

The City of Lake Forest
CITY COUNCIL MEETING
Proceedings of the Monday, December 5, 2022
City Council Meeting - City Council Chambers
220 E Deerpath, Lake Forest, IL 60045

CALL TO ORDER AND ROLL CALL Mayor Pandaleon called the meeting to order at 6:33p.m, and City Clerk Margaret Boyer called the roll of Council members.

Present: Alderman Morris, Alderman Novit, Alderman Rummel, Alderman Notz, Alderman Preschlack, Alderman Goshgarian, Alderman Buschmann and Alderman Weber.

Absent: none

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE was recited.

REPORTS OF CITY OFFICERS

COMMENTS BY MAYOR

Mayor Pandaleon, on behalf of the City Council, expressed its sympathy to the family of Ellen Stirling, noting a service is planned for Spring of 2023.

He then reminded all of the Saturday Market, to be held at the West Side train station on December 10 and 17 from 10:30am to 2:30pm. Mayor Pandaleon then reported that the CBD Community Workshop will be held on December 8 at the Gorton Community Center from 4:30pm-7:30pm.

He announced the winner of the winter Dialogue contest, Gerrie Ward, who answered all of the Lake Forest gateways correctly.

A. Gorton Community Center 2023 Budget Presentation

Mayor Pandaleon introduced Jack Westerman, Gorton Community Center Board Chair, Nick Bothfield, Finance Chair, and Amy Wagliardo, Executive Director, to give a presentation on the Gorton Community Center 2023 Budget, summarizing the pandemic exit challenges, a five-year financial forecast, and outlining future plans and acknowledging budget assumptions based on special programming and changes in the vision statement, in addition to planning Gorton's 50th Anniversary in 2024.

The City Council had discussion on the big successes Gorton Community Center had previous and post COVID-19 and wished them the best in 2023.

COUNCIL ACTION: Approval of Gorton Community Center 2023 Budget

Alderman Morris made a motion to approve the Gorton Community Center 2023 Budget, seconded by Alderman Buschmann. The following voted "Aye": Alderman Morris, Novit, Rummel, Notz, Preschlack, Goshgarian, Buschmann, and Weber. The following voted "Nay": None. 8-Ayes, 0 Nays, motion carried.

COMMENTS BY CITY MANAGER

City Manager Jason Wicha reported that joining us are Matt Ueltzen and Brett Peto of the Lake County Forest Preserves. Matt is the Manager of Restoration Ecology and leads habitat restorations projects throughout the county, including invasive species management, prescribed burning, and reforestation. Brett is the Environmental Communications Specialist. He creates print and digital communications on environmental topics and projects happening in the Forest Preserves, including writing for the district's free quarterly magazine, Horizons.

Together, Matt and Brett co-lead the Buckthorn Eradication Campaign in Lake County and the pilot project surrounding Middlefork Savanna Forest Preserve, here in Lake Forest.

A. Community Spotlight

Lake County Forest Preserves

- **Matthew Ueltzen, Manager of Restoration Ecology and**
- **Brett Peto, Environmental Communications Specialist**

Matthew Ueltzen and Brett Peto outlined success within Lake County Forest Preserves with the pilot program, which began in 2015, emphasizing the launch of a public campaign focused on news stories and website development. Moreover, the two individuals acknowledged federal funding opportunities to help spread awareness for Forest Preserves and current winter clearing efforts.

City Manager Wicha and the City Council thanked the Lake County Forest Preserves for the work they continue to do for the community and Lake County as a whole.

City Manager Jason Wicha noted that the City of Lake Forest is always seeking grant funding. He then introduced Dan Martin, Superintendent of Public Works, to give a presentation on the FY 2022 equipment purchases, noting delivery delays.

B. FY 22 Equipment Purchases

- **Dan Martin, Superintendent of Public Works**

Dan Martin gave a brief high-level overview of the equipment purchases during FY 2022, combined with information of prices and capital budget relevance, with a consideration in 2023 of looking into a testing period for electric vehicles.

COMMITTEE REPORTS

A. Finance Committee

1. Consideration of an Ordinance Establishing the 2022 Tax Levy (Final Reading)

Mayor Pandaleon then introduced Elizabeth Holleb, Finance Director, to discuss the 2022 Tax Levy. Ms. Holleb reported this item has been seen five meetings in 3 months. She highlighted how the impact of the levy, based on Lake County EAV, promotes new growth revenue, and will incorporate 22% of the City's total tax bill.

	2022 Forecast	2021 Actual	
City Equalized Assessed Value (EAV) 1/3 market value	2,448,711,830	2,381,873,010	
City Levy	37,642,486	36,244,389	
Tax Rate	1.5372	1.5217	levy divided by EAV X 100
Average Home Market Value	\$ 819,192	\$ 800,000	
EAV	273,064	266,667	
EAV X Tax Rate/100	\$ 4,198	\$ 4,058	\$ 140 3.45%

This is the impact projected on an average existing home.

This represents 22% (City) and 3% (Library) of the entire tax bill.

Mayor Pandaleon asked the City Council if there is any comment. Seeing none, he asked for a motion.

COUNCIL ACTION: Final approval of an Ordinance Establishing the 2022 Tax Levy.

Alderman Weber made a motion to approve an Ordinance Establishing the 2022 Tax Levy, seconded by Alderman Notz. The following voted "Aye": Alderman Morris, Novit, Rummel, Notz, Preschlack, Goshgarian, Buschmann, and Weber. The following voted "Nay": None. 8-Ayes, 0 Nays, motion carried.

ITEMS FOR OMNIBUS VOTE CONSIDERATION

1. **Approval of November 21, 2022, City Council Meeting Minutes**
2. **Approval of the Check Register for the Period of October 29 – November 23, 2022**
3. **Approval of Ordinances Abating 2022 Tax Levies for Various G.O. Alternate Revenue Bond Issues (Final Reading)**
4. **Grant final approval of an Ordinance approving a Fee Schedule and Ordinance Adopting a New Fee (Final Reading)**
5. **Approval to Extend the City's Grant Services Agreement with The Ferguson Group for Grant Research/Writing Services for 2023.**
6. **Request to Approve the Purchase of a Replacement Ambulance by ARV Inc., Not to Exceed Amount of \$323,076.**
7. **Approval for the purchase and installation of a Stryker Power-Load System and Power-Pro2 Cot in an amount not to exceed \$47,342.84.**
8. **Award of Additional Phase I Design Engineering Services for the Route 60 Bike Path Project to Gewalt Hamilton & Associates in the Amount of \$33,700.**
9. **Award of Proposal to Midwest Power Institute, Inc. for a Three-Year Generator Maintenance Contract in the amount of \$77,975.**
10. **Approval to Purchase Three Replacement Police Vehicles Included in the FY2024 Capital Equipment Budget to Morrow Brothers Ford, in the Amount of \$126,000.**

- 11. Approval to Purchase the Replacement of Two Rear-Load Refuse Trucks Included in the FY2024 Capital Equipment Budget, to the Sourcewell Low Bidders, Truck Center Companies (chassis) in the Amount of \$400,372 and McNeilus Truck Manufacturing (body) in the Amount of \$269,628.**
- 12. Staff requests authorization to dispose of City property to the highest bidder, James Gluth, for the sale of the 2009 Chevrolet Tahoe Truck as noted above. Proceeds of the sale will be deposited into the Capital Fund.**
- 13. Consideration of an Ordinance Approving a Recommendation from the Building Review Board. (First Reading, an if Desired by the City Council, Final Approval).**

COUNCIL ACTION: Approval of the thirteen (13) omnibus items as presented.

Mayor Pandaleon asked members of the Council if they would like to remove any item or take it separately.

Alderman Goshgarian recognized City Staff's work on Item #8. Mayor Pandaleon then stated that this year and next year the City will receive 28 million dollars in grant infrastructure spending.

Seeing no further discussion, Mayor Pandaleon asked the City Council for a motion.

Alderman Rummel made a motion to approve the thirteen (13) Omnibus items as presented, seconded by Alderman Preschlack. The following voted "Aye": Alderman Morris, Novit, Rummel, Notz, Buschmann and Weber. 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.

OLD BUSINESS

Mayor Pandaleon stated prior to discussion, that there is an understanding of the emotion and passion residents have for finding a solution while also acknowledging that the conduct of the City Council meeting must remain civil and respectful. He also outlined the process that Council will follow while hearing this item, noting he will be coupling both items for a vote.

Mayor Pandaleon introduced Czerniak, Director of Community Development.

- 1. Consideration of a Recommendation from the Plan Commission in Support of Amendments to the Previously Approved Special Use Permit for the Third Phase of the McKinley Road Planned Multi-Family Development (Ordinance).**

Ms. Czerniak gave an overview of the Plan Commission's recommendation. She outlined the Plan Commission meeting of November 9, which modified the original plan, increasing the number of buildings in the Phase three parcel to two (2), reducing size and footprint of the Condominium building, and increases in square footage and lot coverage. Private road configuration and landscaping/architectural design will remain the same. She also outlined the options for the City Council; either accepting or rejecting the Plan Commission's Recommendation of an Ordinance approval.

The City Council had discussion on procedure issues related to the HPC

Mayor Pandaleon then introduced Robert T. O'Donnell, Attorney for 361 Westminster LLC (Appellant).

2. Consideration of an Appeal of a Decision of the Historic Preservation Commission to Deny a Certificate of Appropriateness for the Two Buildings that Comprise the Third Phase of the McKinley Road Multi-Family Planned Development.

Robert O'Donnell highlighted a recommendation to the Council to reverse the November 16 HPC decision to deny a certificate of appropriateness. This was because of, not only a satisfaction of the 17 standards outlined by the HPC in the application, but also an exercise of power, in a broad perspective, set forth in City code. Settlement agreement thus allows for the modified plan to be implemented, ending litigation.

City Council then had lengthy discussion with City Staff regarding the specifics on the conditions and overall precedent of an approval or denial of the above consideration. The City Council also had discussion on the City code, city staff designee, written finding and the seventeen standards. A discussion with Mr. O'Donnell ensued. City staff and the Council had discussion on the modified plan and the settlement agreement, noting that it included that both the Plan Commission and the HPC were to hold meetings. The City Council went on to discuss concerns about setting a precedent, it was noted that the library was included in and present at each meeting. Additionally, the Council discussed green space and ethics. An objection to discussion of ethics was voiced, the City Attorney Julie Tappendorf added that this has never been a disqualifying conflict of interest in relation to this item. City Council then went into a break until 8:50p.m.

City Council reconvened at 8:50p.m., with the Council discussion of conditions City Staff recommended to the HPC, as well as additional conditions that were agreed upon by the Appellant. Catherine Czerniak noted expansions of construction activity and possible color/technical standards and exterior lighting.

After stating public comment guidelines, Mayor Pandaleon offered time for anyone from the public who would like to make a comment.

Laura Luce offered her opinion to the City Council to uphold the HPC's recommendation, noting harm in the quality of life and visual character of Lake Forest.

Bridget O'Keefe, in the absence of Jim and Sally Downey, offered her opinion to the City Council regarding a danger of precedent with a zoning border, health and safety welfare, and a lack of upholding the 17 standards.

Jamie Robinson, representing Jeff and Laura Torosian and Maggie Coleman, offered her opinion to the City Council to deny the appeal of the HPC due to a lack of enforcing ordinances.

Susan Athenson, representing the Lake Forest Preservation Foundation, offered her opinion to the City Council, summarizing the letter that was sent in from the HPC to uphold their decision.

Tim Downey offered his opinion to the City Council, stating that building design should not be changed, and the alternate plan will fit in the HPC's standards.

Reed Daily offered his opinion to the City Council, noting his thoughts that the balconies will go into his property, therefore lowering house value and overall legacy in Lake Forest.

Susan Daily offered her opinion to the City Council, suggesting to table the discussion until after outside legal consideration.

Rommy Lopat offered her opinion to the City Council, stating that the 2017 Master Plan mentioned a land swap of two parcels included in decision, were established as open-space, prompting a want for the City Council to uphold the HPC's recommendation.

Kari Johnston asked the City Council how close they each lived to the McKinley development, stating a lack of knowledge into the issues.

Regina Lind offered her opinion to the City Council, stating a wedge between the City and the neighbors.

Mayor Pandaleon asked if any other member of the public wants to address the City Council. Seeing none, Mayor Pandaleon then asked City Council members for final comment.

Alderman Morris stated that although he lives near the development of these items, he is not obligated to abstain from the vote. Alderman Buschmann acknowledged the differences in zoning and adjacent property factors, which as stated, needs further reports from the HPC specifying what standards were not met. Regarding the Plan Commission, Alderman Buschmann suggested that the Council not vote on the easy way out, but to vote on what's right. Alderman Novit appreciates the hard work from City commissions and City staff, stating a concern for precedence. She says the City owes it to residents to not loosely sit, but to help the library while they need it. Alderman Morris, Preschlack, Notz and Weber stated their thanks for the hard work in these items, all noting the necessity for the City to move forward, with Alderman Rummel questioning whether modifications to the development would improve the character and visual of the overall project. Robert O'Donnell stated the developer will not be considering any additional conditions.

Mayor Pandaleon finalized discussion by stating the City will not be open to negotiations regarding this issue again. Mayor Pandaleon asked for a motion.

COUNCIL ACTION: Accept the Plan Commission's findings and recommendation and approve an Ordinance approving amendments to the Special Use Permit for a Planned Development incorporating the modified site plan, planned development plat and setback and lot coverage variances, with an added condition, giving no certificate of occupancy for the condo until construction of the single-family home is underway. (If desired by the Council waive first reading or the Ordinance and grant final approval).

Alderman Preschlack made a motion to accept the Plan Commission's findings and recommendation and approve an Ordinance approving amendments to the Special Use Permit for a Planned Development incorporating the modified site plan, planned development plat and setback and lot coverage variances, with an added condition, giving no certificate of occupancy for the condo until construction of the single-family home is underway, seconded by Alderman Notz. The following voted "Aye": Alderman Rummel, Notz, Preschlack, Goshgarian, Weber, and Morris. The following voted "Nay": Alderman Novit and Buschmann. 6-Ayes, 2-Nays, motion carried.

Mayor Pandaleon then asked for a motion.

COUNCIL ACTION: Grant the appeal and overturn the Historic Preservation Commission's decision subject to the conditions as recommended in the staff report that was presented to the Commission, which address various issues including, but not limited to, exterior lighting, landscaping along the east property line, screening of roof top mechanicals and patios, and limitations and management of construction hours and activity, and adopting the findings contained in the staff report presented to the Commission and those made by the City Council during its discussions and deliberations at the meeting, and including the following additional conditions as suggested by members of the Commission.

- a. Replace window in the gable end of garage with a vent.
- b. Study details and proportions of the dormers on the front and rear elevations of the home and make refinements as determined to be necessary to reflect the Colonial Revival style more accurately.
- c. Replace the proposed standing seam metal roof with wood shingles if the pitch is determined to be workable.

- d. Show the side of the dormer on the east elevation to accurately reflect the proposed conditions.**
- e. Use a subtler color on the chimney to minimize its prominence and review the technical requirements for the height of the chimney and if permitted, lower the chimney.**

Alderman Preschlack made a motion to Grant the appeal and overturn the Historic Preservation Commission's decision subject to the conditions as recommended in the staff report that was presented to the Commission, which address various issues including, but not limited to, exterior lighting, landscaping along the east property line, screening of roof top mechanicals and patios, and limitations and management of construction hours and activity, and adopting the findings contained in the staff report presented to the Commission and those made by the City Council during its discussions and deliberations at the meeting, and including the following additional conditions as suggested by members of the Commission, Replace window in the gable end of garage with a vent, Study details and proportions of the dormers on the front and rear elevations of the home and make refinements as determined to be necessary to reflect the Colonial Revival style more accurately, Replace the proposed standing seam metal roof with wood shingles if the pitch is determined to be workable, Show the side of the dormer on the east elevation to accurately reflect the proposed conditions, Use a subtler color on the chimney to minimize its prominence and review the technical requirements for the height of the chimney and if permitted, lower the chimney, seconded by Alderman Goshgarian. The following "Aye": Alderman Rummel, Notz, Preschlack, Goshgarian, Weber, and Morris. The following voted "Nay": Alderman Novit and Buschmann. 6-Ayes, 2-Nays, motion carried.

NEW BUSINESS

ADDITIONAL ITEMS FOR COUNCIL DISCUSSION/COMMENTS BY COUNCIL MEMBERS
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Mayor Pandaleon asked the Council if they have any additional items. Seeing none, he wished all fellow Council, staff, and residents a wonderful Holiday season!

ADJOURNMENT

There being no further business Mayor Pandaleon asked for a motion. Alderman Weber made a motion to adjourn, seconded by Alderman Novit. Motion carried unanimously by voice vote at 10:18 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.