

The City of Lake Forest
CITY COUNCIL
Proceedings of the Monday, March 4, 2019
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 Clerk, Margaret Boyer called the roll of Council members.

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

Absent: None

CALL TO ORDER AND ROLL CALL

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

REPORTS OF CITY OFFICERS

COMMENTS BY MAYOR

Mayor Lansing reported on the new Metra Services at the Telegraph Road Train Station. Alderman Buschmann reported on previous and upcoming pop up events at the Telegraph Road train station.

COMMENTS BY CITY MANAGER

City Manager Jason Wicha reported that the Budget Workshop will be held at the Municipal Services Building on Monday, March 11 beginning at 5 pm.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE

- 1. Approval of Public Works Committee's Recommendation to Award a Bid for the North Beach Access Road Landslide Restoration Project to John Keno & Company, Inc. in the Amount of \$2,088,363.40. In Addition, Approval of a 10% Engineering and/or Construction Contingency in the Amount of \$208,836.34**

Michael Thomas, Director of Public Works, reviewed the background of the bluff failure. He gave an in-depth review of the project design features, bidding process, project budget, construction timeline and the overall recommendation of the Public Works Committee. More importantly, noting that at the March 11 meeting, the Finance Committee will be asked to consider staff recommendations regarding additional revenues needed for this project.

The City Council had discussion on the generous financial support of the community, communication with residents on the project and beach information, risk of further or additional slides during construction due to weather. Mr. Thomas reviewed items that were discovered and recommended to be included in the project: an additional 20' of bluff southward required fill to provide a reliable tie-in point, relocation of the sanitary sewer, widening the entire road and curve to provide a higher degree of safety, and the recommendation that the parking lot be reconstructed.

Mayor Lansing asked if there was anyone from the public who would like to comment on this item.

Kim Reich spoke to the Council about the Oak Knoll Woodlands berm, drainage, code enforcement and fines.

Mayor Lansing again 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: Based upon the recommendation of the Public Works Committee and City Staff, approval of the following items is being requested:

- 1. Approval of the Public Works Committee’s Recommendation to Award a Bid for the North Beach Access Road Landslide Restoration Project to John Keno & Company, Inc. in the amount of \$2,088,363.40.**
- AND**
- 2. Approval of the Public Works Committee’s Recommendation to Approve an Engineering and/or Construction Contingency (10% of the low bid) for the North Beach Access Road Landslide Restoration Project in the Amount of \$208,836.34.**

Alderman Moreno made a motion for Approval of the Public Works Committee’s Recommendation to Award a Bid for the North Beach Access Road Landslide Restoration Project to John Keno & Company, Inc. in the amount of \$2,088,363.40, and, Approval of the Public Works Committee’s Recommendation to Approve an Engineering and/or Construction Contingency (10% of the low bid) for the North Beach Access Road Landslide Restoration Project in the Amount of \$208,836.34., seconded by Alderman Buschmann. The following voted “Aye”: Aldermen Beidler, Morris, Newman, Rummel, Reisenberg, Preschlack, Moreno and Buschmann. The following voted “Nay”: None. 8- Ayes, 0 Nays, motion carried.

- 1. Consideration of a Recommendation from the Public Works Committee in Support of an Ordinance Amending Section 135.108(C) titled “Noise, Generally” of the City Code. (First Reading of the Ordinance)**

Chuck Myers, Superintendent of Parks & Forestry, gave an overview of the number of times that any recommended changes were proposed to this ordinance and reviewed the recent staff work as recommended by the Public Works Committee. He reported the recommended change to the ordinance would be to amend the Code to limit the use of all landscape equipment, including, but not limited to, gasoline powered leaf blowers on Saturdays and Sundays as follows: Saturday - Permitted hours - 8:00 a.m. to 5:30 p.m. Sunday and Holidays – Permitted hours - 10:00 a.m. to 5:00 p.m.

Chair of the Public Works Committee Raymond Buschmann reported that other than the shortened weekend’s hours, no other change is being recommended at this time to the use of landscape equipment as currently permitted in the Code and that the Code currently permits the use of any type of landscape equipment from 7:30 a.m. to 7:30 p.m., Monday through Friday. He said the recommended changes are workable, enforceable and understandable.

The City Council had discussion on the time reduction and types of equipment used.

Mayor Lansing asked if there was anyone from the public who would like to comment on this item.

Amy Schuetz spoke to the Council in about considering a full ban on the use of leaf blowers.

Yuh Schabacker-Koppel spoke to the Council in regards to sound decibels while she is in her home and air pollution from gas powered lawn machines.

The City Council had additional discussion, again acknowledging that feedback on this topic will continue to be conveyed.

Mayor Lansing again 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: Grant First Reading of an Ordinance Amending Section 135.108(C), titled “Noise, Generally” of the City Code consistent with the recommendation of the Public Works Committee.

Alderman Buschmann made a motion to grant First Reading of an Ordinance Amending Section 135.108(C), titled “Noise, Generally” of the City Code consistent with the recommendation of the Public Works Committee., seconded by Alderman Moreno. The following voted “Aye”: Aldermen Beidler, Morris, Newman, Rummel, Reisenberg, Preschlack, 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

ITEMS FOR OMNIBUS VOTE CONSIDERATION

1. **Approval of the February 19, 2019 City Council Meeting Minutes**
2. **Approval of the Check Register for the Period of January 26 to February 22, 2019**
3. **Approval of a Parks & Recreation Board recommendation to approve Annual Tree Purchasing in the Forestry FY2020 Budget**
4. **Approval of a Parks & Recreation Board recommendation to authorize the City Manager to enter into a contract with Mariani Landscape for Grounds Maintenance Services at Forest Park in the Parks FY2020 Budget**
5. **Approval of a Parks & Recreation Board recommendation to authorize the City Manager to enter into a contract with Landscape Concepts Management for Annual Grounds Maintenance Services in the Parks FY2020 Budget**
6. **Approval of Council to 1) transfer the proceeds from the sale of the Deerpath Golf Course golf cart fleet in the amount not to exceed \$51,300 to the Friends of Lake Forest Parks and Recreation Foundation and 2) accept the anticipated donation by the Friends of Lake Forest Parks and Recreation Foundation of a new cart fleet.**
7. **Award of the Lake Forest Share of the Joint 2019 Annual Street Resurfacing and Asphalt Patching Program to Schroeder Asphalt Services Inc. in the amount of \$1,088,000, subject to Finance Committee review on March 11, 2019**

COUNCIL ACTION: Approval of the seven (7) 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 Council had discussion on items #2 and #4. Mayor Lansing again asked members of the Council if they would like to remove any item or take it separately.

Seeing none, Mayor Lansing asked for a motion to approve the seven (7) Omnibus items as presented.

Alderman Beidler made a motion to approve the seven (7) Omnibus items as presented, seconded by Alderman Rummel. The following voted "Aye": Aldermen Beidler, Morris, Newman, Rummel, Reisenberg, Preschlack, 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 Zoning Board of Appeals in Support of Amendments to the Special Use Permit for Elawa Farm including Modifications to the Conditions of Approval and Updates to the Master Plan. Elawa Farm is Located at 1401 Middlefork Drive, in the Middlefork Farm Subdivision. (If desired by the Council, Waive First Reading and Grant Final Approval of the Ordinance.)**

Catherine Czerniak, Director of Community Development, identified Elawa Farm as an extraordinary community resource. Ms. Czerniak recapped what the City has seen at this site since 1977, steps taken in 1998 and in 2010 when a Special Use Permit was granted approving Elawa Farm as a Community Facility with a Master Plan adopted, and 2010 up to today with the awareness and use of Elawa Farm as a community resource.

Ms. Czerniak reported that Elawa Farm is well used. As awareness and use of Elawa Farm has increased, so too has the use of the adjacent Lake County Forest Preserve's trails, the Lake Forest Open Lands' oak savanna and Elawa Park. In 2017, after receiving input from various parties about the number, frequency, type and impact of activities at Elawa Farm, the City initiated a review of the Special Use Permit and the Master Plan. The Zoning Board of Appeals undertook the requested review consistent with the procedures detailed in the Code for considering amendments to existing Special Use Permits.

She reported that over the course of seven public meetings, which spanned about a year, the Zoning Board of Appeals reviewed special uses in general and studied the current Elawa Farm Special Use Permit and Master Plan. At each meeting, the Board heard testimony from representatives of the Elawa Farm Foundation, the Wildlife Discovery Center (which is a program of the City's Park, Recreation and Forestry Department), and heard public comment from representatives of the Middlefork Farm Homeowners' Association and individual residents who live in the immediate area. Based on the testimony presented, the Board developed updated maps and revised conditions of approval, heard testimony on the proposed changes and made further revisions before finalizing a recommendation to the City Council.

In summary, the Zoning Board of Appeals recommended to the City Council that the original vision for Elawa Farm remain; a community resource for primarily passive educational and recreational pursuits. The Board worked to balance the interests of various parties; respecting and preserving the residential character of the neighborhood while at the same time, recognizing that community use of the site was always intended. Further, the majority of the Board accepted that there is a need to allow limited fundraising and private rental events at Elawa Farm to generate revenue to support the buildings and grounds. The recommendations forwarded by the Zoning Board of Appeals represent a sincere effort to be responsive to the interests and concerns of all parties and in doing so, the Board acknowledged that no party is completely satisfied. Finally, the Board acknowledged that once adopted, the amended Special Use Permit

and updated Master Plan are not set in stone noting that modifications to individual conditions can and should be considered as the need may arise.

Ms. Czerniak reported that separate and apart from the recommendation in support of amending the Special Use Permit, the Board forwarded additional recommendations to the City Council for consideration.

The City Council thanked the zoning Board of Appeals for their work. The City Council had discussion on financial impacts, definitions relating to farm animals, amplified sound, shuttles, and private events.

Mayor Lansing asked if there was anyone from the public who would like to comment on this item.

Kathryn Duffy spoke out of concern for amplified music, shuttle services and the noise of breaking down events.

Marina Carney Puryear offered suggested corrections and definitions to conditions of the Special Use Permit.

Rob Carmicheal reported that the Wild Life Discovery Center is licensed through many agencies.

Connor Walsh asked the Council to look at Elawa's return on investment.

The City Council had further discussion, reiterating that the amended Special Use Permit and updated Master Plan are not set in stone, noting that modifications to individual conditions can and should be considered as the need may arise.

COUNCIL ACTION: If determined to be appropriate by the City Council, waive first reading and grant final approval of the Ordinance approving amendments to the Special Use Permit for Elawa Farm including modifications to the conditions of approval and updates to the Master Plan in accordance with the Zoning Board of Appeals' recommendation.

AND, by motion:

- 1. Direct that private rental events already scheduled for 2019 be allowed to exceed the number allowed by the revised conditions. The events must comply with the revised conditions relating to operational aspects.**
- 2. Direct staff to update procedures related to the overall coordination of activities in the area and enforcement of the conditions of the Special Use Permit and the consequences of violations.**
- 3. Direct staff and the Property and Public Lands Committee to continue to reexamine the financial aspects of Elawa Farm as negotiations continue around modifications to the Operating Agreement.**

Alderman Reisenberg made a motion to waive first reading and grant final approval of the Ordinance approving amendments to the Special Use Permit for Elawa Farm including modifications to the conditions of approval and updates to the Master Plan in accordance with the Zoning Board of Appeals' recommendation and, by motion: 1- Direct that private rental events already scheduled for 2019 be allowed to exceed the number allowed by the revised conditions. The events must comply with the revised conditions relating to operational aspects. 2- Direct staff to update procedures related to the overall coordination of activities in the area and enforcement of the conditions of the Special Use Permit and the consequences of violations. 3- Direct staff and the Property and Public Lands Committee to continue to

reexamine the financial aspects of Elawa Farm as negotiations continue around modifications to the Operating Agreement, seconded by Alderman Newman. The following voted "Aye": Aldermen Beidler, Morris, Newman, Rummel, Reisenberg, Preschlack, Moreno and Buschmann. The following voted "Nay": None. 8- Ayes, 0 Nays, motion carried

NEW BUSINESS

ADDITIONAL ITEMS FOR COUNCIL DISCUSSION/COMMENTS BY COUNCIL MEMBERS
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ADJOURNMENT

There being no further business Mayor Lansing asked for a motion. Alderman Buschmann made a motion to adjourn, seconded by Alderman Preschlack. Motion carried unanimously by voice vote at 8:45 pm.

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.