Joe Passalino | 631 W Everett Road | Lake Forest |
| Donald Sheridan | 991 S Waukegan Road | Lake Forest |

The City Council had continued discussion on revenues, the Council's role moving forward, the Building Review Board's purview, traffic safety, lighting and impacts of the entire project.

Mayor Lansing asked if there was anyone else who would like to comment. Seeing none, he asked for a motion.

COUNCIL ACTION: If determined to be appropriate by the City Council, approve *first* reading of an ordinance granting a Special Use Permit authorizing a carwash and gas station and approving the overall redevelopment plan presented by Waterway Carwash for property located on the southeast corner of Everett and Waukegan Roads.

AND

Direct the Building Review Board to consider the design aspects of the project and upon completion of the review, direct the Board to forward a recommendation to the City Council for consideration.

Alderman Beidler made a motion to approve first reading of an ordinance granting a Special Use Permit authorizing a carwash and gas station and approving the overall redevelopment plan presented by Waterway Carwash for property located on the southeast corner of Everett and Waukegan Roads. AND Direct the Building Review Board to consider the design aspects of the project and upon completion of the review, direct the Board to forward a recommendation to the City Council for consideration, seconded by Alderman Morris. The following voted "Aye": Aldermen Beidler, Morris, Newman, Tack and Reisenberg. The following voted "Nay": Alderman Rummel, Moreno and Buschmann. 5 Ayes, 3 Nays, motion carried.

Mayor Lansing called for a 10 minute recess at 9:25pm
The City Council resumed at 9:37pm, all members of the City Council remained present.

COMMENTS BY CITY MANAGER

City Manager Robert Kiely thanked Friends of Parks & Recreation for another great job on the tree lighting ceremony. He also reminded the Council and those at home of the December 18, 2017 Special Finance Committee workshop followed by a special City Council meeting.

COMMENTS BY CITY CCOUNCIL MEMBERS

Alderman Newman, who serves as Chairman on the Golf Advisory Committee, reported on a news release from Highland Park that they have closed one of their Golf Courses and the other Golf Course won't be open until 2018. He recommended marketing Deerpath Golf Course to Highland Park.

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

Mayor Lansing asked if there was anyone form the public who would like to comment on non-agenda items. The following persons offered their opinions to the City Council.

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| Lester Hammar | 3634 Academy Woods Dr. | Lake Forest |
| David Rose | 1455 White Oak Road | Lake Forest |
| Rick Cusack | 1126 Pine Oaks Circle | Lake Forest |
| George Panos | 1105 Cahill Lane | Lake Forest |
| Tom Sarsfield | 1808 Princeton Ct | Lake Forest |
| JoAnn Desmond | 1681 Yale Ct | Lake Forest |
| David Tanaka | 1142 Pine Oaks Circle | Lake Forest |

ITEMS FOR OMNIBUS VOTE CONSIDERATION

1. **Approval of the November 20, 2017 City Council Meeting Minutes**
2. **Consideration of an Ordinance adopting the second supplement (S-2) to the Code of Ordinances for the City of Lake Forest (waive first reading and grant final approval)**
3. **Award of Contract for The City of Lake Forest to join the Municipal Partnership Initiative Tree Pruning Services for 2017**
4. **Authorization to Dispose of City Property**

COUNCIL ACTION: Approval of the four (4) Omnibus items as presented

Mayor Lansing asked members of the Council if they would like to remove any item or take it separately. The City Attorney noted a modest amendment to the minutes, which the City Council received prior. Mayor Lansing once again asked the City Council if they would like to remove any item or take it separately. Seeing none, Mayor Lansing asked for a motion to approve the four Omnibus items as presented.

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

ORDINANCES

1. **Consideration of a Recommendation from the Plan Commission in Support of a Special Use Permit Authorizing a Car Wash and Gas Station as Components of a Commercial Development Proposed on the Southeast Corner of Everett and Waukegan Roads. (First Reading of an Ordinance)**

This item was advanced and heard at the beginning of the meeting.

NEW BUSINESS

ADDITIONAL ITEMS FOR COUNCIL DISCUSSION

A further discussion included how to better communicate with residents on matters they had raised, including the proposed third rail, the environmental assessment, Lake Forest's lack of authority on the third rail, transparency, federal and state influences, and passenger service. A number of ideas were proffered. Mayor Lansing reiterated that the third rail and the Amtrak stop are not dependent on each other.

EXECUTIVE SESSION

Mayor Lansing asked for a motion to adjourn into executive session.

- 1. EXECUTIVE SESSION pursuant to 5ILCS 120/2 (c), (5), The City Council will be discussing the consideration of Land Acquisition and 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 and 5 ILCS 120/2 (c), (2), The City Council will be discussing personnel.**

Alderman Reisenberg made a motion to adjourn into EXECUTIVE SESSION pursuant to 5ILCS 120/2 (c), (5), The City Council will be discussing the consideration of Land Acquisition and 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 and 5 ILCS 120/2 (c), (2), The City Council will be discussing personnel, seconded by Alderman Moreno. The following voted "Aye": Aldermen Beidler, Morris, Newman, Rummel, Tack, Reisenberg, Moreno and Buschmann. The following voted "Nay": None. 8- Ayes, 0 Nays, motion carried.

Adjournment into Executive Session at 10:46pm

RECONVENE INTO REGULAR SESSION at 11:19 pm

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| ADJOURNMENT |
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There being no further business. Alderman Tack made a motion to adjourn, seconded by Alderman Newman. Motion carried unanimously by voice vote at 11:19 p.m.

Respectfully Submitted
Margaret Boyer, City Clerk

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. Click on I Want To, then click on View, then choose Archived Meetings Videos.