

MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
July 18, 2023

(Approved: September 5, 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 Tuesday, July 18, 2023, at 7:00 PM.

- 1) Call to Order. President Rintz called the meeting to order at 7:02 PM. Village Manager Rob Bahan called the roll. Present: Trustees Kirk Albinson, Rob Apatoff, Tina Dalman, Robert Dearborn, Kim Handler, and Bridget Orsic. Absent: None. Also present: Deputy Village Clerk Berina Gradjan, Assistant Village Manager Kristin Kazenas, Village Attorney Peter Friedman, Community Development Director David Schoon, Assistant Community Development Director Ann Klaassen, Finance Director Tim Sloth, Water & Electric Director Brian Keys and approximately 31 persons in the audience.
- 2) Pledge of Allegiance. President Rintz led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) August 1, 2023 Study Session - All of the Council members present said they expect to attend.
 - b) August 8, 2023 Regular Meeting Cancelled.
 - c) August 15 Regular Meeting All of the Council members present said they expect to attend with the exception of Trustee Bridget Orsic.
- 4) Public Comment.
 - i. Christina Codo requests the use of Council Chambers for Park District meetings.
- 5) Reports:
 - a) Trustees.
 - i. Trustee Handler confirms that the Landmark Preservation Commission approved a GFA bonus for a home built in 1895. In addition, the Landmark Preservation Commission proceeds with a non-voting student position.
 - b) Attorney. None.
 - c) Manager. None.
 - d) Village President.
 - i. President Rintz commends the development of the golf course and looks forward to the reopening in the next year.
- 6) Presentations
 - a) Annual Comprehensive Financial Report (ACFR) and Popular Annual Financial Report (PAFR)

Finance Director Tim Sloth presents the Annual Comprehensive Financial Report for the year ending December 31, 2022, known as the audit. The ACFR serves to provide the Village's financial stakeholders reasonable assurance that the financial statements are

accurate and complete. As in previous years, the Village received awards of recognition from the Government Finance Officers Association for the quality of the Annual Comprehensive Financial Report and the Popular Annual Financial Report.

Mr. Sloth provides information regarding the Village's funds, various Village revenues, expenditures, fund balances and spendings, and Village pensions.

In addition to the audit, Tim Sloth presents information related to the Popular Annual Financial Report, a report providing key numbers and financial information for residents.

Ron Amen, Lauterbach and Amen, provides financial related information regarding Village funds and the audit report.

Trustee Dearborn addresses matters related to the Village's financial health and Village pensions.

President Rintz commends Village staff and Lauterbach and Amen.

b) Voluntary Lead Water Service Line Replacement Program – Policy Direction

After the State of Illinois enacted the Lead Service Line Replacement and Notification Act, the Village established the Voluntary Lead Water Service Line Replacement Program providing funding for residents at a first come first serve basis.

Water & Electric Director Brian Keys informs Council that the waitlist currently contains 125 individuals, and that staff is now seeking policy direction regarding the expansion of the program. Due to the interest in the program, staff is seeking an additional \$300,000 in funding.

Council discusses matters related to resident notices, feedback, and future replacement of lead water service lines. Brian Keys confirms that the Village website contains information related to lead water service line information by address.

Council unanimously grants policy direction.

7) Establishment of the Consent Agenda.

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

8) Approval of the Establishment of the Consent Agenda

a) Approval of Village Council Minutes.

i) June 20, 2023 Regular Meeting

b) Approval of Warrant List dated June 16, 2023 – June 30, 2023 in the amount of \$350,072.12.

c) Resolution No. R-67-2023: Approving a Contract with the Okonite Company for the Purchase of 15kV Underground Cable (Adoption)

d) Resolution No. R-68-2023: Approving a Contract with Precision Pavement Marking Inc. for Paving Services for the Pavement Marking Program (Adoption)

e) Resolution No. R-69-2023: Approving a Contract with Schroeder & Schroeder, Inc. for Concrete Flatwork (Adoption)

f) Resolution No. R-70-2023: Waiving Competitive Bidding and Ratifying a Contract with Resco for the Purchase of Single Phase Transformers (Adoption)

Trustee Handler, seconded by Trustee Dalman, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes:

Trustees Albinson, Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: None.

9) Ordinances and Resolutions.

Without objection, President Rintz re-orders the agenda as follows:

9 e) Ordinance No. M-11-2023: 1415 and 1423 Asbury Ave

9 c) Ordinance No. MC-08-2023: Permit Abeyance Period

9 a) Ordinance No. MC-07-2023: Lakefront Overlay District

9 b) Ordinance No. M-09-2023: Lakefront Overlay Map

9 d) Ordinance No. MC-09-2023: Special Use Amendments

e) Ordinance No. M-11-2023: Approving Final Plat of Subdivision and Granting Variations from the Winnetka Zoning Ordinance (1415 and 1423 Asbury Avenue) (Adoption)

Assistant Community Development Director Ann Klaassen informs Council of a request for the relocation of the lot line dividing the two lots. In addition, the applicant is requesting the replacement of the existing detached garage on the 1423 Asbury Avenue lot allowing for a smaller detached garage and a new driveway.

Council discusses matters relating to GFA, compliance, and stormwater.

Trustee Apatoff, seconded by Trustee Orsic, moved to introduce Ordinance No. M-11-2023. By voice vote, the motion carried.

c) 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 (Adoption)

Community Development Director David Schoon confirms the amendments per Council's direction at the July 6th meeting. The proposed amendments address clarification regarding the abeyance period prohibited construction activity within the steep slope zone and required permitting, clarification of general repair and maintenance of structures, ensure restoration of property due to casualty loss, and the permitting of construction activity that does not disrupt or cause damage to soil.

David Schoon confirms that after legal review of the written protests received, the protests submitted do not meet the 20% threshold requirement for the ordinance.

Public Comment

Brandy Levinson addresses Council regarding ongoing permitting matters on her residential property.

Morris Silverman addresses Council regarding concerns along the bluff and financial expenses for maintenance and repairs.

Charlie Mills addresses Council regarding construction and maintenance of the bluff.

Jena Radnay expresses concerns regarding the devaluing of properties along the lakefront.

Michael Harrow addresses Council regarding concerns on construction and bluff restoration.

Resident does not state name addresses Council regarding concerns along the bluff and steep slope.

Rob Zabors addresses Council regarding the timing of the permit abeyance period, concerns related to steep slope, bluff, and property lines.

Mike Wand requests numerator and denominator of written protests.

Kelly Goldman addresses Council regarding approval of permitting.

Joanna Koratsis commends Council for establishing a study and permit abeyance period.

Phill Beck expresses concerns related to the moratorium.

Luke Henter addresses Council regarding bluff restoration and maintenance along the lakefront.

Rick Doran addresses Council regarding bluff restoration and maintenance.

Wess Baumann suggest Council permit lakefront homeowners seeking to protect and maintain the bluff.

Trustee Apatoff proposes that lakefront homeowners utilize the use of the Village's coastal engineer for review of construction projects during the study and permit abeyance period. President Rintz states that the three permits submitted to Village during the passing of the ordinance will follow an application process, pending review of the coast engineer, to determine permit status.

Council discusses matters related to the moratorium, protection of the bluff, potential limitations to property rights, 40 feet landward modifications, and restoration and maintenance along the lakefront.

President Rintz assures members of the public that the Village is not seeking to interfere with homeowner property rights but rather utilize the study and permit abeyance period to ensure that Council can make the best decisions regarding the issues at hand.

Village Attorney Peter Friedman confirms that a motion to approve the ordinance is subject to two changes; changes to section 17.80.030 subsections A and B; and the amendment of section 17.80.040, the exceptions to add the language that explicitly provide that repairs and general maintenance for bluffs or existing structures as of July 6, 2023 are permitted to proceed during the study and permit abeyance period.

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

[The Council took a recess at 9:32 PM; the meeting reconvened at 9:36 PM.]

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

Community Development Director David Schoon states that the general purpose of the proposed text amendment is to establish a lakefront preservation overlay district and use regulations for publicly owned properties located within the new overlay district.

Public Comment

Rob Zabors requests the number of written protests received.

Trustee Orsic, seconded by Trustee Handler, moved to adopt Ordinance No. MC-07-2023. By roll call vote, the motion carried. Ayes: Trustee Albinson, Apatoff, Dalman,

Dearborn, Handler, and Orsic. Nays: None. Absent: None.

- b) 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 (Adoption)

Amendment of the text of the Winnetka Zoning Ordinance to establish a lakefront preservation overlay district requires the amendment of the official zoning map to place certain property along Lake Michigan in the Lakefront Preservation Overlay District.

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

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

Community Development Director David Schoon confirms amendments to the zoning ordinance regarding adjustments and modifications to special use permits and related procedures.

David Schoon confirms that after legal review of the written protests received, the protests submitted do not meet the 20% threshold requirement for the ordinance.

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

10) Old Business. None.

11) New Business. None.

12) Appointments:

- a) Appoint Julian Solotorovsky to a full term on the Board of Fire and Police Commissioners – his term will expire July 18, 2026.

Trustee Dalman seconded by Trustee Apatoff, moved to appoint Julian Solotorovsky to a full term on the Board of Fire and Police Commissioners. His term will expire on 7/18/2026. By voice vote, the motion carried.

13) Closed Session: None.

- 14) Adjournment. President Rintz asks for call to adjourn. Trustee Dalman, seconded by Trustee Orsic, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 9:48 PM.

/s/Berina Gradjan, Deputy Village Clerk
Recording Secretary