

Village of Riverwoods
Public Hearing
July 20, 2021
APPROVED

Present:

Michael Clayton
Liliya Dikin
Andrew Eastmond
Michael Haber
Henry Hollander
Rick Jamerson
Kris Ford, Mayor

Also Present:

Bruce Dayno, Police Chief
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
Hal Roseth, Village Treasurer
Daphne Paras, Village Clerk

Call to Order: 7:37 pm

Mayor Ford honored Rick Jamerson for his dedication and leadership in construction of the Village Hall.

Document Approval:

Trustee Jamerson moved to approve the minutes of the June 15, 2021 Board of Trustees meeting. Trustee Haber seconded the motion. Trustee Clayton suggested some corrections. The motion passed unanimously on a voice vote.

Approval of Bills

Trustee Jameson moved to approve the bills. Trustee Clayton seconded the motion. The motion passed by the following vote:

AYES: Clayton, Dikin, Eastmond, Haber, Hollander, Jamerson (6)
NAYS: None (0)

Treasurer and Finance Committee Report

Trustee Clayton noted the finance department has been busy with the audit which should be completed and filed by the end of August. The committee is considering issuing an RFP to find

the next auditors. They are looking at the Holiday Inn Special Use fees as well as the June and July reporting.

Village Attorney's Report

Mr. Huvard noted there is some concern about the landscaping at the Shops of Riverwoods. He noted CubeSmart has not done the necessary maintenance for the native landscaping. The Village may engage outside help if necessary.

Plan Commission Report

Ch. Laurie Breitkopf reported the Plan Commission met on July 1, 2021 to discuss mixed use planned unit development criteria for the northeast and southeast corners of Milwaukee and Deerfield Roads. Mr. Huvard added the Village has to amend some of the regulations due to Thornton's as well as the 37 acres. Ch. Breitkopf noted the Plan Commission would like to see a comprehensive concept for the northeast area, including Federal Life

Zoning Board of Appeals Report

Ch. Sherry Graditor noted the Zoning Board of Appeals met on June 3, 2021 to consider the request for a garage addition at 1370 Ken Lane. The applicant wants to build a garage that would reduce the front yard from 50 feet to 21 feet. The ZBA felt the request did not meet the standards to provide a variation.

Police Report

Chief Dayno indicated the Police Activity Report is attached to the end of the minutes. On July 7, 2021, officers responded to a disturbance call on West Course Drive. Someone was threatened with a knife and the department made an arrest. On July 14, a purse burglary occurred on Sunset Trail. Chief Dayno reported the two factor authentication project for the Village has been completed.

Information Items from the President

1. Campus Opening Celebration

Mayor Ford reported the campus opening celebration will take place on July 31, 2021 from 11:30 to 2:00. The campus is semi-open at this time. At the ceremony, former Mayor John Norris will be honored, there will be a food truck, a representative from the RPC and the police department to officially welcome residents to the campus. If it rains, the celebration will be held inside Village Hall.

2. officeofthemayor@villageofriverwoods.com

We have opened an email address as the Trustees have all received emails and we want to ensure we are in compliance with the Open Meetings Act. The email address will be monitored to make

sure the email gets forward to the proper person. Clerk Daphne Paras noted the Village is trying to establish a policy for archiving emails.

Visitors wishing to address the Board

There were no visitors wishing to address the Board.

Old Business

1. Ordinance 21-07- 11 Amending the Village Code Concerning Soliciting on Highways in the Village

Mr. Huvard noted there was a recent case where a Village was trying to define soliciting on a highway. The Village's regulations do not mention content. The only distinction is a permit is required for commercial purposes. The original language said if soliciting for a certain number of reasons, is not permitted. The revision states you cannot solicit on a highway and does not list the content. This will give the police the ability to say you cannot be there for safety reasons. Trustee Hollander asked about solicitation on private streets. Mr. Huvard explained the Village cannot prohibit it as they do not have jurisdiction on private streets. Trustee Jamerson noted if someone is obstructing traffic on a private street where the Village has an agreement, the traffic laws would be enforced. Trustee Haber does not believe there will be a lot of solicitors on private streets due to a lack of traffic. He noted it could be considered trespassing.

Trustee Jamerson moved to waive the First Reading of the Ordinance. Trustee Clayton seconded the motion. The motion passed unanimously on a voice vote.

Trustee Jamerson moved for Second Reading and adoption of the Ordinance. Trustee Haber seconded the motion. The motion passed by the following vote:

AYES: Clayton, Dikin, Eastmond, Haber, Hollander, Jamerson (6)

NAYS: None (0)

2. Ordinance Granting a Waiver from the Zoning Ordinance as a Reasonable and Necessary Accommodation for 2240 Riverwoods Road

Mr. Huvard explained the Village asked for more information so Bob Hammer contacted the owner to have an inspection of property. Mr. Hammer said there may be some room to reduce the size of the enclosure. He spoke with the owner's builder and found the elevator shaft size could be reduced to 9x9 in lieu of 10x10. The trustees asked for a better understanding of the other options. Mr. Hammer explained option A has a geothermal system in the basement utility room, as well as the piping for the hot water system and mechanical systems. The shaft would go through the basement and would have to go lower than the basement floor. The utility room would have to be cleaned out and everything rerouted. Option B would be more possible than option A, as it would be in the foyer. After seeing the house, with a striking front entry, it would destroy the character of the house and block the view of the backyard. Trustee Haber noted there is a elevator that does not require an elevator pit. It would be on a rail and would not have to go

through the basement. Mr. Hammer believes it could be suitable, but not in the location of option A. The utility room would still need to be cleared out. The proposed elevator has a full turning radius for a wheel chair. Trustee Haber noted they also discussed the speculative nature of the medical condition as it is speculated that the condition would deteriorate requiring an elevator.

The applicant, Dr. Byong Moo Soh built his dream house in Riverwoods four years ago. His wife's health is deteriorating and his house was built as a minimalistic, eco-centric structure. The purpose of the elevator is only to make their lives better. The size of the elevator is 48" x 48", but they need the housing for the elevator outside.

Mr. Huvard explained the nature of disability is speculative. The Village is trying to conform with their Ordinances as well as Federal law. Impaired mobility qualifies as a disability, but at what point? Dr. Soh testified that his wife has difficulty going up and down stairs due to osteoporosis. She has to be very careful on the hardwood floors and has to pause after a few stairs. As a husband, Dr. Soh wants to do what he can to prevent any unfortunate mishaps.

Trustee Clayton moved for Second Reading and adoption of the Ordinance. Trustee Jamerson seconded the motion.

The Trustees struggled with this petition, because they do not want to set a precedent and the elevator seems more preventative the necessary. In addition, if the house gets sold, the elevator would be there for the next homeowners while the reason for non-conformance would not exist. The applicant could put an elevator within the confines of his home; albeit, it would not be as aesthetically beautiful and would have additional costs. Another option would be to have two elevator shafts—one from the second floor to the first floor and one from the first floor to the basement. Mr. Hammer explained it is not ideal, but would be possible.

Dr. Soh explained the same question came up at the Plan Commission. He does not know the purpose of the setback regulation. His wife can go up and down right now, but Dr. Soh does not want something to happen to his wife. Dr. Soh wants to do what he can to stay in his house but does not want two separate elevators.

The Trustees explained Village regulations have to apply to everyone. They understand why the applicant wants an elevator but have not seen any evidence showing a change in lifestyle or a physician letter stating Mrs. Soh cannot do stairs. Osteoporosis is common in females over 65 and this could set a precedent. Dr. Soh explained not everyone with osteoporosis needs to live in a ranch house or an elevator, but believes this would be best in his circumstance. The elevator is not a small endeavor, but is the alternative to moving.

Trustee Haber suggested the Village contact Orphans of the Storm on behalf of the petitioner, and ask for an easement. They are not using the property. Mr. Huvard explained he has done that in the past to offset the loss of a side yard. Dr. Soh previously spoke with Orphans of the Storm, who said they were unable to build on that property. Trustee Haber explained the Board wants to see this happen, but as officers of the Village, are sworn to comply with the rules and regulations.

Mayor Ford noted the Village wants to help the applicant get an easement or put in the elevator without the need for a variance. A possibly net step is for the Village Attorney to talk to Orphans of the Storm to see if they would grant an easement. If that is possible, the applicant could build the elevator as planned. If this does not work, the applicant could come back and request a variance.

Trustee Haber moved to table the motion so the Village Attorney could contact Orphans of the Storm about a possible easement. Trustee Jamerson seconded the motion. The motion passed by the following vote:

AYES: Clayton, Dikin, Eastmond, Haber, Hollander, Jamerson (6)

NAYS: None (0)

New Business

1. Approval of Hazardous Tree Survey Proposal by Urban Forest Management, Inc.

Mayor Ford explained the Village has not done a hazardous tree survey in a number of years. Trustee Hollander is concerned about the follow up after trees are marked. Mr. Huvar explained the Village has a different approach to enforcement with Urban Forest Management. They need to know where the hazardous trees are located before they can handle enforcement.

Sherry Graditor strongly recommends having a list of ramifications if a homeowner fails to act on hazardous trees on their property. Trustee Haber suggested providing options to homeowners to possibly take advantage of economies of scale.

Trustee Dikin suggested adding hazardous or invasive species to the survey. Mr. Huvar explained those are not hazardous. Trustee Jamerson explained the purpose of the survey is to identify trees that could fall on a roadway. David Shimberg asked if the trees are on private property. Trustee Jamerson explained any leaning or dead tree that could fall on a road would be flagged. Ms. Graditor noted trimming oak trees before Fall would damage the tree. The Village Forester needs to note timings to safely remove tree limbs.

Trustee Hollander would like some information on enforcement. Mayor Ford will get the information for another meeting.

2. Ordinance 21-07-12 Amending Classification of Liquor Licenses in the Village

Mr. Kraly met with Mr. Kumar from the Shops of Riverwoods. A potential restaurant would like a beer and wine license. Mr. Huvar explained there was an older classification for a beer only license that could be altered to include wine.

Trustee Haber asked why alcohol would be limited. Mr. Huvar explained some municipalities have different fees for alcohol than wine and beer. Mr. Kraly suggested giving the applicant a regular liquor license and allow them to serve what they want. Mr. Huvar explained the Village

could either create category for wine and beer or authorize additional an additional Class F liquor license.

Trustee Haber moved to waive the First Reading of the Ordinance. Trustee Jamerson seconded the motion. The motion passed by the following vote:

AYES: Clayton, Dikin, Eastmond, Haber, Hollander, Jamerson (6)

NAYS: None (0)

Trustee Haber moved to amend the Ordinance to allow three (3) Class F liquor licenses instead of two (2). Trustee Jamerson seconded the motion. The motion passed by the following vote:

AYES: Clayton, Dikin, Eastmond, Haber, Hollander, Jamerson (6)

NAYS: None (0)

3. Consideration of a video gaming parlor as an allowable use in a mixed use planned development in the B-1 Neighborhood Business District

Trustee Hollander explained a video gaming business wants to go into Shops of Riverwoods. He would like to poll the Board to see if they would be amenable to this type of business in the Village before sending it to the Plan Commission. He noted it would require a significant amount of work for the Plan Commission. Trustee Hollander explained they would only have microwaved food and the amount of revenue to the Village would probably be less than \$10,000.

Tony Mestan with Excel Entertainment explained one of his clients (dba Baby Vegas) is looking for a location for a gaming parlor. They performed a demographic study and believe Riverwoods would be a good location. Mr. Mestan noted one location would bring \$3000 – \$4000 per month to the Village, based on State stature.

The Trustees discussed the competition, as there are other gaming establishments nearby. They also expressed concern about the amount of traffic it could generate. Mr. Mestan explained they propose using 1200 square feet of the Chase Bank location. There are no gaming establishments within three miles, and the market is not saturated. They like the location because it is in a strip mall and there is adequate parking. They propose having six machines and would require seven parking spaces. Trustee Clayton noted Sweet Basil expressed an interest as well as Thornton's, so it is something the Plan Commission should look into. Mr. Huvad explained one requirement for a gaming parlor is a liquor license. If the Board does not want this use, they do not need to create a new liquor license category. In addition, the current zoning in the Shops of Riverwoods prohibits video gaming. The Village would have to opt-in as a community. Mr. Huvad noted Thornton's expressed interest in video gaming if they had diesel.

Mr. Huvad noted the Village received another request from another party interested in opening a video gaming establishment in the Shops of Riverwoods. Mr. Mestan explained if the Village approved it, he would ask to be first in line to get a license. They have worked hard to find this location. Mr. Huvad asked if revenue projections to Village would reduce if there was another

location in the Village. Mr. Mestan noted there are multiple locations in the same strip mall in other suburbs. Revenue has not reached diminishing returns. The Trustees would like the Plan Commission to look at video gaming in the Village.

4. Ordinance 21-07-13 finding a tobacco shop to be a similar and compatible use to other allowable uses in a mixed use planned development in the B-1 Neighborhood Business District

Mr. Kraly received a call on July 12, 2021 from someone that wants to put a tobacco shop in the Shops of Riverwoods. He is trying to determine if this is compatible with the neighborhood. It would be strictly retail with no smoking onsite. Trustee Hollander noted the Village is seeing a change to the retail makeup of Milwaukee Avenue. He thinks the Board needs to come to a realization that we have to look at this area differently than in the past as things are going in a direction different.

Trustee Haber moved for First Reading of the Ordinance. Trustee Eastmond seconded the motion. The motion passed unanimously on a voice vote.

Trustee Clayton moved for Second Reading and adoption of the Ordinance. Trustee Haber seconded the motion.

Trustee Jamerson asked Chief Dayno about enforcement on the use of tobacco, especially with younger kids. Chief Dayno noted they do compliance checks and will continue to do them. Mayor Ford noted the Village would get tax revenue.

The motion passed by the following vote:

AYES: Clayton, Haber, Hollander, Ford (4)

NAYS: Dikin, Eastmond, Jamerson (3)

5. Approve agreement with Dynergy or another alternative energy supplier for municipal water pumping station(s) and sewage lift stations

Trustee Jamerson explained this is the same as the municipal aggregation. The contract is up and pricing is time sensitive. He noted the preliminary pricing was about half of the ComEd rate. He will have pricing at the next meeting, but the Board will need to act on it.

6. Approval of a Support Services Agreement with ProKarma, Inc. for the Village website

Mr. Huvard explained ProKarma provides support services for the Village website. This is a transitional document that states ProKarma will provide services on a temporary basis. This will document the services the Village wants for \$600 per month plus up to \$15,00 for a transition fee. Trustee Dikin explained they provide about 10 hours of service per month. Trustee Haber explained they just want a contract. Mr. Huvard noted the Village is in process of interviewing other companies.

Trustee Hollander moved to approve the support services agreement with ProKarma through January 1, 2022. Trustee Jamerson seconded the motion. The motion passed by the following vote:

AYES: Clayton, Dikin, Eastmond, Haber, Hollander, Jamerson (6)

NAYS: None (0)

7. Approval of a First Amendment to the Memorandum of Understanding with Brushwood Center at Ryerson

Mr. Huvard explained the agreement with Brushwood expires at the end of July. The Village agreed to pay for the Trail Tails project (up to \$10,000) and suggested renewing the agreement for a year, then annually, unless either party gives 30 days' notice. The Village has not agreed to other expenditures and anything else will be done on a case-by-case basis. This will keep the framework alive without any additional financial commitment.

Trustee Clayton moved to approve the first amendment to the Memorandum of Understand with Brushwood Center at Ryerson. Trustee Hollander seconded the motion. The motion passed by the following vote:

AYES: Clayton, Dikin, Eastmond, Haber, Hollander, Jamerson (6)

NAYS: None (0)

Adjournment

There being no further business to discuss, Trustee Haber moved to adjourn the meeting. Trustee Jamerson seconded the motion. The motion passed unanimously on a voice vote.

The meeting was adjourned at 9:37 pm.

The next regular meeting of the Board of Trustees will take place on August 3, 2021 at 7:30 pm.

Respectfully submitted,

Daphne Paras
Village Clerk

Transcribed by:
Jeri Cotton

Attachments:
Police Report



Riverwoods Police Incident Analysis Report



Summary by Incident Type

7/20/2021

Incident Type	Since Report 06/15/21	2021 YTD	This Time 2020 YTD	This Time 2019 YTD
0260 Criminal Sexual Assault	-	-	1	-
0460 Simple Battery	1	1	-	-
0486 Domestic Battery	-	2	2	3
0560 Simple Assault	1	1	-	-
0610 Burglary	-	-	1	-
0625 Residential Burglary	1	1	2	3
0760 Burglary From Motor Vehicle	-	-	1	1
0810 Theft Over \$500	-	4	-	2
0820 Theft Under \$500	2	5	3	-
0910 Motor Vehicle Theft	-	-	-	1
1110 Deceptive Practices	-	2	4	3
1120 Forgery	-	-	1	1
1150 Credit Card Fraud	-	1	2	2
1310 Criminal Damage to Property	-	1	2	3
1330 Criminal Damage to Land	-	-	-	-
1360 Criminal Trespass-Vehicle	-	-	-	-
1811 Poss. Cannabis <30 grams	-	-	-	1
2000 Controlled Substance	-	-	1	-
2410 DUI	8	31	19	29
2820 Telephone Threats	-	-	-	-
2825 Harassment by Telephone	-	2	1	3
3001 Fireworks Complaint	10	10	15	2
7001 Assist Other Agency	21	103	119	100
7021 Ambulance Call	25	93	102	105
7024 Fire Call	3	19	22	25
7033 Fire Alarm	2	23	23	26
7039 Fingerprinting	1	3	3	1
7040 Public Service	3	22	42	19
7041 Premise Exam	153	748	334	499
7042 Child Seat Install/Inspect	3	3	1	1
7045 Well Being Check	-	21	26	29
7049 Notifications	5	11	13	11
7051 Vehicle Lock Out	2	11	17	26
7062 Noise Complaints	3	14	9	11
7063 Solicitor Complaints	4	5	4	11
7078 Construction Complaint	-	1	2	1
7079 Other Complaints	12	36	24	35
7082 Burglar Alarm	17	102	114	150
7083 Hold Up Alarm	1	11	12	13
7121 Suspicious Auto	8	25	43	29
7123 Suspicious Person	3	12	19	16
7130 Domestic Trouble	-	8	7	8
7139 Other Problem	-	4	1	5
7144 Lost/Mislaidd Property	-	3	2	3

Incident Type	Since Report 06/15/21	2021 YTD	This Time 2020 YTD	This Time 2019 YTD
7156 Found Property	2	2	2	7
7160 Turned in Weapon/Ammo	-	-	1	-
7178 Missing Person	-	2	3	1
7198 Identity Theft	8	45	7	3
7199 Other Investigation	4	23	17	15
7231 Death Investigation	-	-	2	1
7245 Animal Problem	5	40	32	45
7246 Found Animal	2	10	5	6
7250 Roadway Debris	6	20	11	13
7500 Village Ordinance Violation	5	15	17	4
7503 Motorist Assist	13	47	32	78
7521 Traffic Complaint	12	28	28	35
7522 Parking Complaint	2	8	4	5
7571 Traffic Accident PI	1	4	10	10
7572 Traffic Accident PD	8	34	38	87
7573 Traffic Accident PP	4	6	2	13
7911 911 Hang Up	4	11	15	15
Total:	365	1634	1220	1516
Crime Prevention Notices	60	311	377	269
Case Reports	27	147	107	139
Traffic Stops	227	1449	672	1584
Persons Issued Citations	50	347	251	492
Citations Issued	79	485	292	566
Ordinance Violations	32	347	78	160

6 houses are currently on the Vacation Watch list and are checked regularly.