

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
December 5, 2023**

(Approved: January 9, 2024)

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, December 5, 2023, at 7:00 PM.

- 1) Call to Order. President Chris Rintz called the meeting to order at 7:01 PM. Village Manager Rob Bahan called the roll. Present: Trustees Kirk Albinson, Tina Dalman, Robert Dearborn, Kim Handler, and Bridget Orsic. Absent: Trustee Rob Apatoff. Also present: Assistant Village Manager Kristin Kazenas, Village Attorney Peter Friedman, Community Development Director Schoon and approximately 11 persons in the audience.
- 2) Pledge of Allegiance. Trustee Orsic led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) December 12, 2023 Study Session All of the Council members present said they expect to attend with the exception of Trustee Dearborn.
 - b) December 19, 2023 Regular Meeting All of the Council members present said they expect to attend with the exception of Trustee Dalman.
 - c) January 2, 2024 Regular Meeting This meeting will be cancelled due to lack of quorum.
 - d) January 9, 2024 Study Session All of the Council members present said they expected to attend.
 - e) January 16, 2024 Regular Meeting All of the Council members present said they expected to attend.
- 4) Public Comment:.
 - a) Ted Wynnychenko, addresses the Council regarding the Bertling pathway vacation process. President Rintz stated that no Village public meetings are held in private unless there is a legal exemption under the Open Meetings Act.
 - b) Liz Kunkle, addresses the Council as a private citizen, not in her role as a part of Go Green Winnetka, or as a member of the EFC, regarding the Cook County United Against Hate press release issued by the City of Highland Park and requested that Winnetka join the statement. Manager Bahan noted that this was a timing issue, and the Village has jointed the statement which can be found on the Village website.
- 5) Reports:
 - a) Trustees. No report.
 - b) Attorney. No report.
 - c) Manager. Village Manager Bahan reports that Tala Coffee Roasters had a soft opening at the end of last week. A ribbon cutting will be planned as soon as the final touches are

completed.

- d) Village President. President Rintz reported on the tree lighting, and noted many residents attended even though it was raining. He also wished a Happy Hannukah to all those that celebrate.

6) Establishment of the Consent Agenda.

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

7) Approval of the Consent Agenda

- a) Approval of the Warrant List dated November 17, 2023 – November 30, 2023 in the amount of \$2,439,769.21
- b) FY 2024 Village Budget
 - i) Resolution No. R-98-2023: Adopting the Annual Budget for the Fiscal Year Beginning January 1, 2024 and Ending December 31, 2024 9Adoption)
 - ii) Resolution No. R-99-2023: Amending General, Building, and Miscellaneous Service Fees (Adoption)
 - iii) Resolution No. R-100-2023: Establishing Rates and Fees Related to Utility Services (Adoption)
 - iv) Ordinance No. MC-11-2023: Amending Title 15 of the Winnetka Village Code Concerning Building Permit Fees and Bonds (Adoption)
- c) Property Tax Levy and Abatement Ordinances
 - i) Ordinance No. M-14-2023: 2023 Tax Levy (Adoption)
 - ii) Ordinance No. M-16-2023: Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principal of and Interest on Taxable General Obligation Refunding Bonds, Series 2020, of the Village of Winnetka, Cook County, Illinois (Adoption)
- d) Resolution No. R-101-2023: Waiving Competitive Bidding and Approving the Purchase of Police Dash Cameras from Axon Enterprises, Inc. (Adoption)
- e) Resolution No. R-102-2023: Approving Change Order No. 2 with A. Lamp Concrete Contractors, Inc. for the 2023 Street Rehabilitation and Public Improvement Project (Adoption)
- f) Resolution No. R-103-2023: Approving Funding Authorizations and Change Order No. 1 to the Contract with Maple Cable Construction Inc. for Directional Boring Work (Adoption)
- g) Resolution No. R-104-2023: Approving a Second Amendment to a Lease Agreement Between the Village of Winnetka and the United States Postal Service (Adoption)
- h) Resolution No. R-105-2023: Approving a Collective Bargaining Agreement Between the Village of Winnetka and the Winnetka Police Association, Metropolitan Alliance of Police, Winnetka Chapter #54 (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: Trustee Apatoff.

8) Ordinances and Resolutions.

- a) Ordinance No. MC-12-2023: Amending Title 16 of the Winnetka Village Code and Chapters 17.30 and 17.50 of the Winnetka Zoning Ordinance Regarding Lot Consolidation (Introduction)

A public hearing on the ordinance was properly noticed.

The public hearing opened at 7:15 pm.

Community Development Director Schoon reviewed proposed amendments to the Village Code and zoning ordinance regarding special use permits related to multiple-lot consolidations.

Public Comments

Attorney Hal Francke represents multiple lakefront owners and provided written comments regarding the proposed ordinance.

Ted Wynnychenko comments that the Ordinance provides a reasonable framework.

Trustee Dalman commented that this Ordinance provides tools for a heightened review of lot consolidations in a legally appropriate way. Trustee Orsic commented that this Ordinance is not overly burdensome, rather a good framework. Trustee Handler noted that not all property owners of multiple adjacent lots are interested in consolidation

The public hearing was closed at 7:35 pm.

Trustee Orsic, seconded by Trustee Dalman, moved to introduce Ordinance No. MC-12-2023. By voice vote, the motion carried unanimously.

- b) Ordinance No. M-17-2023: Granting a Variation from the Winnetka Zoning Ordinance to Allow the Construction of a Pickleball Court for an Existing Residence Within the R-2 Single Family Residential District (Introduction)

Community Development Director David Schoon presented a request from the applicant to allow the construction of a pickleball court at 889 Sheridan Road. Gary Frank and the applicant, Joe Papanicholas, were present and indicated that the neighbors are aware and not opposed to the project.

Public Comments

Ted Wynnychenko commented that proposed location was 13 feet from the public roadway owned by the Village, which has been closed by the Village since coal is no longer delivered to the Water & Electric plant. He stated he was not opposed to the pickleball court, rather that the roadway is closed and not accessible to the public.

Trustee Dearborn expressed concern regarding noise and the precedent setting nature of allowing the pickleball court. Trustee Dalman commented that she is not opposed to the variation and that the Village does not regulate basketball courts, or outdoor ice rinks which also generate noise. Village Manager Bahan noted that any noise complaints are handled by Village nuisance ordinances. Trustee Handler commented that in her opinion, this does not meet the standards for a variance, it is not essential, alters the character of the community, and creates a health/nuisance issue. Trustee Orsic noted that none of the neighbors are opposed, and there is no rule against pickleball courts. Trustee Albinson does not have concerns about pickleball, but questions whether the location of the court is in the best location and if there could be a compromise that would require less of a variance.

Gary reviewed the plans and the grading of the north side of the parcel is steeply sloped, requiring the removal of trees, and installation of retaining walls. Closer to the eastern edge, would require removal of multiple 100 year old trees. While alternate locations were considered, the applicant believes that the proposed location is the best option. Council discussed alternate plans such as slightly rotating the court. President Rintz suggesting moving to introduce, allowing the applicant to revise the plans and bring a revised proposal to Council before adoption. The Village Attorney affirmed that any variance stands on its own, and does not set a precedent.

Trustee Albinson, seconded by Trustee Dalman, moved to introduce Ordinance No. M-17-2023, provided that the applicant moves the court as far north as possible. By voice vote, the motion carried unanimously.

- c) Ordinance No. M-18-2023: Granting a Variation from the Winnetka Zoning Ordinance to Allow the Construction of an Addition to an Existing Residence within the R-2 Single Family Residential District (717 Park Avenue) (Introduction/Adoption)

Community Development Director Schoon presented a request from the applicant seeking approval for construction of an addition to an existing residence. There was no public comment regarding this application.

Trustee Handler, seconded by Trustee Dearborn, moved waive introduction of Ordinance No. M-18-2023. By voice vote, the motion carried unanimously.

Trustee Orsic seconded by Trustee Handler, moved to adopt Ordinance No, M-18-2023. By roll call vote, the motion carried. Ayes: Trustees Albinson, Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Apatoff.

- d) Ordinance No. M-19-2023: Granting Variations from the Winnetka Zoning Ordinance to Allow the Construction of Additions to an Existing Residence Within the R-5 Single Family Residential District (Introduction/Adoption)

Community Development Director Schoon presented a request from the applicant seeking approval for construction of several additions to an existing residence, in addition to window replacement and modifications. There was no public comment regarding this application.

Trustee Orsic, seconded by Trustee Handler, moved waive introduction of Ordinance No. M-19-2023. By voice vote, the motion carried unanimously.

Trustee Orsic seconded by Trustee Handler, moved to adopt Ordinance No, M-19-2023. By roll call vote, the motion carried. Ayes: Trustees Albinson, Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Apatoff.

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 Dalman, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 8:34 PM.

/s/ Berina Gradjan, Deputy Village Clerk

Recording Secretary