Village of Riverwoods Board of Trustees Meeting September 5, 2023 APPROVED

Present:

Kris Ford, Mayor Michael Clayton Andrew Eastmond Henry Hollander Rick Jamerson Jeff Smith

Absent:

Liliya Dikin

Also Present:

Bruce Huvard, Village Attorney
Bruce Dayno, Police Chief
Russ Kraly, Director of Community Services
Stephen Witt, Director of Community Services
Carissa Smith, Village Engineer
Bill Balling, Interim Finance Director
Chief Krueger, Fire Chief
Katie Bowne, Village Clerk

The meeting was called to order at 7:30 pm

Document Approval

Trustee Jamerson moved to approve the minutes of the August 15, 2023 Board of Trustees meeting. Trustee Clayton seconded the motion. The motion passed unanimously on a voice vote.

Treasurer's and Finance Committee Report

Trustee Jamerson moved to approve the bills. Trustee Clayton seconded the motion. There were some questions by the Trustee Jamerson. The motion passed by the following vote:

AYES: Clayton, Eastmond, Hollander, Jamerson, Smith (5)

NAYS: None (0)

Director of Community Services Report

a. Consideration of Brunch Factory request for a gaming license and Zoning amendment

Sam Fakori, Director of Operations for Gaming Productions provided a brief history on Gaming Productions, a company that was licensed by the State of Illinois in December 2022. They have ten locations in the State and provide the equipment (gaming and voucher redemption terminals), service and fund collection/distribution. The Village would get 5 percent of the proceeds. Mr. Fakori believes this location is ideal for gaming and would provide additional sales tax revenue for Riverwoods. If the Brunch Factory is given a gaming license, they would establish Brunch PM, which would allow them to serve customers throughout the business day. Aside from the sales tax revenue of approximately \$25,000 per year, the Village could establish licensing and other fees.

Trustee Hollander asked how the gaming would be separated from the public area of the restaurant. Mr. Fakori explained there is a separate room that would be used for gaming, bar and events, which is visible from the restaurant host stand. The restaurant owners would offer a small dinner menu as well. Trustee Hollander noted there are two entrances to that room. Mr. Fakori explained the second entrance could be locked or closed off. Trustee Jamerson questioned whether the second set of doors could be blocked due to fire regulations. Mr. Fakori noted they would prevent under age people from entering the area. Mr. Huvard indicated an amendment to the Zoning would be required to allow video gaming in Colonial Court. The number of video gaming licenses in the Village and the number of liquor licenses associated with video gaming would also need to be increased.

Trustee Smith asked about security. Mr. Fakori explained the Illinois Gaming Board requires security cameras at each of the gaming terminals and the redemption terminal. It can also be placed on a monitor at the host stand. Trustee Smith questioned if the Riverwoods police department would be contacted if there was suspicious behavior. Mr. Fakori explained it would be up to management to decide the next course of action, but every scenario would not require police assistance. The Trustees discussed the hours of operation. Mr. Fakori explained they would be open as long as the liquor license would allow. They currently close at 2:30 pm but would like to be open until between 11:00 pm or midnight. Trustee Jamerson noted the establishment could turn into a full bar. It was established the restaurant area would be closed, but the bar and video gaming area would operate independently from 2:30 pm until midnight with limited food. Mr. Fakori explained it is not a bar or night club atmosphere; rather, the consumption of alcohol is not very extensive. Chief Dayno had surveyed local chiefs who stated they get very few complaints from the gaming establishments in their municipalities. Mr. Huvard asked Mr. Fakori whether having two video gaming establishments in close proximity would be detrimental. Mr. Fakori explained it is the opposite effect, considering the small number of terminals available at an establishment.

Mayor Ford directed the petitioners to move forward with the Plan Commission.

Attorney's Report

Mr. Huvard reported the Lake County Department of Planning issued a report on their meeting with Bridge Industrial. There is no indication the County views the type of warehouse proposed on the site as so intense or beyond the scope of what was originally intended that it would not be a permitted use. There was a question about the part of the property in the general office district, where the access road cannot go to industrial. The access road may have to be rezoned to limited industrial or the applicant could apply for a conditional use for a planned unit development. Mr. Huvard believes if the applicant applies for a PUD, they would not have to apply for rezoning. He noted the two original buildings were

reduced by approximately 300,000 square feet. Trustee Hollander noted there was one condition that the applicant would have to get water from the Village of Deerfield.

Engineer's Report

Ms. Smith has been in contact with the contractor on the road patching program. It should be a two-week project.

Plan Commission Report

Plan Commission Chairperson Laurie Breitkopf reported the Plan Commission will meet on September 7, 2023 to discuss possible land uses for the Wolters Kluwer parcel.

ZBA Report

Zoning Board of Appeals Chairperson Sherry Graditor reported the ZBA has not met.

Police Report

The police activity is attached to the end of the minutes.

Fire Protection District Report

Chief Krueger reported from January 1, 2023 to August 31, 2023, there were 475 Fire/EMS calls in Riverwoods. There were 70 more calls than 2022. Elevated Care is the busiest location in Riverwoods. The total calls went up for the entire fire district. In 2022, the department went to Elevated Care 2.4 times per day. This year, it is 1.7 times per day, which is a decrease. The police department responds to fire alarms and ambulance calls.

Information Items from the President

a. Resident and staff communications

Mayor Ford noted there are two new directors and are working on getting the most accurate and complete information to residents. They are trying to find a good way to centralize information. She suggested calling Village staff first, instead of the consultants. This will make things more consistent.

b. Approval of appointment of Vivian Hofeld as Deputy Clerk Mayor Ford recommended Vivian Hofeld be appointed as Deputy Village Clerk.

Trustee Jamerson moved to appoint Vivian Hofeld as Deputy Clerk for the Village of Riverwoods. Trustee Hollander seconded the motion. The motion passed unanimously on a voice vote.

Visitors wishing to address the Board

George Gil has been a resident for 28 years. Riverwoods takes the woodlands and ecology very seriously. He raised concerns about potential ethical issues at a recent Plan Commission meeting. The

company that performed the wetland delineation for the 1400 Saunders property implicated the majority of the wetland was high quality. A small section in the northeast corner was not listed as high quality. The testing was completed in November, which was not in the prescribed window but additional testing was not completed. Mr. Gill expressed concern that they purposefully did not retest as it could jeopardize thing. The company boasted on their website that they can get projects approved. He voiced concerns about how the project violates buffer requirements that are in the Watershed Development Ordinance.

Todd Olinger questioned why our ecologists would mitigate a wetland to the extreme. When a wetland is mitigated to the extreme, the average needs to hit 100 feet. They mitigated to the extreme of 50 feet and do not show where they are picking up 150 feet. When you have a lot and are borrowing a wetland buffer from another lot, it has to be deeded into that lot because it is a wetland lot liability and people need to know about it. He does not believe a house can be built on lot one because there is not enough room. It will be a small house wedged in that will have no neighborhood congruency. Mr. Olinger questioned why the lot was mitigated at 50 feet.

New Business

Approval of Plat of Subdivision for 1400 Saunders Road

Mr. Huvard explained the Village has had five or six properties with wetlands that have subdivisions. The wetlands have been reduced to 50 feet or less, and the Village has been consistent. The Board usually reviews the compliance with Village Codes and Ordinances in regard to subdivision plats. The Board does not determine whether a subdivision serves public interest. Trustee Hollander cannot determine who is right or wrong, but understands the concern about the decision made by the wetland specialist. Unless there is an urgency, he questioned whether the concerned resident would be willing to pay for a second opinion. Mr. Huvard believes the opportunity to rely on a second consultant has passed. If the Village engineer believes the determination was inappropriate, that would be the Village's enforcement officer. Ms. Smith explained the certifications are ruled by the County SMC. Realistically, the only other avenue would be to have the County review it; however, that is why there is a PJD (preliminary jurisdictional determination). Most of the time, the County goes with the certified wetland specialist because that is why they are in that role.

Trustee Jamerson noted the drawing shows the wetland boundary limits which run along Saunders Road. He had questions on the impervious surface requirements listed in Article III and how some of the restrictions could be enforced. Mr. Huvard explained these restrictions are applicable to all properties in the Village. Trustee Jamerson questioned where the Overland Draining Routes are shown on the plat. Ms. Smith explained the grading and overland flow will be shown for each individual lot rather than the plat of subdivision. She noted part of the review includes the water flow. Ms. Smith provided a brief explanation of wetland buffer averaging. Trustee Smith questioned how the wetland buffer would work with three lots. Ms. Smith explained it would be based on the wetland. Mr. Huvard added it would depend on the degree of the buffer averaging. He noted the wetland specialist indicated a single-family house has a low impact on the wetlands. Narrowing the buffer in some areas would not affect the quality of the wetland. The overall effect is negligible to the quality of the wetland when most of it has buffer and when the use is impacted by a few residents living in a home.

Trustee Hollander moved to approve the Resolution for the plat of subdivision for the property at 1400 Saunders subject to the conditions stated in the Resolution. Trustee Jamerson seconded the motion.

The Trustees had questions on the Declaration of Covenants. Trustee Hollander recommended requiring an annual wetland review. The Village's primary concern is maintaining the wetlands. Ms. Smith noted there would be a cost involved. Mr. Huvard explained they want to ensure the native buffering is still intact and in compliance with the Ordinance. Trustee Eastmond expressed concern about setting a precedent and whether it would be manageable. Mayor Ford questioned whether the same standard should be retroactive to other properties. Mr. Huvard explained this would be part of the written approval for this property. The property owner did a lot of restoration work to the property, but Mr. Huvard suggested the annual review should look at the state of the native buffering, which is a result of other things being done. Trustee Jamerson noted at the Plan Commission, the wetland specialist based the recommendation on the restoration work that had been done. He believes the Board should set a forward precedent to ensure the work has been maintained. Mayor Ford questioned whether the Board is creating something more onerous that what has been recommended.

Trustee Hollander amended his motion to approve the Resolution subject to an annual review and report that the buffer has been maintained. Trustee Jamerson agreed to the modification.

Trustee Smith asked about the tree removal. Mr. Huvard explained the Village Ecologist stated the correct trees were removed and/or mitigated. Trustee Clayton is not comfortable with allowing Village staff to decide not to enforce the covenant. He believes the Board should vote to abrogate the section in the Declaration of Covenants. He is not comfortable with staff not enforcing the wetland restriction. Trustee Hollander believes either staff or a third party could evaluate it every year as a requirement.

Mr. Fortunato fully supports an annual review of this wetland property or any other. They are seeing an approval for being compliant as well as what will happen in the future. Mr. Fortunato noted less than five percent will be impervious surface. There will be three driveways off Saunders without any interior roads. The plan does not touch any protective plants and have exceeded the buffer areas. They propose building three homes within the required setbacks. Mr. Fortunato explained they started the project by restoring the property, removing invasive species and seeded for native plants over the 10.2-acre property. It will be a lush area of native plants. There will be very little earth movement and will not approach the wetland area. Mr. Fortunato noted they have met all of the Village requirements and have complied with the regulations.

The motion passed by the following vote:

AYES: Eastmond, Hollander, Jamerson (3)

NAYS: Clayton, Smith (2)

Old Business

There was no Old Business.

Committee Reports

Finance and Economic Development – Trustee Clayton noted they are working on developing the budget process outline.

Woodlands/Ecology/Legal – Trustee Eastmond will attend the Mosquito Abatement meeting. He is putting together a meeting with the County and the Thorngate residents' association.

Land Use and Roads – Trustee Hollander explained conversation on the 37 acres keeps popping up. There was a meeting on Deerfield Road and the County will maintain the 4:1 slope requirement. There are 20 properties that will no longer be impacted. He is trying to work on avoiding difficulty with traffic along the bridge.

Building and Utilities/Storm Water – Trustee Jamerson noted the Village issued 88 permits in August with 90% being for reroofs. The value was more than \$3 million. The stormwater committee met and discussed information collection, analysis and potential projects. There are ten areas that will improve the overall stormwater for the Village. The top priority is Bunker Court within the Thorngate subdivision. The pipes are under capacity and run over to Deerfield Road. The overland flow is at true capacity and does not allow for emergency vehicles to pass. The committee discussed submitting for small grants to help with engineering design as well as funding for the construction. Trustee Hollander noted the County promised to not make the situation on Deerfield Road worse.

Adjournment

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

The meeting was adjourned at 9:59 pm

The next regular meeting of the Board of Trustees will take place on September 19, 2023 at 7:30 pm.

Respectfully submitted,

Katie Bowne Deputy Village Clerk

Transcribed by: Jeri Cotton

Attachment: Police Report Building Report



Riverwoods Police Incident Analysis Report

Summary by Incident Type 9/5/2023

Activity Through August 31st of Each Year

Activity Throu	igh August 31st o	of Each Year
Incident Type	2023 YTD	This Time
		2022 YTD
46 (7503) (Mortorist Assist)	53	61
50 PD (7572) (Crash Property Damage)	65	47
50 PI (7571) (Crash Personal Injury)	15	9
50 Priv Prop (7573) (Crash Private Property)	5	5
911 Hang up (7911)	6	11
Ambulance (7021)	249	179
Animal Problem (7245)	31	49
AOA (7001)	115	179
Armed Robbery (0310)	-	-
Assault (0500)	1	1
Attempt Suicide (7221)	1	1
Battery - Simple (0460)	1	2
Battery (0400)	1	3
Burg - From Motor Veh (0760)	-	2
Burglar Alarm (7082)	179	146
Burglary - Residential (0625)	3	3
		_
Burglary (0600) Cell 911 (7912)	2	1
	-	5
Child Seat Inspect (7042)	4	5
Construction Comp (7078)	1	-
Controlled Substance (2000)	-	-
Credit Card Fraud (1150)	1	2
Crim Damage to Prop (1310)	6	2
Crim Sexual Assault (1563)		-
Crim Trespass to Land (1330)	2	-
Crim Trespass to Veh (1360)	-	-
Death Investigation (7231)	1	2
Deceptive Practice (1110)	6	4
Domestic Battery (0486)		-
Domestic Trouble (7130)	17	11
DUI (2410)	29	35
Fingerprinting (7039)	7	5
Fire Alarm (0733)	33	24
Fire Call (7024)	33	17
Fireworks Complaints (3001)	5	7
Forgery (1120)	-	-
Found Animal (7246)	5	6
Found Prop. (7156)	5	1
Harassment by Telephone (2825)	1	1
Hold Up Alarm (7083)	15	8
Identity Theft (7198)	11	9
Lock out - Vehicle (7051)	10	13
Lost / Mislaid Prop (7144)	2	8
Missing Person (7178)	1	2
Noise Comp (7078)	18	22
Notification (7049)	9	13
Other Comp (7079)	52	44 22
Other Investigation (7199)	25	22

Incident Type	2023 YTD	This Time 2022 YTD
Other Trouble (7139)	5	4
Parking Complaint (7522)	11	9
Premise Exam (7041)	997	909
Public Service (7040)	45	31
Roadway Debris (7250)	19	10
Solicitor (7063)	13	4
Suicide (7211)		-
Suspicious Auto (7123)	38	42
Suspicious Person (7123)	23	26
Telephone Threat (2820)		-
Theft from Motor Veh (0710)		2
Theft of Motor Veh (0910)	2	1
Theft Over \$500 (0815)	4	1
Theft Under \$500 (0825)	3	3
Traffic Complaint (7521)	38	37
Turned in Weapon/Ammo (7160)	1	1
Village Ord. Violation (7500)	16	13
Well Being Check (7045)	41	25
Total:	2282	2081
Crime Prevention Notices	391	378
Case Reports	128	143
Traffic Stops	1043	1312
Number of Citations issued	420	517
Number of Persons Issued Citations	277	364

⁷ houses are currently on the Vacation Watch list and are checked regularly.

Village of Riverwoods Building Permits Issued For Date From 08/01/23 to 08/31/23

200 Total Foo
Other Fee
Inspection
Plan Roviow
Permit Fee
Value 61,500.00 21,575.00 21,575.00 39,793.63 39,793.63 39,793.63 39,793.63 39,793.63 39,793.63 39,750.00 21,971.00 21,971.00 21,971.00 21,971.00 22,463.72 27,377.49 33,200.00 42,000.00
Type Reroof Rer
Address 1390 WOODLAND LN 4 BANEBERRY LN 975 WHIGAM RD 2440 DUFFY LANE 1726 CLENDENIN LN 8 JULIE LANE 2905 DUFFY LANE 2906 DORTWINE RD 2421 FOREST GLEN TRL 2324 GLEN EAGLES LN 2324 GLEN EAGLES LN 2325 WOODLAND LN 1905 MAPLE PLACE 1111 PORTWINE ROD 2223 WOODLAND LN 2900 HOFFMAN LANE 1915 MAPLE PLACE 1321 WOODLAND LN 1915 MAPLE PLACE 1321 WOODLAND LN 2424 SEMINOLE COURT 1330 WOODLAND LN 2424 SEMINOLE COURT 1316 WOODLAND LN 2506 CONGRESSIONAL LANE 1316 WOODLAND LN 2351 WOODLAND LN 2351 WOODLAND LN 1316 WOODLAND LN 1316 WOODLAND LN 1316 WOODLAND LN 1316 WOODLAND LN 1316 WOODLAND LN 1316 WOODLAND LN 1317 WOODLAND LN 1318 WOODLAND LN 1418 WOODLAND LN 1418 WOODLAND LN 1418 WOODLAND LN 1418 WOODLAND LN 1418 WOODLAND LN
841/2023 PB12382 82/2023 PB12383 82/2023 PB12383 82/2023 PB12408 82/2023 PB12408 82/2023 PB12410 82/2023 PB12410 82/2023 PB12411 83/2023 PB12414 83/2023 PB12414 83/2023 PB12415 84/2023 PB12416 84/2023 PB12416 84/2023 PB12420 84/2023 PB12420 84/2023 PB12421 84/2023 PB12423 84/102023 PB12423 84/102023 PB12423 84/102023 PB12423 84/102023 PB12423 84/102023 PB12423 84/102023 PB12433 84/102023 PB12443 84/102023 PB12445 84/102023 PB12445 84/102023 PB12445 84/102023 PB12445 84/102023 PB12455 84/102023 PB12455

12.075.00	8 600 00	17,500.00	32,000.00	55,649.30	54,538.98	27,955.19	35,000.00	27,185.23	48,000.00	38,325.00	16,000.00	187,000.00	48,000.00	45,000.00	88,500.00	13,500.00	148,895.53	34,460.00	40,950.00	57,441.20	100,000.00	18,100.00	54,000.00	16,182.00	41,000.00	21,382.09	52,963.10	16,576.00	15,759.00	85,000.00	10,898.80	43,895.00	6,130.00	50,562.00	95,000.00	153,523.90	27,998.90	24,300.00	18,500.00	108,542.15
Res - Windows/Doors Driveway & Walkway	Wall Sign	Res Remodel	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Driveway	Reroof	Reroof	Reroof	Reroof	Com Remodel	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Com Remodel	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof	Reroof
560 JUNEBERKT ROAD 1155 WHIGAM ROAD	2055 N MII WALIKEE AVE	7 BURR OAK TRL	2321 LEGENDS CT	2891 RIVERWOODS RD	2730 EDGEWOOD LN	665 MASTERS LN	2251 CONGRESSIONAL LN	1155 WHIGAM ROAD	1700 ROBINWOOD LN	1326 KNOLLWOOD WAY	2700 CRESTWOOD LN	2316 BRAE BURN DRIVE	1 FOXTAIL CT	2830 BLACKTHORN RD	475 SOMERSET HILLS CT	845 BLACKHAWK LN	1400 WOODLAND LANE	1781 SAUNDERS RD	9 CHICORY LN	2420 RIVERWOODS RD	1127MILWAUKEE AVE	2314 GLEN EAGLES LANE	885 HOFFMAN LN	656 MASTERS LANE	1792 CLENDENIN LN	2323 GLEN EAGLES LN	2050 CLENDENIN LANE	1320 KNOLLWOOD WAY	3 WOODLAND CT	2001 MILWAUKEE AVE	2639 FOREST GLEN TRL	1300 WOODLAND LN	430 MUIRFIELD LANE	2486 W COURSE DR	1365 KENILWOOD LN	1385 KENILWOOD LN	2343 GLEN EAGLES LANE	700 BAY HILL COURT	1336 KENILWOOD LN	6 COLUMBINE LN
8/23/2023 PB12446 8/23/2023 PB12451	8/23/2023 DB424K2	8/23/2023 PB12457	8/23/2023 PB12458	8/23/2023 PB12460	8/23/2023 PB12461	8/23/2023 PB12462	8/24/2023 PB12413	8/24/2023 PB12456	8/24/2023 PB12459	8/24/2023 PB12463		8/24/2023 PB12467	8/24/2023 PB12468	8/24/2023 PB12469	8/24/2023 PB12470	8/24/2023 PB12471	8/24/2023 PB12473	8/24/2023 PB12474	8/29/2023 PB12449	8/29/2023 PB12472	8/30/2023 PB12454	8/30/2023 PB12475	8/30/2023 PB12476	8/30/2023 PB12478	8/30/2023 PB12479	8/30/2023 PB12481	8/30/2023 PB12482	8/30/2023 PB12483	8/30/2023 PB12484	8/31/2023 PB12437	8/31/2023 PB12477	8/31/2023 PB12486	8/31/2023 PB12487	8/31/2023 PB12488	8/31/2023 PB12489	8/31/2023 PB12490	8/31/2023 PB12491	8/31/2023 PB12492	8/31/2023 PB12493	8/31/2023 PB12494

\$41,624.00 \$16,434.73 \$109,490.98 \$229,150.35 \$171,286.86 \$0.00 \$0.00 \$0.00 \$0.00 \$14,880.00 \$0.00 \$0.00 \$0.00 \$62,503.75 \$5,074.00 \$5,074.00 \$34,380.00 \$94,455.00 \$40,555.00 \$15,465.00 \$11,360.73 \$75,110.98 \$134,695.35 \$68,228.11 \$3,914,519.56 \$602,230.00 \$5,949,215.70 \$10,779,477.80 \$14,229,656.94 88 27 232 187 381 Total Permits
Aug. 2022
YTD 2021
YTD 2022
YTD 2022
Inspections