

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
July 6, 2023**

(Approved: August 15, 2023)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held at the Council Chambers on Thursday, July 6, 2023, at 7:00 PM.

- 1) Call to Order. President Rintz called the meeting to order at 7:00 PM. Village Manager Rob Bahan called the roll. Present: Trustees Rob Apatoff, Tina Dalman, Robert Dearborn, Kim Handler, and Bridget Orsic. Absent: Trustee Kirk Albinson. Also present: Deputy Village Clerk Berina Gradjan, Assistant Village Manager Kristin Kazenas, Village Attorney Ben Schuster, Community Development Director David Schoon and approximately 63 persons in the audience.
- 2) Pledge of Allegiance. President Rintz led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) July 11, 2023 Study Session. All of the Council members present said they expect to attend.
 - b) July 18, 2023 Regular Meeting. All of the Council members present said they expect to attend. Trustee Dearborn indicated that he planned to participate remotely.
 - c) August 1 Regular Meeting. All of the Council members present said they expect to attend.
- 4) Public Comment.
 - i. Louis Zaransky addresses Council regarding a student representative position on the Landmark Preservation Commission.
- 5) Reports:
 - a) Trustees. None.
 - b) Attorney. None.
 - c) Manager.
 - i. Village Manager Bahan commends the Public Works Department, Fire and Police Departments, and administrative staff for their contributions to the success of the 4th of July festivities.
 - d) Village President.
 - i. President Rintz commends the Park District and Village staff for their participation in the 4th of July parade. Furthermore, President Rintz, on behalf of the Village, sends his condolences to the Laidley family after the tragic incident on July 4th.
- 6) Establishment of the Consent Agenda.

Trustee Orsic, seconded by Trustee Apatoff, moved to approve the Establishment of the Consent Agenda. By voice vote, the motion carried.

7) Approval of the Consent Agenda

- a) Approval of Village Council Minutes.
 - i) June 6, 2023 Regular Meeting
- b) Approval of Warrant List dated June 2, 2023 – June 15, 2023 in the amount of \$2,002,079.82.
- c) Resolution No. R-65-2023: Approving a First Amendment to a Lease Agreement Between the Village of Winnetka and the United States Postal Service (Adoption)
- d) Resolution No. R-66-2023: Granting a Certificate of Appropriateness for Exterior Site Improvements at 80 Green Bay Road (Adoption)

Trustee Dalman, seconded by Trustee Dearborn, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Albinson.

8) Ordinances and Resolutions.

President Rintz emphasizes the importance of the community working together to resolve complex lakefront issues and requests that the public engage in civil conversations.

- a) Ordinance No. MC-08-2023: Amending the Text of the Winnetka Zoning Ordinance to Establish a Study and Permit Abeyance Period for Construction in the Steep Slope Area Along Lake Michigan (Public Hearing & Introduction/Adoption)

President Rintz addresses members of the public regarding the ongoing efforts by Village Council to continue to work diligently to ensure that any and all decisions made are in the best interest of the Village.

Public Hearing opened at 7:21 pm

Community Development Director David Schoon indicates that Council will consider establishing a study period regarding construction in the steep slope zone along Lake Michigan bluffs. During the study period, the Village will suspend construction activity and the issuance of building permits from July 6, 2023 to April 6, 2024 to ensure that the Village Council has an adequate amount of time to analyze and adopt any necessary code amendments, regulations, and examine the effects of construction along the bluff.

While the Village will not accept new applications or issue building permits during the study period within the steep slope zone, the Village will permit emergency repairs or general maintenance of structures or utility facilities, and will permit construction activity that is located outside of the steep slope zone. The temporary prohibition does not apply to construction activity that already received all applicable Village permits prior to July 6, 2023.

Public Comment

Munir Satur addresses Council regarding the impact of the permit abeyance period on other property owners due to the construction activity at 205 Sheridan Road.

Christina Codo addresses Council regarding the issuance of notices for the study and permit abeyance period before enactment of a moratorium.

James Findley, 455 Sheridan Road, addresses Council regarding concerns about the 40' from the top of the bluff portion of the steep slope zone.

Scott Kingson, 505 Hoyt Lane, addresses Council regarding concerns about the moratorium.

Michael Rauchman, 645 Sheridan Road, addresses Council regarding the impact of the moratorium on his planned investment in a property along the lake that has been vacant for years.

Leo Birov, 425 Sheridan Road, addresses Council on the potential negative impacts on property values along the lakefront and that property construction techniques will work on the bluff.

Barbara Silverman, 755 Sheridan Road, addresses Council regarding construction concerns.

John Edwardson, 301 Sheridan Road, addresses Council regarding his concerns about the timing of the issuance of notices for the study and permit abeyance period.

Le Ann Pope, 627 Sheridan Road, addresses Council regarding the issuance of notices for the study and permit abeyance period, matters related to the moratorium, and consideration of definition of construction activity.

Hal Frank, representing a “handful” of property owners, addresses Council regarding concerns about maintenance and repair definitions of ordinance and building permits in the pipeline.

Erik Falk, 1235 Whitebridge Hill Road, addresses Council regarding the timing of notice issued and concerns related to the study and permit abeyance period.

Dan Wolfberg, 1111 Sheridan Road, addresses Council regarding the maintenance of the bluff on his property.

Steve Fussell, 735 Sheridan Road, addresses Council with concerns related to the study and permit abeyance period, timing of notice issued, and his significant investment in the bluff on his property.

Phil Beck, 735 Sheridan Road, addresses Council regarding his concerns about the language of the proposed ordinance as it relates to restoration matters and maintenance of the bluff.

Katie Stevens, 333 Sheridan Road, addresses Council regarding maintenance along the bluff and continuing to work to preserve the lakefront.

Ted Wynnychenko addresses Council regarding public and private ownership along the lakefront and states his support for the ordinance.

Council discusses matters related to zoning restrictions and regulations, the intent of the ordinance regarding the protection of the lakefront, concerns pertaining to the enactment of a moratorium and the impacts it may have on lakefront properties, and amendments to the language and definitions.

Council unanimously agrees to carefully consider the timing, potential conflicts, and to consider the protection of lakefront properties and homeowners during the study and permit abeyance period. Council also expressed its wishes that the language of the ordinance be further refined.

Village Attorney Ben Schuster indicates that the Village Attorney will revise the proposed ordinance to address various permitting requirements.

Public Hearing closed 8:55pm

Trustee Handler, seconded by Trustee Orsic, moved to introduce Ordinance No. MC-08-2023. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Albinson.

b) Ordinance No. MC-07-2023: Amending the Text of the Winnetka Zoning Ordinance to Establish a Lakefront Preservation Overlay District (Public Hearing & Introduction/Adoption)

President Rintz confirms that the ordinance applies only to open land that is currently publicly owned along the lakefront.

Public Hearing Opened at 8:58pm

Community Development Director David Schoon states that an overlay district, a geographic zoning district layered onto one or more existing zoning districts, applies to land with an existing underlying district. Such overlay districts are used to protect environmental features, preserves historic buildings, and promotes specific uses/development. The amendment would seek to create an overlay district to apply on top of an underlying zoning district, the R-2 District, and would only apply to publicly owned land.

David Schoon confirms the current permitted uses, special uses, and identifies the regulations that will be in effect when a publicly owned property is no longer publicly owned.

Public Comment

Joe Dooley, 849 Sheridan Road, expresses objections regarding the establishment of a lakefront preservation overlay district.

Christina Codo addresses matters related to the Village's permitting process and how proposed district would have limited impact on Village-owned property.

Catherine Guthrie, 575 Sheridan Road, addresses Council regarding concerns of increased foot traffic on private property located next to street ends.

Rob White, 916 Oak, expresses concerns regarding the establishment of a lakefront preservation overlay district.

Joanna Karatzas states that she is in support of the establishment of a lakefront preservation overlay district.

Phil Beck, 735 Sheridan Road, expresses concerns regarding actions pitting governmental bodies against one another and concerns regarding this action being directed toward the Park District land swap.

Angie Doll addresses Council regarding support of the overlay district and intergovernmental cooperation.

Marie Garrison, 350 Ridge Avenue, addresses Council on the preservation of open space.

Louis Holland, 545 Oak Street, urges Council to protect Village land and discourages land swap deals.

Colleen Root addresses Council in support of overlay district urges Council to protect public land.

Katie Stevens addresses Council regarding Village owned land and commends the establishment of a lakefront preservation overlay district.

Susie Schreiber addresses Council regarding the Lake Michigan Watershed Based Plan.

Ted Wynnychenko commends the establishment of the lakefront preservation overlay district.

Jon Root, 326 Woodland Avenue, addresses Council regarding the preservation of publicly owned land.

Chuck Dowding, 968 Elm Street, addresses Council regarding the importance of the establishment of a lakefront preservation overlay district.

Willy Franzen, 232 Sheridan Road, addresses Council regarding concerns along the lakefront and commends the establishment of the lakefront preservation overlay district.

James Findlay, 455 Sheridan Road, expresses concerns this ordinance would have on the Park District land swap.

Hal Frank indicates concerns related to the establishment of a lakefront preservation overlay district in that it targets a single class of property owner. Instead Village could consider establishing a specific zoning district for parkland.

Council discusses matters related to the necessity of rezoning as indicated in the Winnetka Futures 2040 plan, the importance of preserving, enhancing and acquiring public land.

Village Attorney Ben Schuster informs Council and members of the public regarding various ways to rezone land and states that the establishment of a lakefront preservation overlay district is not to prohibit existing allowed uses, but rather to allow a special use process for future proposals to meet Village standards.

Public Hearing Closed 10:11 pm

Trustee Dearborn, seconded by Trustee Apatoff, moved to introduce Ordinance No. MC-07- 2023. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Albinson.

- c) Ordinance No. M-09-2023: Amending the Official Zoning Map of the Village of Winnetka to Place Certain Property Along Lake Michigan in the Lakefront Preservation Overlay District (Public Hearing & Introduction/Adoption)

Public Hearing Opened 10:12 pm

Community Development Director David Schoon confirms that the amendment of the Winnetka Zoning Ordinance to establish a lakefront preservation overlay district will amend the official zoning map to place certain public owned property along Lake Michigan within this overlay district.

No Public Comment.

Public Hearing Closed 10:14 pm

Trustee Dearborn, seconded by Trustee Orsic, moved to introduce Ordinance No. M-09-2023. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Albinson.

- d) Ordinance No. MC-09-2023: Amending the Text of the Winnetka Zoning Ordinance Regarding Amendments to Special Uses (Public Hearing & Introduction/Adoption)

Public Hearing Open 10:17 pm

Community Development Director David Schoon states that Council will consider amendments to the zoning ordinance regarding adjustments and modifications to special use permits and related procedures. The amendment will provide more clarity on what is defined as a minor change to a special use, handled at staff level, and what is defined as a

major change related to a special use, brought before Council.

Trustee Dalman commends the direction of the amendments for special uses.

No Public Comment.

Public Hearing Closed 10:18 pm

Trustee Dalman, seconded by Trustee Handler, moved to introduce Ordinance No. MC-09-2023. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Albinson.

9) Old Business. None.

10) New Business. None.

11) Appointments: None.

12) Closed Session: None.

13) Adjournment. President Rintz asks for call to adjourn. Trustee Dearborn, seconded by Trustee Apatoff, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 10:20 PM.

/s/ Berina Gradjan, Deputy Village Clerk
Recording Secretary

