

The City of Lake Forest
CITY COUNCIL
Proceedings of the Monday, March 20, 2017
 City Council Meeting - City Council Chambers, 6:30 p.m.

CALL TO ORDER AND ROLL CALL: Honorable Mayor Schoenheider called the meeting to order at 6:32 pm, and City Clerk Margaret Boyer called the roll of Council members.

Present: Honorable Mayor Schoenheider, Alderman Waldeck, Alderman Beidler, Alderman Pandaleon, Alderman Newman, Alderman Tack, Alderman Reisenberg, Alderman Moreno and Alderman Buschmann.

Absent: None

Also present were: Robert Kiely Jr., City Manager; Catherine Czerniak, Director of Community Development, Elizabeth Holleb, Director of Finance; Victor Filippini, City Attorney; Michael Thomas, Director of Public Works; Karl Walldorf, Chief of Police; Pete Siebert, Fire Chief; Mike Strong, Assistant to the City Manager along with other members of City Staff.

There were approximately 100 persons present in the Council Chamber.

CALL TO ORDER AND ROLL CALL 6:32 pm

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

REPORTS OF CITY OFFICERS

COMMENTS BY MAYOR

A. 2017-2018 Board & Commission Appointments

ELAWA FARM COMMISSION

NAME OF MEMBER	APPOINT/REAPPOINT	WARD
Nicholas Peters	APPOINT	3

CROYA

NAME OF MEMBER	APPOINT/REAPPOINT	WARD
Megan Engelberg	APPOINT	4

COUNCIL ACTION: Approve the Mayor's Appointments

Alderman Reisenberg made a motion to approve the Mayors appointments, seconded by Alderman Beidler. Motion carried unanimously by voice vote

**B. Deer Path Art League, Emerging Artists Awards
 - Jillian Chapman, Creative Director**

Mayor Schoenheider introduced Ms. Chapman who introduced and invited each of the Emerging Artists up to the dais. Mayor Schoenheider presented each award and photos were taken.

COMMENTS BY CITY MANAGER

A. Update on March 15 Train Derailment

City Manager Robert Kiely stated that staff was unable to find information on any train derailment in the history of the City of Lake Forest. He introduced Fire Chief Pete Siebert and Police Chief Karl Walldorf, who gave a timeline review of the entire incident. The existing partnership between Lake Forest City Departments (Police, Fire & Public Works) functioned smoothly and lead to a successful resolution of the incident.

- The systems in place to increase responses according to the scale of the incident are very well organized.
- The safety features in modern rail cars did their job of keeping the products inside the rail cars that derailed.
- The Union Pacific Railroad was extremely cooperative with our command staff and first responders.
- The City of Lake Forest Police and Fire Departments were kept well informed throughout the incident. Union Pacific quickly brought in a large amount of resources to quickly mitigate the incident.

Adrian Guerrero, Director of Public Affairs for the Union Pacific Railroad, also gave a review of the incident from the Railroads Hazard Materials Management Group perspective. The HMM Group is part of Union Pacific's Railroad Safety Department. Its primary focus is the safety of all UP employees, the residents of the communities where the trains are operated. Mr. Guerrero noted that all the information that he presented is available at www.up.com and encouraged residents to visit the site. The City Council had a lengthy discussion about the incident.

COMMENTS BY COUNCIL MEMBERS

PUBLIC WORKS COMMITTEE

1. Consideration of an Ordinance Amending Section 150.384, titled "Sewage and Sewage Disposal" of the City Code (First Reading)

Catherine Waldeck, Chairman Public Works Committee reported that the Public Works Committee is recommending approval of first reading of an Ordinance amendment to the City Code concerning the requirements and conditions for connecting residential and non-residential properties to City sanitary sewer.

The current City Code requires residential and non-residential properties to connect to public sanitary sewer when they are located within 500 feet or 1,000 feet of an existing or new sanitary sewer. Additionally, the City Code requires that these private connections be made within six months of the availability of the sewer. The intent of providing access to sanitary sewers and requiring efficient connections is to provide both development benefit and affect the long term public health and welfare of the community. The City has additional legal and legislative requirements it is obligated to follow as it relates to private sewer connections.

The amendment to the City Code will achieve the following:

- Aligns the City Code with the requirements of the Lake County Code requiring connection to public sewer if it is adjacent to the property or within 250 feet of any property line;
- Establishes a certification program requiring owners of properties with septic systems to submit documentation to the City, on an annual basis or semi-annual basis if they have an existing connection to a storm sewer, of regular maintenance, proper operation, and confirmation that no health or environmental hazard exists;
- Sets conditions under which interim use of an existing septic system may continue to be used; and

- Establishes conditions under which connection to the public sewer system may be “triggered” or required by the City.

The intent of the amendment is to update the language based on policy recommendations provided by City Council and to clarify expectations and requirements for connecting to the City’s sanitary sewer.

Members of the City Council had discussions on regulations, enforcement of the ordinance, economic hardship and financial support.

COUNCIL ACTION: Approve first reading of an ordinance amending Section 150.384, titled “Sewage and Sewage Disposal” of the City Code

Mayor Schoenheider asked if there was anyone from the public who would like to comment. Seeing none, he asked for a motion.

Alderman Waldeck made a motion to approve first reading of an ordinance amending Section 150.384, titled “Sewage and Sewage Disposal” of the City Code, seconded by Alderman Pandaleon. The following voted “Aye”: Aldermen Waldeck, Beidler, Pandaleon, Newman, Tack, Reisenberg, Moreno and Buschmann. The following voted “Nay”: None. 8- Ayes, 0 Nays, motion carried.

2. Discussion Relating to a Special Service Area Proposed for the Installation of Sanitary Sewer in the Winwood Drive Neighborhood

Victor Filippini, City Attorney, reported that after conducting a formal public hearing, as well as holding a follow-up discussion with neighbors and the Public Works Committee on January 4, 2017, the City Council adopted a Resolution which re-opened the public hearing to a date to be determined and extended the objection period, thereby allowing more time for City Council, the Public Works Committee and City staff to meet with residents to address their concerns and determine if suitable alternatives for the project may exist.

The purpose of the discussion is to review various options the City Council may consider relating to the proposed Special Service Area on Winwood Drive.

Mr. Filippini reported that on March 15, 2017, the Public Works Committee discussed and considered various options related to the disposition of the proposed SSA, and according to Resolution 2017-01, the City Council may consider the following options, as next steps:

- Option A: Proceed under the authority of Resolution 2017-01, and direct staff to schedule a final public hearing to consider the Proposed Special Service Area No. 41. Under this option, the City Council would have to allow appropriate time for noticing and scheduling of the Public Hearing in accordance with the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq. (“SSA Tax Law”). Therefore, the timeline of events would be as follows:

ITEM	DATE
Public Hearing Notice Published/Mailed	March 30, 2017
Hold Public Hearing	April 17, 2017
End of 60-Day Objection Period	June 16, 2017
City Council Consideration – Establishing Ordinance (1 st Reading)	June 19, 2017
City Council Consideration – Establishing Ordinance (Final Reading)	July 17, 2017

While this option extends deliberation, and ultimate consideration by City Council on the Proposed SSA, it would allow for the formal SSA process to be completed, including the requirement of an objection to be filed with the City Clerk.

Mr. Filippini noted that, if a legally sufficient objection is filed, the City Council will have no authority to consider an establishing ordinance. Additionally, the City could not include any property included in an objecting petition within a similar special service area for at least two years.

If no legally sufficient objection is filed, the City would have the right to establish the proposed SSA, but only in accordance with the parameters set forth in the SSA Proposing Ordinance. However, the City Council would have the right not to establish a special service area if it did not desire to proceed based on the parameters set forth in the SSA Proposing Ordinance.

- Option B: An alternative approach the City Council may consider taking is consideration of an Ordinance rescinding the Winwood SSA Proposing Ordinance and terminating the continuation of the SSA process. This option would require the following sequence of events:

ITEM	DATE
City Council Consideration – Rescinding Ordinance (1 st Reading)	April 3, 2017
City Council Consideration – Establishing Ordinance (Final Reading)	April 17, 2017

This option would preserve the right for the City Council to pursue in the future the possible establishment of an SSA in the Winwood Drive neighborhood to provide sanitary sewer improvements without the restriction of a two-year mandatory waiting period as defined in the SSA Tax Law. However, it would terminate the SSA process from continuing on at this point, and would not require any follow up action, including scheduling of public hearing, or requirement to submit any formal objection by property owners and electors within the proposed SSA area.

The City Council had discussion on the value of using the process of the SSA, fairness to all previous SSA's, resident wants and needs, and the petition process and the public vote that is part of that process.

Mayor Schoenheider asked if there was anyone from the public who wanted to comment.

Susan Briggs, 1106 Winwood, offered her opinion to the City Council.

COUNCIL ACTION: Discussion Only- No action was taken by the City Council

3. Approval of a Design and Monitoring Agreement for Forest Park Bluff

Catherine Waldeck, Chairman Public Works Committee, stated that at the December 5, 2016 City Council meeting, an agreement with AECOM was approved to provide an update of the 2009 analysis for the remaining portion of the bluff that was *not* evaluated this past summer (Spring Lane to the North Beach Access Road). While this area is unrelated to the shallow slope failure on the South Beach Access Road, the intent was to provide a comprehensive analysis and the condition of the entire Forest Park bluff system prior to making decisions regarding repairs or future monitoring.

To oversee the update and analysis being performed by AECOM, a workgroup was established consisting of two Aldermen and various residents with related knowledge and interest in bluff and ravine repairs. The workgroup met from December to March and reviewed areas of the bluff's slope movement, various repair

options, and recommended next steps to the Public Works Committee. The Public Works Committee met on March 15, 2017 and concurred with the workgroup's recommendations for design and monitoring. Alderman Waldeck stated that option 2 included lowering the road by approximately five to eight feet, removing the fill, and flattening the steep slopes below the road. Not only is this option less expensive, but it is superior in terms of the degree of slope stabilization that can be accomplished and reduces future slope maintenance.

Mayor Schoenheider asked if there was anyone from the public who would like to comment. Seeing none, he asked for a motion.

COUNCIL ACTION: Acknowledge the exception noted in Section 9.0-K of the City's Purchasing Directive, and approve an agreement with AECOM to provide design documents and monitoring services for the Forest Park Bluff in the amount of \$219,400.

Alderman Waldeck made a motion to acknowledge the exception noted in Section 9.0-K of the City's Purchasing Directive, and approve an agreement with AECOM to provide design documents and monitoring services for the Forest Park Bluff in the amount of \$219,400, seconded by Alderman Pandaleon. The following voted "Aye": Aldermen Waldeck, Beidler, Pandaleon, Newman, Tack, Reisenberg, Moreno and Buschmann. The following voted "Nay": None. 8- Ayes, 0 Nays, motion carried.

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

There were no comments from the audience members.

ITEMS FOR OMNIBUS VOTE CONSIDERATION

1. **Approval of the March 6, 2017 City Council Meeting Minutes**
2. **Approval of a First Amendment to the Water Tower and Ground Lease Agreement between The City of Lake Forest and AT&T Wireless Services**
3. **Authorization to Issue Reimbursement for City Work Costs Related to Clean-up of the City's Former Municipal Services Site.**
4. **Consideration and Approval of a Resolution as part of a Grant Request for Greenest Region Compact 2, Relating to the Replacement of Outdated Equipment**
5. **Consideration of an Ordinance Amending Section 77, schedule III of the City Code Related to the Traffic as Recommended by the Traffic Safety Coordinating Committee (TSCC).**
6. **Consideration of an Ordinance Approving the Vacation of Unused Right-of-Way, a Portion of Tiverton Road. (First Reading and if Desired by the City Council, Final Approval)**
7. **Consideration of Ordinances Approving Recommendations from the Building Review Board. (First Reading and if Desired by the City Council, Final Approval)**
8. **Consideration of an Ordinance Approving a Recommendation from the Historic Preservation Commission. (First Reading and if Desired by the City Council, Final Approval)**
9. **Consideration of Ordinances Approving Recommendations from the Zoning Board of Appeals. (First Reading, and if Desired by the City Council, Final Approval)**

COUNCIL ACTION: Approval of the nine (9) Omnibus items as presented

Mayor Schoenheider asked members of the Council if they would like to remove any item or take it separately. Mayor Schoenheider asked for a motion to approve the nine Omnibus items as presented.

Alderman Beidler made a motion to approve the nine Omnibus items as presented, seconded by Alderman Tack. The following voted "Aye": Aldermen Waldeck, Beidler, Pandaleon, Newman, 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 AFFECTING CODE AMENDMENTS

NEW BUSINESS

ADDITIONAL ITEMS FOR COUNCIL DISCUSSION

1. EXECUTIVE SESSION

- **pursuant to 5ILCS 120/2, (21), The City Council will be discussing, annual review of the minutes mandated by Section 2.06 of the Open Meetings Act and 5ILCS 120/2 (c), (5), The City Council will be discussing the consideration of Land Acquisition and (6) The City Council will be discussing Land Disposition**

Alderman Beidler made a motion to adjourn into executive session pursuant to 5ILCS 120/2, (21), The City Council will be discussing, annual review of the minutes mandated by Section 2.06 of the Open Meetings Act and 5ILCS 120/2 (c), (5), The City Council will be discussing the consideration of Land Acquisition and (6) The City Council will be discussing Land Disposition, seconded by Alderman Tack. The following voted "Aye": Aldermen Waldeck, Beidler, Pandaleon, Newman, Tack, Reisenberg, Moreno and Buschmann. The following voted "Nay": None. 8- Ayes, 0 Nays, motion carried.

Adjourn into Executive Session at 9:10pm.

Mayor Schoenheider announced there will be no further business following executive session.

ADJOURNMENT

There being no further business. Alderman Pandaleon made a motion to adjourn, seconded by Alderman Moreno. Motion carried unanimously by voice vote at 9:45 p.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. Click on I Want To, then click on View, then choose Archived Meetings Videos.

*Proceedings of the Monday, March 20, 2017
Regular City Council Meeting*