



VILLAGE OF LINCOLNSHIRE

MINUTES COMMITTEE OF THE WHOLE MEETING April 27, 2020

Present:

Mayor Brandt
Trustee Hancock
Trustee Leider
Trustee Raizin
Village Attorney Simon
Chief of Police Leonas
Public Works Director Woodbury

Trustee Grujanac
Trustee Harms Muth
Trustee Pantelis
~~Village Clerk Mastandrea~~
Village Manager Burke
Treasurer/Finance Director Peterson
Assistant Village Manager/Community &
Economic Development Director Gilbertson
Planning & Development Manager Zozulya

Assistant Public Works Director/Village
Engineer Dittrich

This was a remote video-conference meeting

1.0 ROLL CALL

Mayor Brandt called the meeting to order at 7:22 p.m., and Village Manager Burke called the Roll.

2.0 ITEMS OF GENERAL BUSINESS

2.1 Planning, Zoning and Land Use

2.11 **Consideration of Approval of a Roof-Mounted Solar Panel Installation (301 Camberley Lane – Tesla, Inc.)**

Planning & Development Zozulya provided a summary of a proposed roof-mounted solar panel installation at 301 Camberley Lane. The Homeowners Association (HOA) has approved the request and anticipates similar requests in the future. The Architectural Review Board (ARB) reviewed the request and recommends approval. Additionally, Planning & Development Manager Zozulya asked the Board for direction on future approvals of solar panels. Planning & Zoning Manager Zozulya provided different requirements in various zoning districts.

Trustee Leider asked if the HOA has approved the concept of what is being presented. Planning & Zoning Manager Zozulya stated that the HOA has approved the current application. Trustee Leider asked how the requirements have changed over the years, noting when he was on the Zoning Board, the panels were not allowed on the front of the house. Planning & Development Manager Zozulya stated she did not know about prior Zoning Board discussions, but noted current code allows roof-mounted panels and not ground-mounted panels. The

Code states the material needs to be compatible with the roof material and cannot exceed 50% of the roof area.

Trustee Hancock asked if each time a request came in for solar panels, the Zoning Board had to approve it. Planning & Development Manager Zozulya stated Zoning Board approval was dependent on zoning district.

Assistant Village Manager/Community & Economic Development (CED) Director Gilbertson provided additional information related to certain approvals based on zoning. Staff is seeking direction from the Board to see if they want to keep the approval process as currently outlined in the Village Code.

Trustee Hancock suggested looking at the approval process more broadly with regard to solar panels.

Trustee Grujanac noted concern regarding approving solar panels in residential areas. Trustee Harms Muth noted concern with the visibility of the solar panels in residential areas.

Mayor Brandt asked if there was another location on the home were the panels would not be visible. Mr. Jon Stegbauer, permit and inspection coordinator at Tesla, provided information regarding elevation of the home for the current request stating if they were to eliminate panels on the front of the home, it would not benefit the home. Mr. Stegbauer provided information regarding the product they offer.

Trustee Leider stated he would not be in favor of solar panels that were visible from the front of any home. Mr. Stegbauer stated going solar in Lincolnshire may be difficult if the Board eliminates front facing panels. Mr. Stegbauer asked the Board to take each application on a case-by-case basis and possibly allowing panels on the front if they are needed in order to provide solar energy and will be a benefit.

Trustee Harms Muth asked if there were any other panels that could be used on the home that would not make them stand out so much. Mr. Stegbauer stated the panels recommended for the current application are the ones that offer the least visual impact.

A conversation regarding aesthetics of the solar panels and moving the panels to the back of the roof followed.

Trustee Hancock stated his opinion was the Board should not be approving this request but make a decision regarding policy of solar panels especially since these types of requests will likely become more frequent.

Assistant Village Manager/CED Director Gilbertson presented the solar energy code language to show the Board current requirements found in the Village Code.

Assistant Village Manager/CED Director Gilbertson stated last summer Building Official Jesse presented on the SolSmart initiative and the Board had given staff the direction to apply for possible designation in the SolSmart program.

Village Attorney Simon stated this was something that was discussed back in 2010; the installation on roofs was relevant at such time. Village Attorney Simon recommended the Board go back to this time and review the minutes and what was presented in order to understand the discussion at that time.

It was the consensus of the Board to review past materials in order to make sure of the dynamics of how the current application requirements came to be and come up with an efficient way moving forward with review and approvals from the various advisory boards.

2.2 Finance and Administration

2.21 Discussion of 2020 Special Event Schedule and Consideration of Approval with Clowning Around Entertainment, Inc. / Celebration Authority for 2020 Special Event Rides and Attractions in the Amount of \$32,227 (Village of Lincolnshire)

Assistant Village Manager/CED Director Gilbertson provided a summary of the 2020 special event schedule and consideration of approval with Clowning Around Entertainment, Inc. / Celebration Authority for 2020 special event rides and attractions in the amount of \$32,227. In light of the uncertainty associated with COVID-19 and being able to assemble large groups of people, should an event be canceled, Clowning Around has committed to crediting the Village's account for future events, and these funds could be used at events later in 2020 or in 2021. Additionally, the cost of the proposed contracts account for staffing all rides and attractions which limits liability for the Village. Therefore, approval of the contract at this time poses little to no risk for the Village.

Assistant Village Manager/CED Director Gilbertson noted that a day after this memo was posted, the Illinois Municipal League posted a notice urging municipalities to be thoughtful with taking on contracts for community events for the remainder of the year. Staff is looking for Board direction on community events for the remainder of the year and if money should be spent on these events given the current circumstances.

Village Manager Burke noted he shared information with the Board regarding what the surrounding communities are doing with regards to special events for the coming months. Some have canceled the large gathering portion but kept the fireworks for the 4th of July event.

Mayor Brandt noted she sent an article from the Chicago Tribune with regard to the fireworks and asked staff to see if Johnny Rockets could do a fireworks display with greater height so residents would be able to see from their homes. Mayor Brandt asked the Board to consider something in order to give people hope during these times.

Trustee Raizin stated this could be an opportunity for the Village to be creative. Trustee Raizin suggested having a car parade or have families decorate their front yards.

Trustee Leider stated he agrees these are unique times and wanted to give people some hope. Trustee Leider recommended only having the fireworks for financial and safety reasons.

Trustee Grujanac asked if there was a place to have the fireworks that wasn't so tree laden in order to have more of the residents being able to view the fireworks.

Public Works Director Woodbury stated he had a call into Johnny Rockets with the request to have the fireworks be shot off higher, for more visibility.

Trustee Leider suggested giving staff time off during the holiday to spend time with their families which would also save with time and resources.

Trustee Hancock stated he did not like that the proposed contract only allowed for credit and asked if we could enter into it on a contingent basis. Trustee Hancock suggested having something with more community and resident involvement for the 4th of July event.

A conversation regarding some possibilities for the 4th of July event followed.

It was the consensus of the Board to cancel the large 4th of July event, but to keep the fireworks and educate the public about various parking lots and options for viewing.

It was the consensus of the Board not to approve a contract with Clowning Around Entertainment, Inc. / Celebration Authority for 2020 Special Event Rides and Attractions in the Amount of \$32,227.

Mayor Brandt noted Food Truck Friday's were to begin in May. Mayor Brandt asked the Board if they wanted to completely cancel all Food Truck Friday's. Staff has a meeting with VanVlissingen to see if they want to take over the event for the remainder of the year.

Trustee Leider stated given all the uncertainty with the current COVID-19 situation, it is his suggestion the Village cancel all Food Truck Friday's through the 4th of July and discuss the remaining schedule at

a later date; when more information is known.

Trustee Pantelis suggested getting the local restaurants involved in Food Truck Friday. Mayor Brandt agreed and stated she did not want to take any business away from the local restaurants. Village Manager Burke noted all the local restaurants are invited to Food Truck Friday each year.

Trustee Hancock suggested talking to the current restaurants to make sure their issues are being addressed. Village Manager Burke noted this is already being done. Mayor Brandt noted agreement and stated many of the businesses have been approved for take-out liquor and suggested this continue after the Stay-at-Home Order is lifted.

Trustee Raizin noted her opinion is that Food Truck Friday's are very similar to take-out and did not agree with closing down the Food Truck's completely.

It was the consensus of the Board to cancel all Food Truck Friday's up until July 4th and discuss the remaining dates at a later date.

Village Manager Burke asked for some guidance regarding Spring Lake Beach. Staff is typically recruiting staffing for the beach at this time. Village Manager Burke recommended putting a pause on staffing Spring Lake Beach this year.

Mayor Brandt stated her opinion is to allow individuals to swim at their own risk during beach hours and not hire staff. All other Trustees were in agreement with this approach.

It was the consensus of the Board to not staff Spring Lake Beach this year.

Mayor Brandt noted Memorial Day will be a virtual event this year. Village Manager Burke stated staff is working with the Navy on a recorded message for the virtual event and possibly getting a few other videos of staff who previously served in the armed forces.

2.3 Public Works

2.31 Discussion and Consideration of Direction to Proceed with Bidding for Various 2020 Capital Improvement Projects (Village of Lincolnshire)

Assistant Public Works Director/Village Engineer Dittrich provided a report regarding bidding for various 2020 Capital Improvement projects. The 2020 Budget includes funds allocated for the following Facility Improvements: security system improvements at Village Hall and Public Works, flooring replacements at Village Hall, and brick/capstone repairs at Village Hall. Staff recommends proceeding with the brick/capstone repairs but deferring the security system improvements and flooring improvements.

Trustee Leider asked Chief of Police Leonas if he felt comfortable deferring the security system improvements. Chief of Police Leonas stated he had no problem with deferring the security system improvements.

It was the consensus of the Board to have staff proceed with obtaining bids for the brick/capstone repairs.

Assistant Public Works Director/Village Engineer Dittrich stated the 2020 Budget also included the following storm water improvements: Lincolnshire Drive drainage improvements, and miscellaneous storm water improvements. Assistant Public Works Director/Village Engineer Dittrich stated staff recommends proceeding with the Lincolnshire Drive drainage improvements but possibly deferring the miscellaneous storm water improvements to a future date or until more information as a result of the drainage study becomes known.

Trustee Harms Muth asked if the drainage study was complete. Assistant Public Works Director/Village Engineer Dittrich stated the draft of the drainage study is complete and under review. Trustee Harms Muth suggested the drainage study still be presented to the Board. Trustee Leider was in agreement with Trustee Harms Muth with moving forward with the review of the drainage study.

Trustee Pantelis asked Assistant Public Works Director/Village Engineer Dittrich if his recommendation was to put the other two projects; Lincolnshire Drive Drainage Study and the miscellaneous storm water improvements out to bid. Assistant Public Works Director/Village Engineer Dittrich recommended the Lincolnshire Drive drainage improvements and possibly deferring the storm water improvements.

A conversation regarding possible savings of deferment of projects followed.

It was the consensus of the Board to move forward with the staff recommendations regarding bidding out the brick/capstone repairs at Village Hall and Lincolnshire Drive drainage improvements.

A conversation regarding moving forward with the presentation of the drainage study and how the residents could interact with the current meeting situation followed.

2.4 Public Safety

2.5 Parks and Recreation

**2.51 Consideration of Approval of a Contract with Graybar Inc.,
Arlington Heights, IL at a Cost not to Exceed \$86,941.06 for the
North Park Lighting Replacement Project (Village of
Lincolnshire)**

Public Works Director Woodbury noted this item and the next item would be paid for with Park Development funds.

Public Works Director Woodbury provided a summary of a contract with Graybar Inc., at a cost not to exceed \$86,941.06 for the North Park Lighting Replacement Project.

Public Works Director Woodbury noted staff applied for a ComEd "Powering Safe Communities" grant through the Metropolitan Mayors Caucus which could reduce the total project cost by an additional \$10,000.

Trustee Hancock asked if there would ever be a situation where the Village could utilize funds from the Park Fund for the General Fund.

Village Manager Burke noted the Code states these funds are dedicated revenue source for Park Developments and referred to the Village Attorney to ask if the Board could amend the code to change the use of the funds. Village Attorney Simon stated the money in the Park Development fund represents impact fees from residential developments. The money was dedicated for impacts on the parks and recreation system which is attributable to these new homes. The Village can borrow money from this fund but would have to repay it.

Trustee Hancock asked if there were any projects coming up to contribute to these funds. Village Manager Burke stated there would be funds coming due from the Lincolnshire Trails subdivision, and the Manors of Whytegate would be paying as individual permits are approved.

Mayor Brandt asked about Brookwood Farms. Village Manager Burke stated there would be a small amount from Brookwood Farms.

Mayor Brandt asked if any of the impact fees from The St. James would be going to the Park Development fund. Village Manager Burke stated none of the impact fees from The St. James were for the Park Development fund. A brief conversation followed regarding the Tree Bank fund and the Tree Amnesty Program

Mayor Brandt asked if The St. James had impact fees going into the Tree Bank fund. Village Manager Burke noted The St. James did not have impact fees for the Tree Bank fund since they are planting so many trees to meet the tree replacement requirements.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

2.52 Consideration of Approval of a Contract with Evans and Sons Blacktop, Inc. for Whytegate Athletic Court Resurfacing and Color Coating in an Amount not to Exceed \$105,000.00 (Village of Lincolnshire)

Public Works Director Woodbury provided a summary of a contract with Evans and Sons Blacktop, Inc. for Whytegate athletic court resurfacing and color coating in an amount not to exceed \$105,000. The specifications call for a complete resurface and color coat of one basketball court, one tennis court and the replacement of one tennis court for a pickle ball court.

Trustee Hancock asked if there were any courts at North Park. Public Works Director Woodbury stated there are not tennis courts currently at North Park. Staff is preparing a Park Master Plan to be shared with the Park Board for consideration and recommendation to the Village Board.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

2.6 Judiciary and Personnel

3.0 UNFINISHED BUSINESS

3.1 Update on Downstate Legislator Law Suit Against Governor

Village Attorney Simon stated there is a Legislator from downstate Illinois that individually sued the Governor and challenged his authority to implement and enforce the Stay-at-Home Order. The Legislator is from Clay County which has a small population and only two cases of COVID-19. The Legislature sued for a temporary restraining order to prevent the enforcement of the order and a judge issued a summary opinion granting the restraining order in favor of only that Legislator. It is not an order that has general applicability. The Governor stated he will appeal. At this point in time, it is an isolated case.

3.2 Request to Open Tennis Courts in Lincolnshire

Mayor Brandt stated the Mayor of Libertyville is opening up tennis and asked for Village Attorney Simon's opinion.

Trustee Leider asked if the club in Libertyville was private. Mayor Brandt confirmed the club in Libertyville was private and the owner has a club in Lincolnshire.

Village Attorney Simon stated the Governor's Stay-at-Home Order has delegated authority regarding this to the Department of Commerce and Economic Opportunity to characterize businesses as essential or non-essential. Village Attorney Simon noted Department of Commerce and Economic Opportunity has issued a letter stating that tennis is a non-essential business and should not continue over the course of the Stay-at-Home Order. This opinion might be updated after May 1; once the new extension goes into place and the extension modifies the Stay-at-Home Order.

Mayor Brandt stated she had some discussions with residents who commented that this is not any different than permitting golf. Mayor Brandt

asked how the Village of Libertyville can allow this. Village Attorney Simon stated it was his opinion the Village of Libertyville would be allowing this activity against the order.

A conversation followed regarding how the Stay-at-Home Order affects families regarding activities and public parks.

4.0 NEW BUSINESS
5.0 EXECUTIVE SESSION
6.0 ADJOURNMENT

Trustee Grujanac moved and Trustee Harms Muth seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 9:21 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Bradly J. Burke
Deputy Village Clerk