



Village of Winnetka

Village Council Regular Meeting

December 3, 2024 at 7:00 PM

Village Hall
510 Green Bay Road

AGENDA

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Quorum**
 - a. December 10, 2024 Study Session
 - b. December 17, 2024 Regular Meeting
- 4. Public Comments**
- 5. Reports**
- 6. Establishment of Consent Agenda**
- 7. Approval of Consent Agenda**
 - a. Approval of Village Council Minutes
 - i. November 1, 2024 Budget Meeting
 - ii. November 12, 2024 Special Meeting
 - b. Approval of Warrant List Dated November 15, 2024 - November 28, 2024
 - c. Resolution No. R-86-2024: Approving a Contract with S&C Electric Company for the Purchase of Three Pad-Mount Transformers (Adoption)
 - d. Resolution No. R-87-2024: Approving a Fourth Amendment to a Lease Agreement Between the Village of Winnetka and the United States Postal Service (Adoption)
 - e. Resolution No. R-88-2024: Approving a Contract with S&C Electric Company for the Purchase of a Vista Pad-Mount Switchgear (Adoption)
 - f. FY 2025 Village Budget
 - i. Resolution No. R-83-2024: Adopting the Annual Budget for the Fiscal Year Beginning January 1, 2025 and Ending December 31, 2025 (Adoption)
 - ii. Resolution No. R-84-2024: Establishing Rates and Fees Related to Utility Services (Adoption)

NOTICE

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- iii. Resolution No. R-85-2024: Amending General, Building, and Miscellaneous Service Fees (Adoption)
- g. Property Tax Levy and Abatement Ordinances
 - i. Ordinance No. M-14-2024: Levying Taxes for the Year 2024 (Adoption)
 - ii. Ordinance No. M-15-2024: Abating the Tax Heretofore Levied for the Year 2024 to Pay the Principal of and Interest on Taxable General Obligation Refunding Bonds, Series 2020, of the Village of Winnetka, Cook County, Illinois (Adoption)

8. Ordinances and Resolutions

- a. Ordinance No. M-17-2024: An Ordinance Granting a Variation from the Winnetka Zoning Ordinance to Allow the Construction of Additions to an Existing Residence within the R-5 Single Family Residential Zoning District (402 Hawthorn Lane) (Introduction/Adoption)
- b. Ordinance No. M-18-2024: An Ordinance 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 (270 Birch Street) (Introduction)

9. Old Business

10. New Business

11. Appointments

12. Closed Session

13. Adjournment

MINUTES
WINNETKA VILLAGE COUNCIL
Budget Review Meeting
November 1, 2024

(Approved: xx)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held in the Council Chambers at Village Hall on Friday, November 1, 2024, at 8:30 AM.

- 1) Call to Order. President Rintz called the meeting to order at 8:30 AM. Manager Bahan called the roll. Present: Trustees Kirk Albinson, Robert Apatoff, Tina Dalman, Robert Dearborn, Kim Handler and Bridget Orsic. Absent: None. Also present: Village Manager Robert Bahan, Assistant Village Manager Kristin Kazenas, Community Development Director David Schoon, Assistant Community Development Director Ann Klaassen, Village Engineer Jim Bernahl, Finance Director Tim Sloth, Assistant Finance Director Dell Duckworth, Fire Chief John Ripka, Deputy Fire Chief Andy MacArthur, Fire Analyst Stephanie Wells, Chief of Police Brian O'Connell, Public Works Tom Powers, Director of Water & Electric Nick Narhi, Assistant Director of Water & Electric Sam Carrasco, and 1 persons in the audience.
- 2) Public Comment.
 - a) Marc Hecht expresses concerns regarding the tax levy and urges Council to continue working on decreasing the 2025 budget.
- 3) Budget Review Topic:
 - a) Budget/CIP Overview/2023 Tax Levy.

Village Manager Rob Bahan provides Council with the FY 2025 budget goals and objectives including providing high levels of service, commitment to planning, enhancing public safety, continue reinvesting in aging infrastructure across all funds, and maintaining a vibrant business community and the Winnetka way.

Additionally, Mr. Bahan advises Council of the FY 2025 challenges related to inflation, identifying sustained funding sources, relieving expenditure pressure on the General Fund, addressing unfunded mandates, sustaining the Business District Revitalization Fund, and meeting the community expectations.

Mr. Bahan provides information regarding the Village's proven historic track record regarding long-term strategic investments including various major plans, projects, implementation of programs, investments, grant revenue, and tax levy.

The proposed FY 2025 budget maintains a highly desirable and appealing community, identifies funding sources, supports the business community, invests in critical infrastructure and vision for improvements, implements the 2040 Comprehensive Plan, and retains talented public employees. Mr. Bahan confirms the FY 2025 budget achieves a fiscally responsible balanced budget.

Finance Director Finance Director Tim Sloth presents Council with the current economic environment regarding Village employment, various budget threats such as inflation, recession, unfunded mandates, and geopolitical tensions. The FY 2025 budget is balanced

and Mr. Sloth provides information regarding the property tax levy, Capital, budget amendments, and fund balance policy.

Council is advised that the Village ensures commitment to making 100% of the actuarial recommended contributions for public safety pensions. Additionally, Council is advised of the proposed property tax that adheres to PTELL tax cap limits and a 1% proposed home rule sales tax to provide for enhanced public safety presence and increase funding toward Downtown revitalization.

Mr. Sloth provides information related to utility funding, capital budgets for the stormwater, business district revitalization fund, electric fund, and addresses aging and improved infrastructure.

Council is advised of the 2025 general fund revenues budgeting process utilizing the Illinois Municipal League analysis and estimates for revenue sources, property tax, permit revenue, interest income, various revenues, personnel, various operating expenditures, and capital.

Mr. Sloth provides information related to the proposed 2025 budget is compared with various other taxing bodies since 2000 comparing home value, comparison in tax levy, CPI increases, Cook County tax levy comparison, total proposed tax levy, confirming the increase of 3.4% providing additional revenue to the general fund, and information related to the proposed 1% home rule sales tax.

Council is informed of key initiatives in the Capital Improvement Plan.

Council discusses matters pertaining to the property tax levy increase, various budget and fund matters, sales tax, grants, and various Village projects.

b) Public Affairs/Village Manager's Office.

Assistant Village Manager Kristin Kazenas thanks Council for the opportunity to present the Public Affairs and VMO budget. With the Public Affairs Department primarily focusing on Village wide support and Village Council initiatives, the VMO also provides departmental specific operations specific to administration, communications, economic development, human resources, and a new sustainability coordinator position.

Ms. Kazenas reviews the 2024 accomplishments including the success of the Winnetka Music Festival, Farmer's Market, and support provided for local businesses.

Additionally, Council is informed of the accomplishments related to recruitment through Human Resources, ongoing website redesigns by Communications, and successful implementation of a new portal for Freedom of Information Act requests.

Ms. Kazenas reviews the department's budget, goals and objectives and the various key budget items for public affairs, communications, economic development, human resources, and sustainability.

Council discusses Freedom of Information Act process, recent implementation of the NextRequest portal, matters related to legal services, and Human Resources.

c) Finance Department.

Assistant Finance Director Dell Duckworth reviews the consistency of the Finance Departments staffing and informs Council of the departmental functions including financial management practices, safeguarding Village financial and technological assets, IT practices and cybersecurity, continuous improvements on financial strength, maintaining maximum transparency, and providing financial direction and support to other departments.

Ms. Duckworth states the Finance Department accomplishments including the recently affirmed Moody's AAA (Stable) Rating, GFOA Awards, completed audit with an unqualified audit opinion and a clean management letter, oversight of Village Grant Program, implementation of automated timekeeping project and the Advanced Metering Infrastructure project, Village grants, comprehensive rate analysis and financial planning, and continued support for bidding related services.

Ms. Duckworth informs Council of the various 2025 goals and objectives include seeking grant opportunities, safeguarding the Village's financials, preparing and managing the 2026 annual budget and 2024 annual audit, winning the Popular Annual Financial Report award, providing financial analysis to utility funding, and striving to continue winning GFOA budget and audit awards.

Additionally, Council is informed of the 2025 new budget initiatives including Advanced Metering Infrastructure, environmentally-friendly green initiative, and provides information regarding the advanced metering infrastructure cost estimates.

Council discusses matters related to the Advanced Metering Infrastructure project, grants and funding, and finance cost operations.

d) Police Department.

Police Chief Brian O'Connell reviews the departments organizational chart and staffing levels in addition to their roles.

Chief O'Connell presents the 2024 accomplishments including the HVAC system replacement, implementation of the landscaper licensing program, body-worn camera pilot program, and automated license plate readers, and upgrades to squad car camera systems.

Additionally, Council is advised of the accomplishments related to wellness program initiatives, partnerships with private security companies, and accomplishments related to personnel.

Chief O'Connell provides information related to the Police Department 2025 key budget items including an agreement for contractual security company services related to community safety, replacement of police vehicles, building renovations, and crossing guard services.

Council is advised of the 2025 Police Department budget including salaries and benefits, services and supplies, capital outlay, and budget increases.

Council discusses budget matters related to NORTAF, staffing and expectations of roles, departmental initiatives and priorities, parking and traffic enforcement, police operations, and matters related to budgeting and expenses.

e) Fire Department.

Fire Chief John Ripka reviews staffing within the Fire Department, congratulating Deputy Chief MacArthur on his promotion. Chief Ripka confirms that emergency responses have been slightly higher in 2024 as compared to emergency responses in the past few years. Chief Ripka provides information regarding fire prevention and bureau activities.

Chief Ripka reviews the 2024 accomplishments consisting of the recertifying the Cook County Multi-Jurisdictional Hazard Mitigation Plan, creating regional training officer positions, implementation of GEMT reimbursement, negotiated fee increases for Fire Inspectional Services, fire engine replacement, update to Village building and fire codes, and replacement of apparatus bay overhead doors.

Chief Ripka indicates the 2025 goals and objectives including Pediatric Advanced Cardiac Life Support training, placing the new ambulance in service, replacement of hydraulic extrication equipment with battery operated, and continue PFAS free gear replacement.

Chief Ripka informs Council of the 2025 Fire Department budget consisting of salaries and benefits, services and supplies, capital outlay, revenue estimates, capital projects, and the 20-year Fire Apparatus replacement plan.

Council discusses matters related to budgeting, grants, financial health, and matters related to equipment replacement.

f) Community Development.

Community Development Director David Schoon briefs Council on the departmental functions, staffing, and outside contractors aiding in services provided.

Mr. Schoon informs Council of the 2024 accomplishments including continued development of streetscape concept plans, final plan approvals for One Winnetka and the Chase Bank development, adoption of steep slope regulations, adoption of the name change for the Historic Preservation Commission, and updates to model building codes.

Council is presented the 2025 Goals and Objectives including the development of Hubbard Woods Streetscape improvements, consideration of the future of the Post Office site, updating the Zoning Code, continued progress for One Winnetka and various construction projects, facilitation of redevelopment, assistance with economic development activities, and providing assistance with building permits and board and commission support.

Mr. Schoon briefs Council on the 2025 budgeted expenditures consisting of various costs towards salaries and benefits, legal services, third party services, and expenses relating to other services and supplies. In addition, Council is presented estimated revenue regarding building permits and its analytics.

Council discusses budget increases, matters related to revenue, building permits, and departmental budgeted amounts for various services.

i) Business District Revitalization Fund.

Projects for 2025 include: Streetscape (Hubbard Woods and Post Office); EV charging stations in municipal lots, Hubbard Woods parking deck repairs and improvements, and PW sidewalk, grates, pavers and various other repairs.

Mr. Schoon reviews the proposed five-year capital improvement plan, costs and expenses regarding various projects and construction, funding, and proposed general fund transfer, and grants.

Council discusses Village funds, financial matters related to ongoing Village projects, development, and grant funding.

g) Engineering Department.

Engineering Director Jim Bernahl reviews the department's organizational chart and staffing levels.

Mr. Bernahl briefs Council on the department overviews consisting of project management oversight, preparation of engineering plans and specifications, supervising inspection of public improvements and private construction projects, execution and management of annual construction programs, seeking grant funding, obtaining State and regulatory permits, oversee the Village's participation in the Community Rating System through FEMA, responding to resident inquiries, managing the Village's GIS program, and overseeing the Village Forestry Division.

Key 2024 accomplishments include the completion of the Hibbard Preserve Stormwater Management Wetland project, construction of Crow Island Storage and Conveyance Project, completion of the 2024 Street Rehabilitation Project, completion of the annual sidewalk replacement program, annual sewer relining program, awarding a contract for the Village's final sewer evaluation study, completion of plan views and inspections, and accomplishments related to maintenance, removal, and replacement of Village-owed trees.

Key 2025 goals and objectives include the continued completion of the 2025 Street Rehabilitation Program, finalization of design for future phases of proposed stormwater improvements, continued progress regarding landscaping restoration work for the Hibbard Preserve Wetland Project, finalizing the master program for East Side Stormwater improvements, and completion of investigation for the remaining sanitary sewer system.

Furthermore, Engineering goals and objectives includes reconstruction of Willow Road and finalizing a jurisdictional transfer agreement, obtaining grant funding for Stormwater projects, improving Village roadway and pedestrian infrastructure, Engineering assistance regarding permitting, design, and code enforcement, Elm Street bridge repairs, advancing the Hubbard Woods Streetscape project, and continue enhancements related to Forestry and landscape initiatives.

Mr. Bernahl briefs Council regarding the 2025 budget, cost projections pertaining to the Street Rehabilitation program, evaluation of roadways, project complications, and estimate of costs.

Additionally, Mr. Bernahl provides the Engineering Departmental financial summary consisting of salaries and benefits, services and supplies, insurance, total operating expenses, and capital outlay.

Council discusses funding and grants related to the Green Bay Trail project, cost estimates related to the Street Rehab program, and FEMA's community rating system.

Mr. Bernahl provides a brief overview of the proposed Stormwater Capital project for FY25, specifically Western Winnetka. Project overview includes the Village's \$30 million grant, stormwater vision program including roadway improvements, and commencement of the conveyance project. Council is advised of the cost estimates and funding related to the five-year stormwater program.

Council discusses funding related to ongoing Village projects, cost estimates related to the stormwater projects, and various scopes of projects.

h) Public Works Department.

Regarding the Stormwater system, Public Works is responsible for operating 347,676 lineal feet of storm main, basins and inlets, outfalls, and pump stations.

The 2024 accomplishments include maintenance repairs on two pump stations, responding to multiple emergency call outs, responding to service calls, and deep cleaning of Green Bay Road sewer.

Public Works Director Tom Powers briefs Council on stormwater sewer fund consisting of operating expenses; revenue and expenses, operating expense detail; salaries and benefits, services and supplies, debt service, capital outlay, total fund expenses, and net fund income.

Regarding the Public Works Department, Mr. Powers reviews the departments organizational chart and staffing.

The Public Works Department overview consists of refuse collection and disposal, roadway and right-of-way maintenance including snow removal, operation maintenance of the stormwater drainage system and sewer drainage system, public facilities maintenance, and fleet services.

The 2024 accomplishments include the completion of facility projects, joining the Illinois Public Works Mutual Aid Network, deployment of road weather information system, completion of critical expense analysis and reallocation of funds, implementation of new on-boarding ceremony for new employees, and improved patching operations.

The Public Works Department 2025 goals and objectives include the maintenance of Village streets, sidewalks and alleys, maintaining the public facilities and landscaping, and the implementation of a customer relationship management system for service request.

Mr. Powers informs Council of the 2025 key budget items such as replacement of Public Works vehicles, reduction of snow and ice control, and the Spruce Street Outlet concept study and design. Council is advised of the Public Works budget consisting of salaries and benefits, services and supplies, total operating expenses, and capital outlay.

i) Refuse Fund.

Public Works Director Tom Powers provides an overview of the refuse fund overview consisting of residential and commercial services, special refuse collections, and annual Spring clean-up.

Key 2024 accomplishments include continued back-door and curbside pick-up services, recycling collection programs, completion of spring clean-up, implementation of a composting program, refuse scooter purchase under budget, monthly reduction in missed pick-ups, successful testing of new network tools to increase functionality of technology in vehicles.

Key 2025 goals and objectives consist of transitioning to new data management system, continuing to educate residents about refuse and recycling, partnering with SWANCC, and focus on cross-training opportunities for refuse collectors.

Mr. Powers discusses the refuse fund financial summary consisting of revenue, expenses, operating income and expense detail, and overall fund expenses.

ii) Fleet Services Fund.

Public Works Director Tom Powers states the responsibility for maintaining motorized equipment owned by the Village, including all routine preventative maintenance and repairs.

Key 2024 accomplishments include ongoing maintenance of Village's fleet, transition to new fleet management software system, and improved shop's operational capabilities by purchasing column lifts.

Key 2025 goals and objectives include the continued implementation of new software program, implementation of new Fleetmatics program, preparation of bidding specifications and replacement of equipment, mechanic development with Automotive Service Excellence and Emergency Vehicle Technician certifications, focus on cross-training.

Mr. Powers discusses the fleet services fund financial summary consisting of revenue, expenses, operating income and expense detail, and overall fund expenses.

iii) Facilities Fund.

Public Works Director Tom Powers states the 2024 accomplishments including caulking of exterior steps at Village Hall, refurbishment of Village Hall breakroom, elevator modernization, lighting projects, FOB system expansion, Hubbard Woods garage repairs, HVAC replacement at the Yards, security gate modernization, and public facility maintenance.

The 2025 budget initiatives include the combining majority of facilities capital projects under one fund, utilization of the facilities assessment master plan report, mural refinishing, ADA improvements, updates to the Yards facility regarding door replacement and HVAC services, and seating replacement at Village Hall.

Mr. Powers advises Council of future initiatives including the assignment of staff to management of facilities, review of facilities assessment with Council, implementation of repairs per the final facilities assessment.

Mr. Powers discusses the facilities fund financial summary consisting of revenue, expenses, operating income and expense detail, and overall fund expenses.

Council discusses timeline of various projects, staffing, and project funding.

iv) Sanitary Sewer Fund.

Public Works Director Tom Powers indicates that the Public Works Department is responsible for the operation and maintenance of the Village's sanitary sewer system.

Key 2024 accomplishments include implementation of automated Julie ticketing system, installation of 10,637 lineal feet of trenchless structural liner, root foamed 4,000 lineal feet of sanitary sewer main, televised 38,953 ft. of sewer, cleaned manholes, and performed sanitary repairs.

Key 2025 goals and objectives include the continuation of the annual sewer relining program, complete sanitary sewer infiltration/inflow study, complete the Ravines sanitary sewer force main rehabilitation, perform annual cleaning and video inspection maintenance program, perform root intrusion foaming program, replacement of combination machine, elimination of cross-contaminations that allow sanitary sewer contaminations to storm sewers, and provide assistance to property owners to reduce infiltration/inflow and basement backups.

Mr. Powers briefs Council on the sanitary sewer fund financial summary consisting of revenue, expenses, operating income and expense detail, as well as overall fund expenses.

Council briefly discusses the upcoming Metropolitan Water Reclamation District project.

i) Water & Electric.

i) Electric Fund.

Water & Electric Director Nick Narhi presents the department overview indicating that key responsibilities consist of providing residents and businesses with reliable and economical service including adequate power supplies, improving infrastructure, and providing uninterrupted service. In addition, Mr. Narhi provides Council with a staffing overview.

The 2024 department accomplishments include preventative maintenance on the distribution system, installation of a new service connections for Hubbard Woods, Greeley Elementary Schools, and North Shore Country Day School, installation/upgrades to service connections supporting the stormwater system, installation of electric service connections, replacement of underground cables to maintain system reliability, and responding to dispatch requests and electrical interruptions.

2025 key budget items include deployment of the Automated Metering Infrastructure project, replacement of aging cable infrastructure, generation feasibility study, infrastructure projects, budgeting for new service installations and preventative maintenance programs.

Council is informed of electric sales, historically from 2005 to current, indicating a downward trend as community members increase energy efficiency resulting in less electric sales. Mr. Narhi confirms the sale of the number of kilowatt hours, projection of upcoming sales, and budgeting matters.

Council is provided the electric fund financial summary consisting of revenue, expenses, operating income and expense detail consisting of salaries and benefits, contingency, service and supplies, purchased power, payment in lieu of taxes, as well as overall fund expenses.

Additionally, Mr. Narhi provides the capital plan budget information and 2025 estimates, information related to unrestricted net assets (fund balance), and the 2025 proposed rate increase.

Council is advised of residential electric rate changes, rate comparisons to investor-owned utilities, operating expenses related to purchase power, various consulting services, maintenance programs, operating expenses related to the electric plant, Village buildings, and substation maintenance.

Mr. Narhi provides information related to the capital plan for the electric fund, projected spendings, costs, and revenue.

Council discusses matters regarding replacement of generators, residential electric rates and capacity credits, various projects, energy efficiency rates, and electric sales.

ii) Water Fund.

Water & Electric Director Nick Narhi states that primary functions of the Water & Electric Department consist of supplying potable water for the health and safety of the Winnetka and Northfield residents and is responsible for the installation and repair of the water distribution system.

The 2024 accomplishments include preventative maintenance on the water distribution system, completing preventative maintenance work at the Water Plant, completing water service connections, responding to water main breaks, and completing water main replacement projects.

The key goals for 2025 include adhering to regulatory requirements, installations of new service connections, continuation of removing lead service lines as part of the planned and emergent work, preventative maintenance programs for water system reliability, adhering to long-term capital plan, and investing in maintenance and improvements of the Water Plant.

2025 key budget items include launching automated metering infrastructure project, water main projects, performing a water rate study, continue planned and emergent replacement of lead service lines, budget for service installations, preventative maintenance programs, and repairs to the water distribution system.

Mr. Narhi states that there has been a decrease in water sales due to increases in energy efficiency. Additionally, Council is provided with the budgeted amount of water sales per cubic feet and projected estimates of sales.

Council is provided the water fund financial summary consisting of revenue, expenses, operating income and expense detail consisting of salaries and benefits, contingency, service and supplies, purchased power, payment in lieu of taxes, as well as overall fund expenses.

Additionally, Mr. Narhi provides the capital plan budget information, 2025 estimates, and information related to unrestricted net assets (fund balance).

Council is advised of the FY 2025 rates based on water rate increases, water main replacement study, and lead service line replacement. Mr. Narhi provides information related to residential rates.

The water fund operating expenses include expenses related to distribution maintenance and repair programs, expenses related to the water plant, Village buildings, and consulting services.

Additionally, Mr. Narhi provides the capital plan fund information, confirming expenses related to various projects and budgeting matters.

Mr. Narhi provides information related to water main replacement and lead service line replacement. Council is advised of project effects due to inflation, matters related to budgeting, and project scopes.

Council discusses the Village's liability regarding the lead service line replacement, project scope regarding the replacement, and costs of replacement. Additionally, Council discusses requirement of disclosure information related to the lead service line replacement.

Council discussed and suggested further analysis of the home rule sales tax, suggested a reduction to the property tax levy, discussed various taxing bodies, and Village funding.

4) Public Comment. None.

5) Adjournment. Trustee Dearborn, seconded by Trustee Apatoff, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 4:00 p.m.

Recording Secretary

**MINUTES
WINNETKA VILLAGE COUNCIL
SPECIAL MEETING
November 12, 2024**

(Approved: xx)

A record of a legally convened special meeting of the Council of the Village of Winnetka, which was held at the Council Chambers on Tuesday, November 12, 2024, 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 Rob Apatoff, Tina Dalman, Bob Dearborn, Kim Handler and Bridget Orsic. Absent: Trustee Kirk Albinson. Also present: Assistant Village Manager Kristin Kazenas, Deputy Village Clerk Berina Gradjan, Village Attorney Peter Friedman, Community Development Director David Schoon, Finance Director Tim Sloth, and approximately 27 persons in the audience.
- 2) Pledge of Allegiance. Troop 20 Life Scout Jack Rosenthal led the group in the Pledge of Allegiance.
- 3) Public Comment.
 - i. Rocky Flintermann provides a recap regarding the 2024 Farmer's Market, advising Council that 90% of the vendors have confirmed participation in next year's market.
 - ii. Ted Wynnychenko addresses Council regarding closed session meeting minutes and matters related to public access at the lakefront.
- 4) Presentations
 - a) Hlavacek Florist 100th Anniversary Proclamation

On behalf of the Village, President Rintz honors the 100th anniversary of Victor Hlavacek Florist and Greenhouse.

Trustee Apatoff, seconded by Trustee Dalman, moved to adopt the proclamation. By voice vote, the motion carried.
 - b) Eagle Scout Presentation – Jack Rosenthal

Troop 20 Life Scout Jack Rosenthal presents his Eagle Scout project memorializing 94 Winnetka veterans. Additionally, Jack Rosenthal presents the Winnetka Cenotaph plaque that will be displayed at the Village Green.

Council commends the hard work dedicated to the Eagle Scout project and commends the memorialization of Winnetka's veterans.
- 5) Establishment of the Consent Agenda

Trustee Handler seconded by Trustee Dalman moved to approve the Establishment of the Consent Agenda. By voice vote, the motion carried.
- 6) Approval of the Consent Agenda
 - a) Approval of Village Council Minutes
 - i. October 15, 2024 Regular Meeting

- b) Approval of the Warrant List Dated September 23, 2024 – October 18, 2024 in the amount of \$1,687,255.09.
- c) Resolution No. R-82-2024: Indemnification for Use of IDOT Sidewalks Along Illinois Route 131 (Green Bay Road) Between Tower Road and Scott Street Between November 13, 2024 – January 3, 2025 (Adoption)

Trustee Dalman seconded by Trustee Orsic 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.

7) Ordinances and Resolutions.

- a) Ordinance No. M-12-2024: Granting a Variation from the Winnetka Zoning Ordinance to Allow the Construction of an Addition to an Existing Residence Within the R-4 Single Family Residential District (595 Elm Street) (Introduction/Adoption)

Community Development Director David Schoon advises Council of a request to construct a second-floor bedroom addition located over the attached garage. Mr. Schoon advises Council that the Winnetka Historical Society found that the subject property has architectural significance as a well-preserved example of the Georgian Revival style home.

Additionally, Mr. Schoon provides information related to zoning, building elevations, floor plan, zoning, and confirms approval by the Zoning Board of Appeals.

Council commends the preservation of the historic property.

Trustee Handler, seconded by Trustee Orsic, moved to waive introduction of Ordinance No. M-12-2024. By voice vote, the motion carried unanimously.

Trustee Handler, seconded by Trustee Dalman, moved to adopt Ordinance No. M-12-2024. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Albinson

- b) Ordinance No. M-13-2024: Granting a Final Approval of a Planned Development with Certain Zoning Modifications and Exceptions (791 Elm Street) (Public Hearing & Introduction/Adoption)

A public hearing was advertised for tonight's meeting, granting a final approval of a planned development at 791 Elm Street.

President Rintz administers the oath for members of the public providing public comment or a testimony.

Public Hearing opened at 7:30 pm

Community Development Director David Schoon advises Council the consideration for approving a planned development for the proposed Chase Bank at 791 Elm Street.

During the review of the preliminary plan, Council requested refinements to the exterior design of the building, request to minimize interference with the businesses, pedestrians, vehicular traffic, proposed construction schedule, and logistics plan.

Scott Hurst, Design Principal at Gensler, advises Council of the incorporated refinements to the exterior of the building as it relates to the building height, size, façade, and overall aesthetic. Additionally, Mr. Hurst presents various material that will be used to construct the building.

Council commends the proposed development at 791 Elm Street.

Public Hearing closed 7:45 pm

Trustee Handler, seconded by Trustee Dearborn, moved to waive introduction of Ordinance No. M-13-2024. By voice vote, the motion carried unanimously.

Trustee Handler, seconded by Trustee Orsic, moved to adopt Ordinance No. M-13-2024. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Albinson

c) Resolution No. R-81-2024: Approving a Final Plat of Consolidation (791 Elm Street) (Adoption)

Trustee Apatoff, seconded by Trustee Handler, moved to adopt Resolution No. R-81-2024. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Albinson

8) Old Business.

a) 2025 Proposed Annual Budget Follow Up

Finance Director Tim Sloth identifies the proposed changes to the budget that were identified at the November 1, 2024, all day budget meeting. As directed by Council, staff eliminated the 1% Home Rule Sales Tax, restored the \$1.1 million transfer from the general fund to the business district fund, eliminated the additional \$500,000 transfer from the general fund to the business district fund, and reduced public safety pension funding by \$629,144. Additionally, Council requested further examination of expenses and proposed a reduction to the property tax levy to reduce the increase to under 3.0%. Staff prepared a property tax levy with a 2.95% recommended rate increase. The proposed changes will be incorporated into the budget and formally introduced at the public hearing during the November 19th Council meeting.

Village Manager Rob Bahan confirms that staff continues to make progress in the capital fund, public safety, continue to work on sustaining the business district fund, and ensuring the financial position of the Village remains strong.

Trustee Dalman states that the annual Red Invitation Sale will begin December 6th and has 77 participating merchants.

9) New Business. None.

10) Appointments: None.

11) Closed Session None.

12) 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 7:55 pm.

Recording Secretary



Agenda Item Executive Summary

TITLE: Approval of Warrant List Dated November 15, 2024 - November 28, 2024

PRESENTER: Robert M. Bahan

AGENDA DATE: December 3, 2024

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

None.

EXECUTIVE SUMMARY:

The Warrant List Dated November 15, 2024 - November 28, 2024.

RECOMMENDATION:

Consider Approving the Warrant List Dated November 15, 2024 - November 28, 2024.

ATTACHMENTS:

None



Agenda Item Executive Summary

TITLE: Resolution No. R-86-2024: Approving a Contract with S&C Electric Company for the Purchase of Three Pad-Mount Transformers (Adoption)

PRESENTER: Nicholas Narhi

AGENDA DATE: December 3, 2024

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

The Five-Year Capital Plan includes projects for the continued undergrounding of 12 kV distribution circuits. The projects were initiated to improve the resilience and esthetics of the distribution system by underground the existing 12 kV overhead lines.

EXECUTIVE SUMMARY:

As part of the Electric Fund's Five Year CIP, staff have planned improvements to the 12 kV distribution system. The existing system configuration includes multiple overhead switches and overhead lines that are susceptible to damage from vehicles, vegetation or wildlife. As part of ongoing efforts to improve distribution infrastructure, the proposed project includes replacing the overhead switches with pad mounted switchgear.

These switchgear are manufactured by S&C Electric and provide fault protection, load switching, and sectionalizing capabilities in areas where space is limited and overhead lines are undesirable. Water & Electric has installed several such switchgear throughout the Village.

The proposed purchase will include the acquisition of two (2) 15 kV PMH-9 Switchgear and one (1) PMH-11 Switchgear. Bid #024-021 was posted to the online bidding service Demand Star and emailed to vendors that have previously quoted these switchgear. Three vendors submitted the following bids.

- | | |
|---------------------------------|--|
| 1. Anixter | \$87,408.06 (Lead time: 61 - 65 weeks) |
| 2. Universal Utility Supply Co. | \$83,000.00 (Lead time: 65 weeks) |
| 3. S&C Electric Co. | \$78,529.68 (Lead time: 61 - 65 weeks) |

The FY2025 Electric Fund capital and expense budget contained funding in the following amounts.
\$63,757 (account #500.42.31-660, Circuit E - Underground Switchgear & Conduit) with \$28,200 set aside for the purchase of switchgear.
\$68,852 (account #500.42.31-660, Circuit G - Underground Switchgear & Conduit) with \$28,200 set aside for the purchase of switchgear.
\$54,384 (account #500.42.31-660, Underground switchgear at Indian Hill Train Station) with \$28,200 set aside for the purchase of switchgear.

Resolution No. R-86-2024, prepared by the Village Attorney, authorizes the Village President to execute and the Village Clerk to approve a contract with S&C Electric Company for the purchase of three (3) pad-mount switchgear.

RECOMMENDATION:

Consider adoption of Resolution No. R-86-2024, approving a contract with S&C Electric Company for the purchase of three (3) pad-mount switchgear.

ATTACHMENTS:

1. Resolution No. R-86-2024: Approving a Contract with S&C Electric Company for the Purchase of Three Pad-Mount Transformers

**A RESOLUTION APPROVING A CONTRACT WITH
S&C ELECTRIC COMPANY FOR THE PURCHASE OF
THREE PAD-MOUNT SWITCHGEARS**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the Village of Winnetka ("***Village***") to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the Village issued Bid #024-021 ("***Request for Bids***") for three switchgears, which include two 15 kV PMH-9 switchgears, and one PMH-11 switchgear (collectively, "***Switchgears***") to improve the 12 kV distribution system infrastructure; and

WHEREAS, the Village received three bids ("***Bids***") to provide the Switchgears; and

WHEREAS, pursuant to Chapter 4.12 of the Village Code and the Village's purchasing manual, the Village Council has determined that S&C Electric Company of Rolling Meadows, Illinois ("***Vendor***"), is the lowest responsible bidder to provide the Switchgears; and

WHEREAS, the FY2025 Electric Fund capital and expense budget contains budgeted line items for the purchase of the Switchgears; and

WHEREAS, the Village Council desires to enter into a contract with Vendor for the purchase of the Switchgears in an amount not to exceed \$78,592.68 ("***Contract***"); and

WHEREAS, the Village Council has determined that it is in the best interests of the Village and its residents to enter into the Contract with Vendor;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Winnetka, Cook County, Illinois, as follows:

SECTION 1: RECITALS. The Village Council hereby adopts the foregoing recitals as its findings, as if fully set forth herein.

SECTION 2: APPROVAL OF CONTRACT. The Village Council hereby approves the Contract in substantially the form attached to this Resolution as **Exhibit A** and in a final form approved by the Village Attorney.

SECTION 3: AUTHORIZATION TO EXECUTE CONTRACT. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, respectively, on behalf of the Village, the final Contract after receipt by the Village Manager of two executed copies of the final Contract from Vendor; provided, however, that if the Village Manager does not receive two executed copies of the final Contract from Vendor within 60 days after the date of adoption of this Resolution, then this authority to execute and seal the final Contract will, at the option of the Village Council, be null and void.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

ADOPTED this 3rd day of December, 2024, pursuant to the following roll call vote:

AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN: _____

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A
CONTRACT

December 3, 2024

R-86-2024



Village of Winnetka, Illinois

510 Green Bay Road
Winnetka, IL 60093

Phone: (847) 501-6000 Fax: (847) 446-1139
General Email: dduckworth@winnetka.org

REQUEST FOR BIDS:	#024-021	BID ISSUE DATE: 10/15/24
BID DESCRIPTION:	S&C SWITCHGEAR	
BID OPENING DATE:	11/07/24	BID OPENING TIME: 11:00AM
SUBMIT 1 ORIGINAL BID PACKAGE PLUS 2 COPIES		

BID RESPONSES MUST BE RECEIVED AND TIME STAMPED NO LATER THAN THE PUBLIC BID OPENING DATE AND TIME (LOCAL TIME) SPECIFIED ABOVE. BIDS WILL BE OPENED AND READ ALOUD AT THAT TIME AT THE LOCATION INDICATED IN THE BID DOCUMENT. LATE BIDS WILL NOT BE CONSIDERED.

TO ALL PROSPECTIVE BIDDERS:

You are hereby requested to submit your bid for the item(s) or service(s) to be furnished and delivered, shipped F.O.B. delivered, to the address specified herein.

The original bid package and the required number of copies must be received in a sealed envelope that has your name and address in the upper left corner and the bid number and bid name on the lower left corner.

All bids are subject to staff analysis. The Village of Winnetka reserves the right to accept or reject any and all bids received and waive any and all technicalities.

Bids may be submitted electronically via email to bids@winnetka.org or delivered to the physical address. Bids must be delivered and time stamped, prior to the public bid opening date and time to:	VILLAGE OF WINNETKA Attn: FINANCE DEPARTMENT 510 GREEN BAY ROAD WINNETKA, ILLINOIS 60093
---	---

Any communication regarding this request between the date of issue and date of award is required to go through the Bid Coordinator or the Buyer listed below (or, in the Buyers absence, the Assistant Finance Director).

Unauthorized contact with other Village of Winnetka staff or officers is strictly forbidden.

BUYER:	Dell Duckworth	PHONE:	(847)716-3560
EMAIL:	dduckworth@winnetka.org		
FULL NAME OF BIDDER	S&C % Welding Lamont Group		
BID CONTACT PERSON			
TELEPHONE NUMBER			

INSTRUCTIONS TO BIDDERS

1. Preparation of Bids. All bids for the Products must be made only on the blank Contract/Bid form attached to this Request for Bids and must be complete with a price for each and every item named in the Schedule of Prices section of the Contract/Bid form. All bids must be signed by an authorized official. Bids that contain omissions, erasures, alterations or additions not called for, conditional or alternate bids (unless called for), or irregularities of any kind may be rejected.

2. Clarifications. Owner reserves the right to make clarifications, corrections, or changes in this Request for Bids at any time prior to the time bids are opened. All bidders or prospective bidders will be informed of said clarifications, corrections, or changes.

3. Delivery of Bids. One original and two copies of each bid must be submitted in a sealed envelope plainly marked with the Invitation Number and Bidder's full legal name and address. The envelope must be addressed and delivered to Owner's Finance Director, at the Bid Opening Location set forth above, on or before the Bid Opening Time on the Bid Opening Date set forth above. Bids may be delivered by mail or in person. Bids received after the Bid Opening Time will be returned unopened. Bids may also be sent electronically to bids@winnetka.org as long as they are received before the Bid Opening Time. Any files sent electronically must be below the file size limit of 29MB. If multiple emails need to be sent to ensure file sizes remain below the size limit, the emails should be numbered. The bid number and bid name should be included in the subject line of your email.

4. Opening of Bids. Bids will be publicly opened and read at the time and place specified above. Bidders, their authorized agents, and interested parties are invited to be present.

5. Withdrawal of Bids. No bid may be withdrawn for a period of 30 days after the opening of any bid.

6. Rejection of Bids. Bids that are not submitted on the Contract/Bid form or that are not prepared in accordance with these Instructions to Bidders may be rejected. If not rejected, Owner may demand correction of any deficiency and accept the deficiently prepared bid upon compliance with these Instructions to Bidders.

7. Acceptance of Bids. Bids submitted are offers only, and the decision to accept or reject is a function of quality, reliability, capability, reputation, and expertise of the bidders. Owner reserves the right to accept the bid that is, in its judgment, the best and most favorable to the interests of Owner and to the public; to reject the low price bid; to accept any item of any bid; to reject any and all bids; and to waive irregularities and informalities in any bid submitted or in the request for bid process, provided, however, the waiver of any prior defect or informality will not be considered a waiver of any future or similar defect or informality. Bidders should not rely upon or anticipate such waivers in submitting their bid. Upon acceptance of the successful bidder's bid by Owner, the successful bidder's bid, the Bid/Contract form, and Owner's notification of acceptance in the form attached to this Request for Bids will become the Contract for the Products.

DATED this 15th day of October 2024

VILLAGE OF WINNETKA

By: Dell Duckworth
Assistant Finance Director

VILLAGE OF WINNETKA

CONTRACT/BID
FOR S&C SWITCHGEAR

Full Name of Bidder:

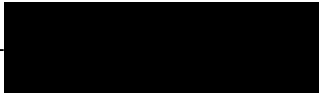
Weldy Lamont Group, Inc.
("Bidder")

Principal Office Address:

3201 Tollview Dr Unit 200
Rolling Meadows, IL 60008

Local Office Address:

Same

Contact Name: Eddie Harper Telephone: 

TO: Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093
Attention: **Assistant Finance Director**

Bidder warrants and represents that Bidder has reviewed and understood all documents included, referred to, or mentioned in this bound set of documents, including Addenda Nos. none (if none, write "NONE") that are securely stapled to the end of this Contract/Bid.

1. Proposal to Deliver Products.

A. Contract and Products. If this Contract/Bid is accepted, then Bidder proposes and agrees that Bidder will deliver to Owner, at the Delivery Address, the products, items, materials, merchandise, supplies, or other items identified in the Request for Bids attached hereto (the "Products") in new, undamaged, and first-quality condition. Bidder further proposes to:

- (1) Labor, Equipment, Materials and Supplies Provide, perform, and complete in the manner specified and described in the Contract/Bid, all necessary work, labor, services, transportation, equipment, materials, supplies, information, data, and other means and items necessary to deliver the Products to Owner in a proper and workmanlike manner.
- (2) Permits Procure and furnish all permits, licenses, and other governmental approvals and authorizations necessary for the Products.
- (3) Bonds and Insurance Procure and furnish all bonds, insurance certificates, and policies of insurance, if any, specified in the Contract/Bid.

(4) Miscellaneous Perform all other things required of Bidder by this Contract/Bid.

B. Performance Standards. If this Contract/Bid is accepted, Bidder proposes and agrees that the Products will comply strictly with the ***Specifications attached hereto as Attachment A and by this reference made a part of this Contract/Bid.*** If this Contract/Bid specifies a Product by brand name or model, that specification is intended to reflect the required performance standards and standard of excellence that Owner requires for the Product. However, Bidder may propose to deliver a Product that is a different brand or model, if Bidder provides with its bid written documentation establishing that the brand or model it proposes to deliver possesses equal quality, durability, functionality, capability, and features as the Product specified.

C. Responsibility for Damage or Loss. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will be responsible and liable for, and will promptly and without charge to Owner, repair or replace damage done to and any loss or injury suffered by Owner as a result of Bidder's failure to perform hereunder.

D. Inspection/Testing/Rejection. Owner will have the right to inspect all or any part of the Products. If, in Owner's judgment, all or any part of the Products is defective or damaged or fails to conform strictly to the requirements of this Contract/Bid, then Owner, without limiting its other rights or remedies, may (i) reject such Products, (ii) require Bidder to correct or replace such Products at Bidder's cost, (iii) obtain new Products to replace the Products that are defective, damaged, or nonconforming and charge Bidder with any excess cost incurred thereby, and (iv) cancel all or any part of any order or this Contract/Bid. Products so rejected may be returned or held at Bidder's expense and risk.

2. Contract Price Proposal.

A. Price. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will deliver the Products to Owner in accordance with the following Schedule of Prices:

Product Item No.	Description of Product to be delivered to Owner	Quantity of Products to be delivered to Owner	Unit Price of Product	Extension
1	PMH - 9	See pricing form in Attachment A.	\$ 25,638.42	\$ 51,270.84
2	PMH - 11		\$ 27,258.84	\$ 27,258.84

If Owner has specified the Quantity of Products to be delivered to Owner in the Request for Bids, then Bidder will take, in full payment for all Products and other matters set forth under Section 1 of this Contract/Bid, including overhead and profit, taxes, royalties, license fees, delivery, contributions and premiums, and compensation to all subcontractors and suppliers, the total Contract Price of:

See pricing form in Attachment A.

If Owner has not specified the Quantity of Products to be delivered to Owner in the Request for Bids, then Bidder will take, in full payment for all Products and other matters set forth under Section 1 of this Contract/Bid, including overhead and profit, taxes, royalties, license fees, delivery, contributions and premiums, and compensation to all subcontractors and suppliers, a total Contract Price that will be equal to the sum of the Unit Prices (as determined by the above Schedule of Prices) applicable to all Products accepted by Owner.

B. Basis for Determining Prices. It is expressly understood and agreed that:

- (1) All prices stated in the Schedule of Prices are firm and will not be subject to escalation or change. All other manufacturing costs shall be fixed at the bid price.
- (2) Owner is not subject to State or local sales, use, and excise taxes, and no such taxes are included in the Schedule of Prices, and all claims or rights to claim any additional compensation by reason of the payment of any such tax are hereby waived and released;
- (3) All other applicable federal, State, and local taxes of every kind and nature applicable to the Products are included in the Schedule of Prices; and
- (4) If a Quantity of Products to be delivered to Owner is specified in the Request for Bids, such amount is an estimate only. Owner reserves the right to increase or decrease such quantity, and the total Contract Price to be paid will be based on the final quantity determined by Owner for each Product and the actual number of Products that comply with this Contract/Bid that are accepted by Owner. Bidder hereby waives and releases all claims or rights to dispute or complain of any such estimated quantity or to assert that there was any misunderstanding in regard to the number of Products to be delivered.

C. Time of Payment. It is expressly understood and agreed that all payments will be made in accordance with the following schedule:

Upon delivery and acceptance of item by the Owner.

All payments may be subject to deduction or setoff by reason of any failure of Bidder to perform under this Contract/Bid.

3. Contract Time Proposal.

If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will deliver the Products to Owner not later than _____, 20____.

61-65 week
Leadtime

4. Financial Assurance.

A. Indemnification. If this Contract/Bid is accepted, Bidder shall and hereby agrees to indemnify, defend and save harmless the Owner, its affiliates, its officers, directors, employees and agents from and against any and all claims, suits, actions, liabilities, damages, losses, costs and expenses by reason of injury or death to person(s) or damage to property to the extent caused by the negligent acts or omissions, violation of law or regulation, or willful misconduct of Bidder, its officers, agents and employees, in the performance of this order.

5. Firm Proposal.

- 1) All prices and other terms stated in this Contract/Bid are firm and will not be subject to withdrawal, escalation, or change so long as Owner accepts this Contract/Bid within 24 days after the date this sealed Contract/Bid is opened.

6. Bidder's Representations and Warranties.

To induce Owner to accept this Contract/Bid, Bidder hereby represents and warrants as follows:

A. The Products. Bidder warrants to the Owner that the Goods will conform to the specifications, drawings and other descriptions supplied or adopted by the Owner. All warranties available from the manufacturer of the goods sold to Owner shall be passed through to Owner from Bidder. Bidder agrees to work diligently on behalf of Owner to ensure manufacturer of goods promptly fulfills their warranty obligation.

The manufacturer shall warrant that the Product will be of merchantable quality and, for a period of not less than one year after delivery (i) will be free from any latent or patent defects and flaws in workmanship, materials, and design, (ii) will strictly conform to the requirements of this Contract/Bid, and (iii) will be fit, sufficient, and suitable for the purposes expressed in or reasonably inferred from this Contract/Bid.

B. Compliance with Laws. All Products and all of their components will comply with, and Bidder agrees to be bound by, all applicable federal, state, and local laws, orders, rules, and regulations as they may be modified or amended from time to time. Every provision required by law to be inserted into this Contract/Bid will be deemed to be inserted herein.

C. Not Barred. Bidder is not barred by law from contracting with Owner or with any other unit of state or local government as a result of (i) a delinquency in the payment of any tax administered by the Illinois Department of Revenue unless Bidder is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for the tax or the amount of the tax as set forth in 65 ILCS 5/11-42.1-1, (ii) a violation of either Section 33E-3 or Section 33E-4 of Article 33 of the Criminal Code of 1961, 720 ILCS 5/33E-1 *et seq.*, or (iii) for any other reason.

D. Qualified. Bidder has the requisite experience, ability, inventory, capital, facilities, equipment, plant, organization, and staff to enable Bidder to deliver the Products at the Contract Price and within the Contract Time Proposal set forth above.

7. Acknowledgments.

In submitting this Contract/Bid, Bidder acknowledges and agrees that:

A. Reliance. Owner is relying on all warranties, representations, and statements made by Bidder in this Contract/Bid.

B. Reservation of Rights. Owner reserves the right to reject any and all bids, reserves the right to reject the low price bid, and reserves such other rights as are set forth in the Instructions to Bidders.

C. Acceptance. If this Contract/Bid is accepted, then Bidder will be bound by each and every term, condition, or provision contained in this Contract/Bid and in Owner's written notification of acceptance in the form included in this bound set of documents.

D. Remedies. Each of the rights and remedies reserved to Owner in this Contract/Bid are cumulative and additional to any other or further remedies provided in law or equity or in this Contract/Bid.

E. Time; Days. Time is of the essence for this Contract/Bid. Except where specifically stated otherwise, references in this Contract/Bid to days will be construed to refer to calendar days.

F. No Waiver. No examination, inspection, investigation, test, measurement, review, determination, decision, certificate or approval by Owner, whether before or after Owner's acceptance of this Contract/Bid; nor any information or data supplied by Owner, whether before or after Owner's acceptance of this Contract/Bid; nor any order by Owner for the payment of money; nor any payment for or use, possession, or acceptance of the whole or any part of any Product; nor any extension of time granted by Owner; nor any delay by Owner in exercising any right under this Contract/Bid; nor any other act or omission of Owner will constitute or be deemed to be an acceptance of any defective, damaged, or nonconforming Product; nor operate to waive or otherwise diminish the effect of any representation or warranty made by Bidder or of any requirement or provision of this Contract/Bid or of any remedy, power, or right of Owner.

G. Assignment. Neither this Contract/Bid, nor any interest herein, may be assigned or subcontracted in whole or in part by Bidder except with the prior written consent of Owner.

H. Governing Law. This Contract/Bid and all rights of the parties under this Contract/Bid will be interpreted according to the laws of, but not the conflict of law rules of, the State of Illinois.

DATED this 11th date of November 2024

Bidder's Status: ☒ Corporation () Partnership () Individual Proprietor
(State) (State)

Bidder's Name: Wally Lament

Doing Business As (if different): _____

Signature of Bidder or Authorized Agent: _____

(CORPORATE SEAL, IF APPLICABLE)

Printed Name: _____

Title/Position: Sales Engineer

Bidder's Business Address: 3201 Tollview Dr Unit 200

Rolling Meadows, IL 60008

Bidder's Business Telephone: (847)-868-9750 Facsimile: ()

If a Corporation or Partnership, list all Officers or Partners:

Joe Bolinger		
Kyle Johnson		
William Hebeser		

ATTACHMENT A: SPECIFICATIONS

1. Equipment Requirements

SWITCHGEAR A

- Quantity of two (2) pieces of new pad mount metal enclosed switchgear
 - Catalog Number: 55352R4-F1
- Manufacturer: S&C Electric
- Type: Manual PMH-9
- Voltage Rating: 14.4 kV, 95 BIL
- Current Rating: 600 Amperes bus
- Frequency: 60 Hertz
- Configuration: (2) Gang Operated Switches and (2) Fuse Bays
- Mounting provisions for a fault indicator in each switch compartment
 - Without viewing window
- Fused
 - Designed for use with SML-4Z Power Fuses

SWITCHGEAR B

- Quantity of one (1) piece of new pad mount metal enclosed switchgear
 - Catalog Number: 55362R4-F1
- Manufacturer: S&C Electric
- Type: Manual PMH-11
- Voltage Rating: 14.4 kV, 95 BIL
- Current Rating: 600 Amperes bus
- Frequency: 60 Hertz
- Configuration: (3) Gang Operated Switches and (1) Fuse Bays
- Mounting provisions for a fault indicator in each switch compartment
 - Without viewing window
- Fused
 - Designed for use with SML-4Z Power Fuses

2. Lead Time and Delivery

- Vendor to provide delivery timeline
- Receiving:
 - 48 hours advance notification @ (847) 716-3552
 - Receiving hours: Monday-Friday, 7:15 a.m. – 3 p.m.
 - Forklift accessible truck must be used (i.e. no semi dock available).
- Shipping Address: 1390 Willow Rd, Winnetka, IL 60093
- Shipping Terms: FOB Winnetka, Freight prepaid

3. Pricing

- Switchgear A: S&C Electric PMH-9 pad mount metal enclosed switchgear.

Quantity of (2): \$ 25,635.42 each

DELIVERY (A.R.O.): 61-65 weeks

- Switchgear B: S&C Electric PMH-11 pad mount metal enclosed switchgear.

Quantity of (1): \$ 27,258.84 each

DELIVERY (A.R.O.): 61-65 weeks

ACCEPTANCE

The Contract/Bid attached hereto and by this reference incorporated herein and made a part hereof is accepted by the Village of Winnetka ("Owner") as of this ____ day of _____ 2024.

This Acceptance, together with the Contract/Bid attached hereto, constitutes the entire agreement between the parties relating to the Products and the Contract Price therefor and supersedes all prior or contemporaneous discussions, agreements, or understandings, whether written or oral, and will prevail over any contradictory or inconsistent terms or conditions contained in any purchase order, acceptance, acknowledgment, or invoice.

VILLAGE OF WINNETKA

By _____

Name: _____

Title: _____



Agenda Item Executive Summary

TITLE: Resolution No. R-87-2024: Approving a Fourth Amendment to a Lease Agreement Between the Village of Winnetka and the United States Postal Service (Adoption)

PRESENTER: Kristin Kazenas

AGENDA DATE: December 3, 2024

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

April 1, 2014 - The Council approves a new month-to-month lease with the United States Postal Service (USPS) for 512 Chestnut Street.

July 20, 2022 - The Village provides the USPS with the required 12-month termination notice, effectively ending the lease agreement on July 21, 2023.

July 6, 2023 - The Council approves the first amendment to the lease, extending the end of the lease to January 31, 2024.

December 5, 2023 - The Council approves the second amendment to the lease, extending the end of the lease to June 30, 2024.

May 21, 2024 - The Council approves the third amendment to the lease, extending the end of the lease to January 31, 2025.

EXECUTIVE SUMMARY:

The Village of Winnetka has had a lease agreement with the United States Postal Service (USPS) for the facility located at 512 Chestnut Street for many years. The current lease was approved by the Council on April 1, 2014 for a month to month period, with a 12 month termination notice requirement. In the summer of 2022, USPS contacted the Village staff and expressed interest in re-locating the post office to another location in Winnetka. The Village provided the USPS with the required 12 month termination notice on July 20, 2022; therefore, the original lease agreement terminated on July 21, 2023.

On July 6, 2023, the Council approved the first amendment to the lease agreement, extending the term of the lease to January 31, 2024. The USPS requested an additional extension to the lease in December 2023, because they needed additional time to finalize the lease on the new location. On December 5, 2023, the Council approved a second amendment to the lease agreement, extending the term to June 30, 2024, and adding an option for the USPS to terminate the lease early with 30 days written notice to the Village. On May 21, 2024, the Council approved a third amendment to the lease agreement, extending the term to January 31, 2025.

The USPS has requested additional time to remodel their new location on Lincoln Avenue, due to construction delays and supply chain issues.

Given the importance of having the USPS located in downtown Winnetka for the benefit of residents and activity in the commercial district, Council is asked to consider extending the lease. The terms of the fourth amendment to the lease are unchanged except for the expiration date - the lease now expires April 30, 2025, rather than January 31, 2025.

RECOMMENDATION:

Consider approval of Resolution No. R-87-2024: Approving a Fourth Amendment to a Lease Agreement Between the Village of Winnetka and the United States Postal Service.

ATTACHMENTS:

1. Resolution No. R-87-2024: Approving a Fourth Amendment to a Lease Agreement Between the Village of Winnetka and the United States Postal Service

**A RESOLUTION APPROVING A FOURTH AMENDMENT TO A LEASE
AGREEMENT BETWEEN THE VILLAGE OF WINNETKA AND
THE UNITED STATES POSTAL SERVICE**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the Village of Winnetka ("***Village***") to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the Village previously entered into a Lease Agreement ("***Lease***"), pursuant to which the Village leased to the United States Postal Service ("***Tenant***") a portion of the property commonly known as 512 Chestnut Street, Winnetka, Illinois to provide Tenant the use for a post office; and

WHEREAS, the Lease is a month-to-month lease, provided that, according to Section 6 of the Lease, the Lease may be terminated by either party with 365 days' written notice; and

WHEREAS, due to the Village's development plans, the Village provided notice to the Tenant ("***Termination Notice***") under Section 6 of the Lease that the Village would be terminating the Lease effective on January 31, 2024 ("***Termination Date***"), which Termination Notice was received by Tenant in a timely manner; and

WHEREAS, the Village and the Tenant amended the Lease to extend the term of the Lease to July 6, 2023 pursuant to a First Amendment to Lease Agreement, then again to June 30, 2024 pursuant to a Second Amendment to Lease Agreement, and then again to January 31, 2024 pursuant to a Third Amendment to Lease Agreement; and

WHEREAS, the Village and Tenant now desire to further extend the term of the Lease to April 30, 2025, pursuant to a Fourth Amendment to Lease Agreement ("***Fourth Amendment***"); and

WHEREAS, pursuant to the Village's home rule authority, the Village Council has determined that it is in the best interests of the Village and its residents to enter into the Fourth Amendment with the Tenant pursuant to this Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Winnetka, Cook County, Illinois, as follows:

SECTION 1: RECITALS. The Village Council hereby adopts the foregoing recitals as its findings, as if fully set forth herein.

SECTION 2: APPROVAL OF FOURTH AMENDMENT. The Village Council hereby approves the Fourth Amendment in substantially the form attached to this Resolution as **Exhibit A** and in a final form approved by the Village Attorney.

SECTION 3: AUTHORIZATION TO EXECUTE FOURTH AMENDMENT. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, respectively, on behalf of the Village, the final Fourth Amendment.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

ADOPTED this 3rd day of December, 2024, pursuant to the following roll call vote:

AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN: _____

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A

FOURTH AMENDMENT TO LEASE AGREEMENT



Lease Extension

Facility Name/Location

MAIN OFFICE (168544-002)

512 CHESTNUT ST, WINNETKA, IL 60093-2400

Lease Extension No: 003

Lease: J00000406397

This refers to the Lease accepted by the United States Postal Service, hereinafter called the Postal Service, under date of 04/26/2014, whereby there is leased to the Postal Service the above-described facility.

WHEREAS, the Postal Service desires and Landlord is willing to extend said Lease as specified below;

NOW THEREFORE, in consideration of the mutual covenants and agreements herein set forth, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

To extend the terms and conditions of the said Lease, as the same may have been modified or amended, for a fixed term basis beginning 02/01/2025 and ending 04/30/2025 at an annual rental of \$87,500.00.

The Postal Service may terminate this Agreement by giving 365 days written notice to the Landlord.

In all other respects, the Lease shall remain the same and is hereby confirmed.



Lease Extension

EXECUTED BY LANDLORD this _____ day of _____, _____.

CORPORATION

Village of Winnetka

By executing this Lease Amendment, Landlord certifies that Landlord is not a USPS employee or contract employee (or an immediate family member of either), or a business organization substantially owned or controlled by a USPS employee or contract employee (or an immediate family member of either).

By:

Name & Title Winnetka Village President

Name & Title Winnetka Village Clerk

Name & Title _____

Name & Title _____

Name & Title _____

Name & Title _____

Landlord's Name: VILLAGE OF WINNETKA
and address ATTN FINANCE DIRECTOR

e-mail: kkazenas@winnetka.org

510 GREEN BAY RD

WINNETKA, IL

Zip+4: 60093-2563

Landlord's Telephone Number(s): (847) 501 - 6000

FAX: (847) 501 - 3180

Social Security No. or Federal Tax Identification No.: XX-XXX6162

Witness

Witness

- Where the Landlord is a corporation, leases and lease amendments entered into must have the corporate seal affixed or in place thereof the statement that the corporation has no seal.
- Where the Landlord is a corporation, municipal corporation, non-profit organization, or fraternal order or society, the Lease Amendment must be accompanied by documentary evidence affirming the authority of the agent, or agents, to execute the Lease Amendment to bind the corporation, municipal corporation, non-profit organization, or fraternal order or society for which he (or they) purports to act. The usual evidence required to establish such authority is in the form of extracts from the articles of incorporation, or bylaws, or the minutes of the board of directors duly certified by the custodian of such records, under the corporate seal. Such resolutions, when required, must contain the essential stipulations embodied in the Lease Amendment. The names and official titles of the officers who are authorized to sign the Lease Amendment must appear in the document.
- Any notice to Landlord provided under this Lease Amendment or under any law or regulation must be in writing and submitted to Landlord at the address specified above, or at an address that Landlord has otherwise appropriately directed in writing. Any notice to the Postal Service provided under this Lease Amendment or under any law or regulation must be in writing and submitted to "Contracting Officer, U.S. Postal Service" at the address specified below, or at an address that the Postal Service has otherwise directed in writing.

ACCEPTANCE BY THE POSTAL SERVICE

Date: _____

Jamie L Katerberg

Contracting Officer

Signature of Contracting Officer

FACILITIES REAL ESTATE , MEMPHIS, TN 38120-2149

Address of Contracting Officer



Agenda Item Executive Summary

TITLE: Resolution No. R-88-2024: Approving a Contract with S&C Electric Company for the Purchase of a Vista Pad-Mount Switchgear (Adoption)

PRESENTER: Nicholas Narhi

AGENDA DATE: December 3, 2024

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

The Five-Year Capital Plan includes projects for the continued undergrounding of 12 kV distribution circuits. The projects were initiated to improve the resilience and esthetics of the distribution system by underground the existing 12 kV overhead lines.

EXECUTIVE SUMMARY:

As part of the Electric Fund's Five Year CIP, staff have planned improvements to a 12 kV distribution circuit that serves customers in southeast Winnetka, including Greeley School and NTHS. The existing system configuration includes multiple overhead switches and overhead lines that are susceptible to damage from vehicles, vegetation or wildlife. As part of ongoing efforts to improve distribution infrastructure, the proposed project includes replacing the overhead switches with pad mounted Vista Switchgear.

The Vista Switchgear is manufactured by S&C Electric and provides fault protection, load switching, and sectionalizing capabilities in areas where space is limited, and overhead lines are undesirable. Water & Electric installed three of these switchgear units along Tower Road when the overhead distribution circuit was undergrounded during a prior project.

The proposed purchase will include the acquisition of a 12 kV Vista Switchgear. Bid #024-022 was posted to the online bidding service Demand Star and emailed to vendors that have previously quoted switchgear. Three vendors submitted the following bids.

Anixter	\$124,578.25 (Lead time: 115 - 119 weeks)
Universal Utility Supply Co.	\$120,000.00 (Lead time: 119 weeks)
S&C Electric Co.	\$113,925.00 (Lead time: 115 - 119 weeks)

The FY2025 Electric Fund capital and expense budget contained funding in the amount of \$365,573 (account #500.42.31-660) for the purchase of the switchgear and conduit work planned for 2025. Of this funding, \$145,874 will be set aside for the purchase of the switchgear.

As the lead time for the Vista switchgear is 119 weeks, the equipment funding will need to be carried over in the FY2026 Electric Fund Budget.

Resolution No. R-88-2024, prepared by the Village Attorney, authorizes the Village President to execute and the Village Clerk to approve a contract with S&C Electric Company for the purchase of a Vista switchgear.

RECOMMENDATION:

Consider adoption of Resolution No. R-88-2024, approving a contract with S&C Electric Company for the purchase of a Vista switchgear.

ATTACHMENTS:

1. Resolution No. R-88-2024: Approving a Contract with S&C Electric Company for the Purchase of a Vista Pad-Mount Switchgear

**A RESOLUTION APPROVING A CONTRACT WITH
S&C ELECTRIC COMPANY FOR THE PURCHASE OF
A VISTA PAD-MOUNT SWITCHGEAR**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the Village of Winnetka ("***Village***") to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the Village issued Bid #024-022 ("***Request for Bids***") for one 12 kV Vista switchgear ("***Switchgear***") to improve the 12 kV distribution system infrastructure that serves customers on the southeast side of the Village, including Greeley School and New Trier Township Highschool; and

WHEREAS, the Village received three bids ("***Bids***") to provide the Switchgear; and

WHEREAS, pursuant to Chapter 4.12 of the Village Code and the Village's purchasing manual, the Village Council has determined that S&C Electric Company of Rolling Meadows, Illinois ("***Vendor***"), is the lowest responsible bidder to provide the Switchgear; and

WHEREAS, the FY2025 Electric Fund capital and expense budget contains funding for the purchase of the Switchgear; and

WHEREAS, the Village Council desires to enter into a contract with Vendor for the purchase of the Switchgear in an amount not to exceed \$113,925.00 ("***Contract***"); and

WHEREAS, the Village Council has determined that it is in the best interests of the Village and its residents to enter into the Contract with Vendor;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Winnetka, Cook County, Illinois, as follows:

SECTION 1: RECITALS. The Village Council hereby adopts the foregoing recitals as its findings, as if fully set forth herein.

SECTION 2: APPROVAL OF CONTRACT. The Village Council hereby approves the Contract in substantially the form attached to this Resolution as **Exhibit A** and in a final form approved by the Village Attorney.

SECTION 3: AUTHORIZATION TO EXECUTE CONTRACT. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, respectively, on behalf of the Village, the final Contract after receipt by the Village Manager of two executed copies of the final Contract from Vendor; provided, however, that if the Village Manager does not receive two executed copies of the final Contract from Vendor within 60 days after the date of adoption of this Resolution, then this authority to execute and seal the final Contract will, at the option of the Village Council, be null and void.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

ADOPTED this 3rd day of December, 2024, pursuant to the following roll call vote:

AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN: _____

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A
CONTRACT

December 3, 2024

R-88-2024



Village of Winnetka, Illinois

510 Green Bay Road
Winnetka, IL 60093

Phone: (847) 501-6000 Fax: (847) 446-1139
General Email: dduckworth@winnetka.org

REQUEST FOR BIDS:	#024-022	BID ISSUE DATE: 10/15/24
BID DESCRIPTION:	VISTA SWITCHGEAR	
BID OPENING DATE:	11/07/24	BID OPENING TIME: 11:30AM
SUBMIT 1 ORIGINAL BID PACKAGE PLUS 2 COPIES		

BID RESPONSES MUST BE RECEIVED AND TIME STAMPED NO LATER THAN THE PUBLIC BID OPENING DATE AND TIME (LOCAL TIME) SPECIFIED ABOVE. BIDS WILL BE OPENED AND READ ALOUD AT THAT TIME AT THE LOCATION INDICATED IN THE BID DOCUMENT. LATE BIDS WILL NOT BE CONSIDERED.

TO ALL PROSPECTIVE BIDDERS:

You are hereby requested to submit your bid for the item(s) or service(s) to be furnished and delivered, shipped F.O.B. delivered, to the address specified herein.

The original bid package and the required number of copies must be received in a sealed envelope that has your name and address in the upper left corner and the bid number and bid name on the lower left corner.

All bids are subject to staff analysis. The Village of Winnetka reserves the right to accept or reject any and all bids received and waive any and all technicalities.

Bids may be submitted electronically via email to bids@winnetka.org or delivered to the physical address. Bids must be delivered and time stamped, prior to the public bid opening date and time to:	VILLAGE OF WINNETKA Attn: FINANCE DEPARTMENT 510 GREEN BAY ROAD WINNETKA, ILLINOIS 60093
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Any communication regarding this request between the date of issue and date of award is required to go through the Bid Coordinator or the Buyer listed below (or, in the Buyers absence, the Assistant Finance Director).

Unauthorized contact with other Village of Winnetka staff or officers is strictly forbidden.

BUYER:	Dell Duckworth	PHONE:	(847)716-3560
EMAIL:	dduckworth@winnetka.org		
FULL NAME OF BIDDER	S&C % Welby Lamont Group, Inc.		
BID CONTACT PERSON			
TELEPHONE NUMBER			

INSTRUCTIONS TO BIDDERS

1. Preparation of Bids. All bids for the Products must be made only on the blank Contract/Bid form attached to this Request for Bids and must be complete with a price for each and every item named in the Schedule of Prices section of the Contract/Bid form. All bids must be signed by an authorized official. Bids that contain omissions, erasures, alterations or additions not called for, conditional or alternate bids (unless called for), or irregularities of any kind may be rejected.

2. Clarifications. Owner reserves the right to make clarifications, corrections, or changes in this Request for Bids at any time prior to the time bids are opened. All bidders or prospective bidders will be informed of said clarifications, corrections, or changes.

3. Delivery of Bids. One original and two copies of each bid must be submitted in a sealed envelope plainly marked with the Invitation Number and Bidder's full legal name and address. The envelope must be addressed and delivered to Owner's Finance Director, at the Bid Opening Location set forth above, on or before the Bid Opening Time on the Bid Opening Date set forth above. Bids may be delivered by mail or in person. Bids received after the Bid Opening Time will be returned unopened. Bids may also be sent electronically to bids@winnetka.org as long as they are received before the Bid Opening Time. Any files sent electronically must be below the file size limit of 29MB. If multiple emails need to be sent to ensure file sizes remain below the size limit, the emails should be numbered. The bid number and bid name should be included in the subject line of your email.

4. Opening of Bids. Bids will be publicly opened and read at the time and place specified above. Bidders, their authorized agents, and interested parties are invited to be present.

5. Withdrawal of Bids. No bid may be withdrawn for a period of 30 days after the opening of any bid.

6. Rejection of Bids. Bids that are not submitted on the Contract/Bid form or that are not prepared in accordance with these Instructions to Bidders may be rejected. If not rejected, Owner may demand correction of any deficiency and accept the deficiently prepared bid upon compliance with these Instructions to Bidders.

7. Acceptance of Bids. Bids submitted are offers only, and the decision to accept or reject is a function of quality, reliability, capability, reputation, and expertise of the bidders. Owner reserves the right to accept the bid that is, in its judgment, the best and most favorable to the interests of Owner and to the public; to reject the low price bid; to accept any item of any bid; to reject any and all bids; and to waive irregularities and informalities in any bid submitted or in the request for bid process, provided, however, the waiver of any prior defect or informality will not be considered a waiver of any future or similar defect or informality. Bidders should not rely upon or anticipate such waivers in submitting their bid. Upon acceptance of the successful bidder's bid by Owner, the successful bidder's bid, the Bid/Contract form, and Owner's notification of acceptance in the form attached to this Request for Bids will become the Contract for the Products.

DATED this 15th day of October 2024

VILLAGE OF WINNETKA

By: Dell Duckworth
Assistant Finance Director

VILLAGE OF WINNETKA

CONTRACT/BID
FOR VISTA SWITCHGEAR

Full Name of Bidder:

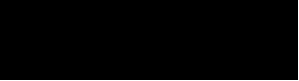
Weldy Lamont Group, Inc.
("Bidder")

Principal Office Address:

3201 Tallview Dr Unit 200
Rolling Meadows, IL 60008

Local Office Address:

Same

Contact Name: Eddie Harper Telephone: 

TO: Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093
Attention: **Assistant Finance Director**

Bidder warrants and represents that Bidder has reviewed and understood all documents included, referred to, or mentioned in this bound set of documents, including Addenda Nos. NONE (if none, write "NONE") that are securely stapled to the end of this Contract/Bid.

1. Proposal to Deliver Products.

A. Contract and Products. If this Contract/Bid is accepted, then Bidder proposes and agrees that Bidder will deliver to Owner, at the Delivery Address, the products, items, materials, merchandise, supplies, or other items identified in the Request for Bids attached hereto (the "Products") in new, undamaged, and first-quality condition. Bidder further proposes to:

- (1) Labor, Equipment, Materials and Supplies Provide, perform, and complete in the manner specified and described in the Contract/Bid, all necessary work, labor, services, transportation, equipment, materials, supplies, information, data, and other means and items necessary to deliver the Products to Owner in a proper and workmanlike manner.
- (2) Permits Procure and furnish all permits, licenses, and other governmental approvals and authorizations necessary for the Products.
- (3) Bonds and Insurance Procure and furnish all bonds, insurance certificates, and policies of insurance, if any, specified in the Contract/Bid.

- (4) Miscellaneous Perform all other things required of Bidder by this Contract/Bid.

B. Performance Standards. If this Contract/Bid is accepted, Bidder proposes and agrees that the Products will comply strictly with the ***Specifications attached hereto as Attachment A and by this reference made a part of this Contract/Bid***. If this Contract/Bid specifies a Product by brand name or model, that specification is intended to reflect the required performance standards and standard of excellence that Owner requires for the Product. However, Bidder may propose to deliver a Product that is a different brand or model, if Bidder provides with its bid written documentation establishing that the brand or model it proposes to deliver possesses equal quality, durability, functionality, capability, and features as the Product specified.

C. Responsibility for Damage or Loss. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will be responsible and liable for, and will promptly and without charge to Owner, repair or replace damage done to and any loss or injury suffered by Owner as a result of Bidder's failure to perform hereunder.

D. Inspection/Testing/Rejection. Owner will have the right to inspect all or any part of the Products. If, in Owner's judgment, all or any part of the Products is defective or damaged or fails to conform strictly to the requirements of this Contract/Bid, then Owner, without limiting its other rights or remedies, may (i) reject such Products, (ii) require Bidder to correct or replace such Products at Bidder's cost, (iii) obtain new Products to replace the Products that are defective, damaged, or nonconforming and charge Bidder with any excess cost incurred thereby, and (iv) cancel all or any part of any order or this Contract/Bid. Products so rejected may be returned or held at Bidder's expense and risk.

2. Contract Price Proposal.

A. Price. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will deliver the Products to Owner in accordance with the following Schedule of Prices:

Product Item No.	Description of Product to be delivered to Owner	Quantity of Products to be delivered to Owner	Unit Price of Product	Extension
1	Vista	See pricing form in Attachment A.	\$113,925	\$113,925

If Owner has specified the Quantity of Products to be delivered to Owner in the Request for Bids, then Bidder will take, in full payment for all Products and other matters set forth under Section 1 of this Contract/Bid, including overhead and profit, taxes, royalties, license fees, delivery, contributions and premiums, and compensation to all subcontractors and suppliers, the total Contract Price of:

See pricing form in Attachment A.

If Owner has not specified the Quantity of Products to be delivered to Owner in the Request for Bids, then Bidder will take, in full payment for all Products and other matters set forth under Section 1 of this Contract/Bid, including overhead and profit, taxes, royalties, license fees, delivery, contributions and premiums, and compensation to all subcontractors and suppliers, a total Contract Price that will be equal to the sum of the Unit Prices (as determined by the above Schedule of Prices) applicable to all Products accepted by Owner.

B. Basis for Determining Prices. It is expressly understood and agreed that:

- (1) All prices stated in the Schedule of Prices are firm and will not be subject to escalation or change. All other manufacturing costs shall be fixed at the bid price.
- (2) Owner is not subject to State or local sales, use, and excise taxes, and no such taxes are included in the Schedule of Prices, and all claims or rights to claim any additional compensation by reason of the payment of any such tax are hereby waived and released;
- (3) All other applicable federal, State, and local taxes of every kind and nature applicable to the Products are included in the Schedule of Prices; and
- (4) If a Quantity of Products to be delivered to Owner is specified in the Request for Bids, such amount is an estimate only. Owner reserves the right to increase or decrease such quantity, and the total Contract Price to be paid will be based on the final quantity determined by Owner for each Product and the actual number of Products that comply with this Contract/Bid that are accepted by Owner. Bidder hereby waives and releases all claims or rights to dispute or complain of any such estimated quantity or to assert that there was any misunderstanding in regard to the number of Products to be delivered.

C. Time of Payment. It is expressly understood and agreed that all payments will be made in accordance with the following schedule:

Upon delivery and acceptance of item by the Owner.

All payments may be subject to deduction or setoff by reason of any failure of Bidder to perform under this Contract/Bid.

3. Contract Time Proposal.

If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will deliver the Products to Owner not later than _____, 20____. 115-119 weeks

4. Financial Assurance.

A. Indemnification. If this Contract/Bid is accepted, Bidder shall and hereby agrees to indemnify, defend and save harmless the Owner, its affiliates, its officers, directors, employees and agents from and against any and all claims, suits, actions, liabilities, damages, losses, costs and expenses by reason of injury or death to person(s) or damage to property to the extent caused by the negligent acts or omissions, violation of law or regulation, or willful misconduct of Bidder, its officers, agents and employees, in the performance of this order.

5. Firm Proposal.

- 1) All prices and other terms stated in this Contract/Bid are firm and will not be subject to withdrawal, escalation, or change so long as Owner accepts this Contract/Bid within 24 days after the date this sealed Contract/Bid is opened.

6. Bidder's Representations and Warranties.

To induce Owner to accept this Contract/Bid, Bidder hereby represents and warrants as follows:

A. The Products. Bidder warrants to the Owner that the Goods will conform to the specifications, drawings and other descriptions supplied or adopted by the Owner. All warranties available from the manufacturer of the goods sold to Owner shall be passed through to Owner from Bidder. Bidder agrees to work diligently on behalf of Owner to ensure manufacturer of goods promptly fulfills their warranty obligation.

The manufacturer shall warrant that the Product will be of merchantable quality and, for a period of not less than one year after delivery (i) will be free from any latent or patent defects and flaws in workmanship, materials, and design, (ii) will strictly conform to the requirements of this Contract/Bid, and (iii) will be fit, sufficient, and suitable for the purposes expressed in or reasonably inferred from this Contract/Bid.

B. Compliance with Laws. All Products and all of their components will comply with, and Bidder agrees to be bound by, all applicable federal, state, and local laws, orders, rules, and regulations as they may be modified or amended from time to time. Every provision required by law to be inserted into this Contract/Bid will be deemed to be inserted herein.

C. Not Barred. Bidder is not barred by law from contracting with Owner or with any other unit of state or local government as a result of (i) a delinquency in the payment of any tax administered by the Illinois Department of Revenue unless Bidder is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for the tax or the amount of the tax as set forth in 65 ILCS 5/11-42.1-1, (ii) a violation of either Section 33E-3 or Section 33E-4 of Article 33 of the Criminal Code of 1961, 720 ILCS 5/33E-1 *et seq.*, or (iii) for any other reason.

D. Qualified. Bidder has the requisite experience, ability, inventory, capital, facilities, equipment, plant, organization, and staff to enable Bidder to deliver the Products at the Contract Price and within the Contract Time Proposal set forth above.

7. Acknowledgments.

In submitting this Contract/Bid, Bidder acknowledges and agrees that:

A. Reliance. Owner is relying on all warranties, representations, and statements made by Bidder in this Contract/Bid.

B. Reservation of Rights. Owner reserves the right to reject any and all bids, reserves the right to reject the low price bid, and reserves such other rights as are set forth in the Instructions to Bidders.

C. Acceptance. If this Contract/Bid is accepted, then Bidder will be bound by each and every term, condition, or provision contained in this Contract/Bid and in Owner's written notification of acceptance in the form included in this bound set of documents.

D. Remedies. Each of the rights and remedies reserved to Owner in this Contract/Bid are cumulative and additional to any other or further remedies provided in law or equity or in this Contract/Bid.

E. Time; Days. Time is of the essence for this Contract/Bid. Except where specifically stated otherwise, references in this Contract/Bid to days will be construed to refer to calendar days.

F. No Waiver. No examination, inspection, investigation, test, measurement, review, determination, decision, certificate or approval by Owner, whether before or after Owner's acceptance of this Contract/Bid; nor any information or data supplied by Owner, whether before or after Owner's acceptance of this Contract/Bid; nor any order by Owner for the payment of money; nor any payment for or use, possession, or acceptance of the whole or any part of any Product; nor any extension of time granted by Owner; nor any delay by Owner in exercising any right under this Contract/Bid; nor any other act or omission of Owner will constitute or be deemed to be an acceptance of any defective, damaged, or nonconforming Product; nor operate to waive or otherwise diminish the effect of any representation or warranty made by Bidder or of any requirement or provision of this Contract/Bid or of any remedy, power, or right of Owner.

G. Assignment. Neither this Contract/Bid, nor any interest herein, may be assigned or subcontracted in whole or in part by Bidder except with the prior written consent of Owner.

H. Governing Law. This Contract/Bid and all rights of the parties under this Contract/Bid will be interpreted according to the laws of, but not the conflict of law rules of, the State of Illinois.

DATED this 6th date of November 2024

Bidder's Status: (X) Corporation () Partnership () Individual Proprietor
(State) (State)

Bidder's Name: Weddy Lamont Group, Inc.

Doing Business As (if different): S & C Electric

Signature of Bidder or Authorized Agent: 

(CORPORATE SEAL, IF APPLICABLE)

Printed Name: Eddie Harper

Title/Position: Sales Engineer

Bidder's Business Address: 3201 Tollview Dr Unit 200
Rolling Meadows, IL 60008

Bidder's Business Telephone: (847) 868-9750 Facsimile: ()

If a Corporation or Partnership, list all Officers or Partners:

Joe Bolsinger		
Kyle Johnson		
William Heberer		

ATTACHMENT A: SPECIFICATIONS

1. Equipment Requirements

- Quantity of one (1) piece of new Vista underground distribution switchgear
 - Catalog Number: 936422R1-GRN-UT0F1L1
- Manufacturer: S&C Electric
- Type: Model 642 Manual Vista
- Voltage Rating: 15.5 kV, 95 BIL
- Current Rating: 600 Amperes bus
- Frequency: 60 Hertz
- Configuration: (6) Way
 - (4) load-interrupter switches
 - (2) fault interrupter switches

2. Circuit Protection

- (2) fault interrupting switched ways; 200A bushing with studs
- Single pole manual fault interrupters on all fault-interrupting ways
- CO₂ Mix insulating gas
- Mounting provisions for fault indicators for each load-interrupter switch

3. Lead Time and Delivery

- Vendor to provide delivery timeline
- Receiving:
 - 48 hours advance notification @ (847) 716-3552
 - Receiving hours: Monday-Friday, 7:15 a.m. – 3 p.m.
 - Forklift accessible truck must be used (i.e. no semi dock available).
- Shipping Address: 1390 Willow Rd, Winnetka, IL 60093
- Shipping Terms: FOB Winnetka, Freight prepaid

4. Pricing

- S&C Electric Vista underground distribution switchgear.

Quantity of (1): \$ 113,925.00 each

DELIVERY (A.R.O.): 115-119 we

ACCEPTANCE

The Contract/Bid attached hereto and by this reference incorporated herein and made a part hereof is accepted by the Village of Winnetka ("Owner") as of this ____ day of _____ 2024.

This Acceptance, together with the Contract/Bid attached hereto, constitutes the entire agreement between the parties relating to the Products and the Contract Price therefor and supersedes all prior or contemporaneous discussions, agreements, or understandings, whether written or oral, and will prevail over any contradictory or inconsistent terms or conditions contained in any purchase order, acceptance, acknowledgment, or invoice.

VILLAGE OF WINNETKA

By _____

Name: _____

Title: _____



Agenda Item Executive Summary

TITLE: Resolution No. R-83-2024: Adopting the Annual Budget for the Fiscal Year Beginning January 1, 2025 and Ending December 31, 2025 (Adoption)

PRESENTER: Tim Sloth

AGENDA DATE: December 3, 2024

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

The Village Council held a budget meeting on November 1 and a public hearing on November 19, 2024 to review the proposed fiscal year 2025 budget. The proposed FY2025 budget is available on the village website at <https://www.villageofwinnetka.org/> and is on file at Village Hall and the Library.

EXECUTIVE SUMMARY:

A Public Hearing on the budget was held on November 19, 2024 at 7:00 p.m. The budget will result in an approximately 5.42% increase in costs for municipal services for a typical homeowner consisting of a: 2.95% increase in property taxes (\$85 annual cost increase on a \$25,000 total property tax bill); 10.00% increase in water charges (\$118 annual cost increase on a \$1,181 annual bill); 7.25% increase in residential electric charges (\$225 annual cost increase on a \$3,146 annual bill); 3.5% increase in residential refuse service (\$16 annual cost increase on a \$454 annual bill) and a 4.95% increase in the sanitary sewer charge (\$23 annual cost increase on a \$463 annual bill). The Village will consider adoption of this Resolution at the December 3, 2024 Council Meeting.

RECOMMENDATION:

- Consider adoption of Resolution No. R-83-2024, a Resolution Adopting the Annual Budget for the Fiscal Year Beginning January 1, 2025 and Ending December 31, 2025.

ATTACHMENTS:

1. Resolution No. R-83-2024: Adopting the Annual Budget for the Fiscal Year Beginning January 1, 2025 and Ending December 31, 2025

RESOLUTION NO. R-83-2024

**A RESOLUTION
ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR
BEGINNING JANUARY 1, 2025
AND ENDING DECEMBER 31, 2025**

WHEREAS, the corporate authorities of the Village of Winnetka (“Village Council”) have previously adopted Sections 8-2-9.1 through 8-2-9.10 of the Illinois Municipal Code, establishing the office of budget officer and authorizing the adoption of the annual budget in lieu of an annual appropriation ordinance; and

WHEREAS, on November 1, 2024, the Village Council placed the proposed, tentative annual budget for the fiscal year beginning January 1, 2025, and ending December 31, 2025, on file at the office of the Village Manager, at the Winnetka Public Library, and on the Village of Winnetka web site (www.villageofwinnetka.org), and has made the proposed, tentative annual budget available for public inspection since that date; and

WHEREAS, on November 19, 2024, pursuant to notice published on Thursday, November 7, 2024, in the Chicago Tribune, a newspaper published and in general circulation in the Village of Winnetka, the Village Council held a public hearing on the proposed tentative annual budget; and

WHEREAS, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970, pursuant to which it has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including, but not limited to, the powers (i) to regulate for the protection of the public health, safety, morals and welfare, (ii) to license, (iii) to tax, and (iv) to incur debt; and

WHEREAS, the Village Council finds that establishing an annual budget for the Village, including estimating revenues and recommending expenditures, is a matter pertaining to the affairs of the Village.

NOW, THEREFORE, be it resolved by the Council of the Village of Winnetka as follows:

SECTION 1: The Annual Budget for the Village of Winnetka, which is attached hereto as Exhibit A and is incorporated by reference as if fully set forth herein, is hereby adopted as the Annual Budget for the Village of Winnetka for the Fiscal Year beginning January 1, 2025 and ending December 31, 2025.

SECTION 2: The adoption of the foregoing annual budget shall be in lieu of the appropriation ordinance required in Section 8-2-9 of the Illinois Municipal Code.

SECTION 3: **Home Rule.** This Resolution is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 4: **Effective Date.** This resolution shall be in full force and effect immediately upon its adoption.

ADOPTED this 3rd day of December, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

Village President

Countersigned:

Village Clerk

Introduced: November 19, 2024

Adopted: December 3, 2024

NOTE:

EXHIBIT A IS THE COMPLETE BUDGET DOCUMENT, WHICH, DUE TO ITS SIZE, CANNOT BE REPRODUCED IN FULL IN THESE AGENDA MATERIALS.

THE COMPLETE BUDGET DOCUMENT CAN BE FOUND IN THE FISCAL TRANSPARENCY SECTION OF THE VILLAGE'S WEBSITE WHICH IS LINKED DIRECTLY BELOW:

<https://www.villageofwinnetka.org/277/Fiscal-Transparency>

THE COMPLETE BUDGET ALSO REMAINS AVAILABLE FOR INSPECTION IN THE VILLAGE MANAGER'S OFFICE AND AT THE WINNETKA PUBLIC LIBRARY. THE COMPLETE, FINAL BUDGET WILL BE APPROPRIATELY LABELED AND WILL BE ATTACHED TO AND MAINTAINED WITH THE ORIGINAL BUDGET RESOLUTION FOLLOWING ITS ADOPTION.



Agenda Item Executive Summary

TITLE: Resolution No. R-84-2024: Establishing Rates and Fees Related to Utility Services (Adoption)

PRESENTER: Tim Sloth

AGENDA DATE: December 3, 2024

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

The Village Council held a budget review meeting on November 1, 2024 and a public hearing on November 19, 2024 to review the proposed fiscal year 2025 budget. The Village Council sets utility fees annually by resolution during the budget approval process.

EXECUTIVE SUMMARY:

Because of the projected capital needs of the electric, water, and refuse utilities, rate adjustments for each are proposed and incorporated in the FY 2025 budget. Water rates derived from the Water Rate Study conducted in 2016-2017 along with an additional 1.5% to fund lead service line replacements are implemented in the proposed rate resolution. Incorporated, unincorporated, and special service customers will see a rate increase of 10.00% in changes to the volumetric rate (cu.ft.). The Northfield wholesale rate is set by contract and is subject to rate adjustments outside the budget process. Electric rates include an 7.5% average increase across all customer types. Rate adjustments are comprised of changes to the volumetric (kWh) rate and the customer charge. The proposed rate adjustments are to offset an increase in the cost of purchased power charged to Winnetka by the Illinois Municipal Electric Agency (IMEA) and also to provide funding for necessary capital improvements. Residential refuse rates are increasing by 3.5% for all customers, while commercial refuse fees will see a rate increase of 5%. Refuse increases are largely driven by the increased costs charged by the Village's contracted recycling provider. Sanitary service charges are increasing 4.95% primarily due to planned capital spending over the next 5 years. Stormwater sewer fees remain unchanged. The Village will consider adoption of this Resolution at the December 3, 2024 Council Meeting.

RECOMMENDATION:

Consider adoption of Resolution No. R-84-2024, a Resolution Establishing Rates and Fees Related to Utility Services.

ATTACHMENTS:

1. Resolution No. R-84-2024: Establishing Rates and Fees Related to Utility Services

A RESOLUTION ESTABLISHING RATES AND FEES

RELATED TO UTILITY SERVICES

WHEREAS, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970, pursuant to which it has the authority, except as limited by Section 6 of Article VII of such Constitution, to exercise any power and perform any function pertaining to the government and affairs of the Village, including, but not limited to, the powers (i) to regulate for the protection of the public health, safety, morals and welfare, (ii) to license, (iii) to tax, and (iv) to incur debt; and

WHEREAS, the Village of Winnetka (“Village”) owns, operates, and provides the following services in the Village (collectively, “*Utility Services*”): (i) a water utility that provides water service; (ii) an electric utility that provides electric service; (iii) a public sewer system; (iv) a municipal waste system that provides for the collection, transportation and disposal of refuse and yard waste; and (v) a public stormwater utility to provide stormwater management services; and

WHEREAS, pursuant to its home rule authority and the Illinois Municipal Code, the Village is permitted to charge fees for Utility Services; and

WHEREAS, the President and Village Council have determined that adoption of this Resolution will serve and be in the best interest of the Village of Winnetka;

NOW, THEREFORE, be it resolved by the Council of the Village of Winnetka as follows:

SECTION 1: RECITALS. The Village Council hereby adopts the foregoing recitals as its findings, as if fully set forth herein.

SECTION 2: FEES FOR WATER.

A. **Water Rates.** Each customer using water furnished by the Village of Winnetka Water and Electric Department shall be charged for such service in accordance with the following Schedules of Volumetric Water Rates and Water Customer Charges, as provided in Section 13.04.040 of the Winnetka Village Code:

[Remainder of this page intentionally left blank.]

SCHEDULE OF VOLUMETRIC WATER RATES

<u>Type of Customer</u>	<u>Rate</u>
Service within corporate limits	\$63.18 per 1,000 cubic feet, as metered
Service outside of corporate limits	\$113.09 per 1,000 cubic feet, as metered
Service to Village of Northfield:	Rate established by agreement approved by resolution of the Village Council
Wholesale Rate	Rate equal to "Service to Village of Northfield" rate
Special Service	\$47.36 per 1,000 cubic feet, as metered

SCHEDULE OF WATER CUSTOMER CHARGES

<u>Type of Customer (Meter Size)</u>	<u>Monthly Service Charge</u>
Less than or equal to One Inch (1")	\$ 13.57
One and One Half Inches (1.5")	\$ 19.61
Two Inches (2")	\$ 27.88
Three Inches (3")	\$ 88.820
Four Inches (4")	\$ 111.39
Six Inches (6")	\$ 164.07
Eight Inches (8")	\$ 224.21

B. Disconnection/Reconnection Fees. The following fees shall be charged and collected for service calls to either disconnect or reconnect service as the result of nonpayment, as provided in Section 13.04.060 of the Winnetka Village Code:

SERVICE DISCONNECTION OR RECONNECTION FEE

<u>Time of Service Call</u>	<u>Fee</u>
During regular business hours (Monday through Friday, except for holidays, from 7:30 a.m. to 3:00 p.m.)	\$100.00 per service dispatch
All other times (evenings, nights, weekends and holidays)	\$448.00 per service dispatch

C. Water Service Tap Fees. The following fees shall be charged for the installation of water connections, as provided in Section 13.04.100 of the Winnetka Village Code:

WATER SERVICE TAP FEES

<u>Water Tap Size</u>	<u>Water Main Size</u>	<u>Fee</u>	<u>Service Included in Fee</u>
			Making tap, tapping sleeve, corp. stop, curb stop and box, and inspection
1 1/2" or less	8" or less	\$1,950	
			Making tap, tapping sleeve, corp. stop, curb stop and box, and inspection
1 1/2" or less	10" – 12"	\$2,350	
			Making tap, tapping sleeve, corp. stop, curb stop and box, and inspection
1 1/2" or less	16" – 20"	\$3,250	
2"	8" or less	\$2,050	Making tap, tapping sleeve, corp. stop, curb stop and box, and inspection
2"	10" – 12"	\$2,450	Making tap, tapping sleeve, corp. stop, curb stop and box, and inspection
2"	16" – 20"	\$3,350	Making tap, tapping sleeve, corp. stop, curb stop and box, and inspection
4"	4"	\$2,600	Making tap, tapping sleeve and valve, and inspection
4"	6"	\$3,000	Making tap, tapping sleeve and valve, and inspection
6"	6"	\$3,500	Making tap, tapping sleeve and valve, and inspection
4"	8"	\$3,600	Making tap, tapping sleeve and valve, and inspection
6"	8"	\$4,200	Making tap, tapping sleeve and valve, and inspection
8"	8"	\$4,750	Making tap, tapping sleeve and valve, and inspection
4"	10"	\$4,800	Making tap, tapping sleeve and valve, and inspection
6"	10"	\$4,900	Making tap, tapping sleeve and valve, and inspection
8"	10"	\$5,300	Making tap, tapping sleeve and valve, and inspection
4"	12"	\$4,800	Making tap, tapping sleeve and valve, and inspection
6"	12"	\$4,900	Making tap, tapping sleeve and valve, and inspection
8"	12"	\$5,325	Making tap, tapping sleeve and valve, and inspection

For all taps 4" and larger, valve vaults meeting Water and Electric Department specifications must be furnished by the customer's plumber, at the customer's cost. Other

size taps may be made only with the consent of the Water and Electric Department, at the customer's cost.

D. Water Meter Fees. The following fees shall be charged for the water meters provided by the Village, as provided in Sections 13.04.030 and 13.04.100 of the Winnetka Village Code:

WATER METER FEES

<u>Meter Size</u>	<u>Cost</u>
5/8"	\$550
3/4"	\$600
1"	\$725
1 1/2"	\$950
2"	\$1,100

Spreader and valves on both sides of meter must be installed by the customer's plumber, at the customer's cost. Other sizes of meters may be required or permitted, as determined by the Water and Electric Department, based on the characteristics of the proposed service. Such other installations shall require the written approval of the Water and Electric Department and the entire cost of the purchase and installation shall be borne by the customer.

E. Replacement of Touchpad Fees. The following fees shall be charged for replacement of removed touchpads and replacement of the touchpad wiring:

Replacement of Touchpad	\$150.00
Replacement of Touchpad Wiring	\$450.00

F. Temporary Water Service Fees. Pursuant to Section 13.04.150 of the Winnetka Village Code, temporary water service provided during building construction shall be billed at the rate applicable to the use specified in the building permit.

G. Construction Temporary Water Service Fees. Bulk water provided from the fire hydrant located at the Village's Public Works Facility for construction projects will be billed at the unincorporated water rate. The minimum daily charge will be \$50. At the discretion of the Water and Electric Director, the water rate can be waived for contractors performing Village work.

SECTION 3: FEES FOR ELECTRICITY.

A. Definitions. As used in this Section 3, the following terms, phrases and words and their derivations shall have the meanings given in this section, unless the context or use clearly indicates another or different meaning is intended:

Customer Charge: A fixed charge based on the type of service rather than the amount of electricity used.

Demand Charge: A charge based on the rate at which electric energy is delivered, expressed in kilowatts (kW), averaged over a 30-minute period.

Energy Charge: A volume based charge for energy used.

Load Factor: The ratio of energy used to the maximum energy consumption for a given monthly peak demand.

On-peak Demand: A peak demand that occurs between the hours of 3:00 p.m. and 9:00 p.m.

Off-peak Demand: A peak demand that occurs between after 9:00 p.m. and before 3:00 p.m.

Primary Lines: High voltage power lines

Secondary Lines: Low voltage power lines that extend from the high voltage Primary Lines and distribute electricity to individual property lines.

Service Lines: The power lines that extend from the Secondary Lines to the individual meter connections located on each parcel of property that receives electric service.

B. Season Rates. Separate summer and winter rates shall be established for demand charges and energy charges. Pursuant to Section 13.08.150 of the Winnetka Village Code, summer rates shall be in effect for each of the four consecutive months with ending metered dates on or after June 1 of each year.

C. Electric Rates. Each customer using electricity furnished by the Village of Winnetka Water and Electric Department shall be charged for such service in accordance with the following schedule of electric rates, as provided in Section 13.08.040 of the Winnetka Village Code:

1. Customer Charge: Each customer shall be charged a monthly customer charge according to the schedule below:

SCHEDULE OF ELECTRIC CUSTOMER CHARGES

<u>Type of Customer (Rate Code)</u>	<u>Monthly Service Charge</u>	
Rate 1: Residential	\$22.54 Single Phase	\$31.14 Three Phase
Rate 2: Space Heating	\$26.45 Single Phase	\$34.42 Three Phase
Rate 3: Commercial	\$42.27 Single Phase	\$50.24 Three Phase
Rate 4: School and Government (<1000kW)	\$67.13 Single Phase	\$76.34 Three Phase
Rate 4: School and Government (>1000kW)	\$147.43 Single Phase	\$155.33 Three Phase
Rate 6: Water Heating	\$12.44 Single Phase	\$20.73 Three Phase
Rate 7: Large Residential	\$22.54 Single Phase	\$31.14 Three Phase
Rate 8: Street Lights	\$0.00 Single Phase	\$0.00 Three Phase

2. Energy and Demand Charges: In addition to the Customer Charge, each customer shall pay energy and demand charges at the rates set forth in the following Schedule of Energy and Demand Charges:

SCHEDULE OF ENERGY AND DEMAND CHARGES

Rate 1 - Residential: (Section 13.08.080 of the Winnetka Village Code)

Energy Charge

Summer Rate	\$0.1789 per kWh
Winter Rate	\$0.1678 per kWh

Rate 2 - Space Heating Customers: (Section 13.08.090 of the Winnetka Village Code)

Energy Charge

Summer Rate	\$0.1766 per kWh
Winter Rate	
First 750 kWh	\$0.1606 per kWh
All over 750 kWh	\$0.1092 per kWh

Rate 3 - Commercial: (Section 13.08.100 of the Winnetka Village Code)

Demand Charge

Summer Rate	
First 50 kW	\$0.00 per kW
All over 50 kW	\$21.62 per kW
Winter Rate	
First 50 kW	\$0.00 per kW
All over 50 kW	\$19.81 per kW

Energy Charge

Summer Rate	
First 15,000 kWh	\$0.1756 per kWh

All over 15,000 kWH	\$0.1275 per kWH
Winter Rate	
First 15,000 kWH	\$0.1596 per kWH
All over 15,000 kWH	\$0.1275 per kWH

Rate 4 - School and Government: (Section 13.08.110 of the Winnetka Village Code)

(a) With an annual peak demand of up to 1,000 kW:

Demand Charge	
Summer Rate	\$19.89 per kW
Winter Rate	\$17.24 per kW
Energy Charge	
Summer Rate	
First 100,000 kWH	\$0.10802 per kWH
Over 100,000 kWH	\$0.09333 per kWH
Winter Rate	
First 100,000 kWH	\$0.09827 per kWH
Over 100,000 kWH	\$0.09333 per kWH

(b) With an annual peak demand exceeding 1,000 kW:

Demand Charge	
Summer Rate	
On Peak	\$20.83 per kW
Off Peak	\$14.32 per kW in excess of On Peak Demand
Winter Rate	
On Peak	\$18.60 per kW
Off Peak	\$14.32 per kW in excess of On Peak Demand
Energy Charge	
Summer Rate	
First 100,000 kWH	\$0.10828 per kWH
Over 100,000 kWH	\$0.09355 per kWH
Winter Rate	
First 100,000 kWH	\$0.09850 per kWH
Over 100,000 kWH	\$0.09355 per kWH
Load Factor Credit	(\$0.005) per kWH for kWH in excess of 50% based upon the on peak demand

Rate 6 - Water Heating: (Section 13.08.120 of the Winnetka Village Code)

Energy Charge	
Summer Rate	\$0.1775 per kWH
Winter Rate	\$0.1775 per kWH

Rate 7 - Large Residential: (Section 13.08.130 of the Winnetka Village Code)

Demand Charge	
Summer Rate	\$18.55 per kW
Winter Rate	\$16.41 per kW
Energy Charge	
Summer Rate	\$0.1330 per kWh
Winter Rate	\$0.1218 per kWh

Rate 8 - Street Lights: (Section 13.08.140 of the Winnetka Village Code)

Energy Charge	
Summer Rate	\$0.1713 per kWh
Winter Rate	\$0.1713 per kWh

D. Wholesale Power Purchase Cost Adjustment.

1. Wholesale Power Purchase Cost Adjustment formula: The electric system's cost of purchasing power shall be estimated at least once per year. Pursuant to Section 13.08.160 of the Winnetka Village Code, the Wholesale Power Purchase Cost Adjustment shall be calculated as the difference between the estimated annual cost per kWh of purchasing power and the 12 month rolling average cost of power calculated bimonthly. If the actual 12 month rolling average cost of power calculated bimonthly on a per kWh basis exceeds the estimated cost, the shortage shall be recovered by billing all customers at the same amount per kWh in the next bimonthly cycle. If the estimated annual cost per kWh of purchasing power exceeds the actual 12 month rolling average cost of power calculated bimonthly on a per kWh basis, the excess shall be credited to all customers at the same amount per kWh in the next bimonthly cycle.

E. Renewable Energy Production Credit.

1. Terms:
 - a. Eligible Customer. A customer of the Village's Electric Utility who satisfies all of the requirements of Section 13.08.260 of the Winnetka Village Code.
 - b. Renewable Energy Production Credit, or REPC, means the actual credit as calculated pursuant to the formula in subsection 2, below.

- c. Renewable Energy, or RE, means the amount of energy, measured in kWh, delivered to the Village by an Eligible Customer.
- d. Summer Residential Energy Cost, or SREC, means the energy charge during the defined summer months utilizing the residential rate category (section 13.08.080 of the Winnetka Village Code).
- e. Wholesale Purchase Power Cost, or WPPC, means the allocation on a per kilowatt hour basis of the total annual cost of purchasing power shown in the annual budget line item for “Purchased Power.”

2. Calculation of REPC:

Summer Rate REPC = (RE x SREC)

Winter Rate REPC = (RE x WPPC)

- 3. REPC Carry-forward: If the REPC exceeds the cost of the power and energy billed to the Eligible Customer by the Village in a billing period, the excess REPC will be carried forward from one billing period to the next, except that no amount shall be carried forward past the end of the calendar year and that any amount of energy in kWh reflected in carry-forward credits remaining at the end of the calendar year shall be deemed to have been provided to the Village at no charge.
- 4. No Refunds or Transfers: No Eligible Customer whose electric service is terminated shall be entitled to a refund of any REPC balance, regardless of the reason for the termination of service. Nor shall any Eligible Customer be entitled to transfer any REPC balance to a succeeding customer upon the termination of the Eligible Customer’s electrical service, regardless of the reason for the termination of service. Upon the termination of an Eligible Customer’s electric service, the Eligible Customer’s account shall be closed and any amount of kWh reflected in any REPC balance in existence at the time the account is closed will be deemed to have been provided to the Village, at no charge.

F. Municipally Owned Electric Vehicle Charging Station (for public use). The energy charge for municipally owned electric vehicle charging station (for public use) shall be according to the following schedule:

Weekdays, 4:00 P.M. to 7:00 P.M.	\$0.40 per kWh.
All days, all other times	\$0.20 per kWh

G. Undergrounding Surcharge. Pursuant to Section 13.08.240 of the Winnetka Village Code, the following surcharges are hereby established for the undergrounding of transmission and distribution lines:

RATE U - UNDERGROUNDING SURCHARGE

1. **Surcharge:** Except as provided in subsection (c), each customer located in a Project Area within which the Primary Lines and Secondary Lines are placed underground pursuant to Section 13.08.230 of the Winnetka Village Code shall be subject to an undergrounding surcharge. The surcharge shall be charged monthly until the Applicable Project Cost, plus interest on the unpaid balance at a rate of 7% per annum, is fully paid. The surcharge shall not be charged for more than 60 consecutive months. The surcharge amount shall be as follows:

Surcharge UA Monthly surcharge of \$100 if Applicable Project Cost equals \$5,000 or less.

Surcharge UB Monthly surcharge of \$150 if Applicable Project Cost is greater than \$5,000 but does not exceed \$7,500.

Surcharge UC Monthly surcharge of \$200 if Applicable Project Cost is greater than \$7,500 but does not exceed \$10,000.

Surcharge UD Monthly surcharge of \$250 if Applicable Project Cost is greater than \$10,000 but does not exceed \$12,500.

2. **Definitions:** The following definitions shall be used in determining the undergrounding surcharge:

Project Area: The service area covered by a petition for undergrounding, as determined by the Director of Water and Electric, and shall include the Primary Lines, Secondary Lines and Service Lines within that service area.

Project Costs: All direct costs of undergrounding the Primary Lines and Secondary Lines in the Project Area ("Cost 1"). For customers with overhead Service Lines, the direct costs of undergrounding overhead Service Lines in the Project Area ("Cost 2") shall be included in the Project Costs in addition to Cost 1. Direct costs shall include, but not be limited to, labor, materials, recording of easements and the cost of relocating all related electric utility facilities and equipment, such as pad mount transformers and switch gear.

Project Cost_{UG}: The Project Cost per customer with underground Service Lines, which shall be determined by dividing Cost 1 by the number of customers in the Project Area.

Project Cost_{OH}: The Project Cost per customer with overhead electric service, which shall be determined by dividing Cost 2 by the number

of customers in the Project Area with overhead electric service and adding the resulting amount to Project Cost_{UG} .

Applicable Project Cost: The Project Costs as allocated to the individual customers in the Project Area. The Applicable Project Cost for each customer with underground Service Lines shall be Project Cost_{UG}. The Applicable Project Cost for each customer with overhead Service Lines shall be Project Cost_{OH}.

3. **Exceptions to Surcharge:** The undergrounding surcharge shall not be charged to any customer in the Project Area who pays the Applicable Project Costs in full before the project begins.

G. **Disconnection or Reconnection Fee.** The following fees shall be charged and collected for service calls to disconnect or reconnect service as the result of nonpayment, as provided in Section 13.08.060 of the Winnetka Village Code:

SERVICE DISCONNECTION OR RECONNECTION FEE

<u>Time of Service Call</u>	<u>Fee</u>
During regular business hours (Monday through Friday, except for holidays, from 7:30 a.m. to 3:00 p.m.)	\$100.00 per service dispatch
All other times (Evenings, nights, weekends and holidays)	\$448.00 per service dispatch

H. **Replacement Touchpad.** The following fees shall be charged for replacement of removed touchpads and replacement of the touchpad wiring:

Replacement of Touchpad	\$150.00
Replacement of Touchpad Wiring	\$450.00

I. **Removal and Reinstallation of Overhead Service Connection.** The following fee shall be charged and collected for costs to disconnect, remove and reconnect an overhead service conductor for construction activities:

<u>Time of Service Call</u>	<u>Fee</u>
During regular business hours (Monday through Friday, except for holidays, from 7:30 a.m. to 3:00 p.m.)	\$450.00
All other times (Evenings, nights, weekends and holidays)	\$1,200.00

J. **Cost of Adding, Upgrading and Underground Electric Services.** The costs of installing new electric service, upgrading electric service to increase capacity and converting overhead service to underground service shall be allocated as follows:

Installation and Ownership of Facilities: All existing facilities and equipment, and all facilities and equipment related to new service, upgraded service and underground conversions, up to the meter, shall be owned, operated and maintained by the Village of Winnetka Water and Electric Department. The meter pedestal or meter enclosure shall be provided by the customer, at the customer's expense, and shall be owned and maintained by the customer.

The Water and Electric Department shall install all new electrical service lines, all meters, all service upgrades and all conversions of overhead service to underground service, regardless of the party initiating the conversion, except that the Water and Electric Department shall not perform any work on the customer's side of the meter.

New Service or Increased Load: The following fees shall be charged for installing new or larger electric services:

Installation of a 200 Amp service (Includes conduits for communication conductors)	\$13,200
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Installation of a 400 Amp service (Includes conduits for communication conductors)	\$26,000
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Installation of three phase service

The costs of providing three phase electric service, including the cost of any necessary relocation, replacement or extension of the primary, secondary lines and transformers to which the service line is connected, shall be paid for by the customer requesting the new or increased three phase service.

If a primary or secondary line must be relocated, replaced or extended in order to install a new service or to increase the load capacity of an existing service, any customer who connects to such primary or secondary line within five years after the its installation may be required to pay that customer's pro rata share of such costs. The Village Manager, in the exercise of his discretion, may enter into a written agreement with the initial requesting customer and establish terms for the payment of such costs, which may include a recapture provision that provides for the Village to refund such pro rata costs, less administrative costs in the amount of 10% of the recaptured amount, to the initial requesting customer.

Service Lines – Scheduled Conversion to Underground Service: A customer may choose either to maintain overhead service or to convert his service line from overhead service to underground service in conjunction with the Water and Electric Department's planned conversion undergrounding of the primary and secondary lines to which the customer's service line is connected. If the customer elects to maintain overhead service, the Water and Electric Department will install, at no additional cost to the customer, a new pole as close to the service connection as the Department deems possible, placing the service line underground to the pole, installing a service riser to the top of the pole, and connecting an overhead line to the existing service connection.

If the customer elects to place the service line underground, the Water and Electric Department will do so, at no additional cost to the customer, provided the customer purchases the meter enclosure or meter pedestal and makes, at the customer's expense, all alterations necessary to relocate the meter and building service so as to connect to the underground service line in the location specified by the Water and Electric Department.

Underground Service – Customer Requested Conversion: All costs of converting overhead electrical service to underground electrical service, including the cost of any necessary relocation of the primary and secondary lines to which the service line is connected, shall be paid by the customer if it is requested by the customer and the conversion is not done as part of the Water and Electric Department's undergrounding program. If the customer is increasing the size of the service entrance equipment, the customer shall be charged in accordance with rates for New Service or Increased Load for the service connection work. Existing rear lot residential services will be relocated to the front of the building and the service connection shall be at a location specified by the Water & Electric Department. As part of the conversion, an electric meter located within the structure shall be relocated to the outside.

K. Temporary Electric Service. Pursuant to Section 13.08.210 of the Winnetka Village Code, temporary electric service provided during building construction shall be billed at the rate applicable to the use specified in the building permit.

SECTION 4: SANITARY SEWER FEES.

A. Sewer Service Volumetric Rates. Any person owning or occupying premises which are connected to the public sewers within the Village of Winnetka shall pay for such services, as provided in Section 13.12.010 of the Winnetka Village Code, at the rate of \$19.81 per 1,000 cubic feet of water supplied to those premises.

B. Sewer Service Customer Charge. Any person owning or occupying premises which are connected to the public sewers within the Village of Winnetka shall pay for such services, as provided in Section 13.12.010 of the Winnetka Village Code, a customer charge of \$2.00 per month.

C. Fee for Returned Payment. A fee of \$30.00 shall be charged for any payment that is returned to the Village for any reason, including, but not limited to, insufficient funds, account closed, or referred to maker.

SECTION 5: REFUSE FEES.

A. Definitions. All terms defined in Section 8.16.010 of Chapter 8.16 of the Winnetka Village Code, "Garbage and Refuse," shall have the same meaning when used in this Section 5.

B. Commercial Refuse Service Fees. Pursuant to Section 8.16.050 of the Winnetka Village Code, the following monthly fees are hereby established for commercial refuse service, including apartments in commercial buildings:

SCHEDULE OF MONTHLY COMMERCIAL REFUSE SERVICE FEES

<i>Container Volume per Pick-up</i>	Number of Pickups Per Week						
	1	2	3	4	5	6	7
1 Cu.Yd.	\$57.25	\$103.58	\$141.75	\$186.73	\$222.16	\$264.42	\$310.76
1.5 Cu.Yd.	\$72.24	\$126.76	\$189.45	\$245.33	\$305.31	\$361.19	\$418.43
2 Cu.Yd.	\$84.38	\$158.11	\$234.43	\$309.39	\$380.27	\$455.24	\$524.75
3 Cu.Yd.	\$114.49	\$212.63	\$313.49	\$411.62	\$513.84	\$610.61	\$712.82
4 Cu.Yd.	\$147.20	\$256.24	\$392.53	\$513.84	\$637.86	\$688.30	\$879.11
6 Cu.Yd.	\$178.54	\$324.39	\$468.86	\$610.61	\$756.44	\$756.44	\$1,042.67
6 Cu.Yd. Compactor	\$212.63	\$380.27	\$547.92	\$712.82	\$879.11	\$1,042.67	\$1,211.68
35-65 Gal.	\$27.26	\$35.45	\$46.35	\$57.25	\$65.43	\$76.32	\$87.23
95 Gal.	\$35.86	\$57.25	\$76.32	\$103.58	\$121.31	\$143.12	\$166.29

[**Note:** Individual accounts will be charged a share of the monthly fees charged based upon the account's proportionate use of the container(s), as determined by the Winnetka Public Works Department.]

C. Residential Refuse Service Fees. Pursuant to Section 8.16.050 of the Winnetka Village Code, the following fees and charges are hereby established for residential refuse service:

SCHEDULE OF RESIDENTIAL REFUSE SERVICE FEES

<u>Service</u>	<u>Charge</u>
Back Door - One pick-up per week of no more than two garbage cans of household rubbish	\$54.37 per month
Back Door - Two pick-ups per week of no more than two garbage cans of household rubbish	\$108.74 per month
Back Door – One pick-up per week of no more than four garbage cans of household refuse	\$75.59 per month
Curbside - One pick-up per week – 35-gallon container	\$29.28 per month
Curbside - One pick-up per week – 65-gallon container	\$39.14 per month
Curbside - One pick-up per week – 95-gallon container	\$48.93 per month
Curbside – Two pick-ups per week – 95-gallon container	\$103.30 per month
Curbside – One pick-up per week – Two or more 95-gallon containers	\$48.93 plus \$15.92 per container per month
Collection of household rubbish or garbage in excess of two garbage cans per pick-up	\$2.75 per sticker (one sticker required for each container)

D. Charges for Special Refuse Collections. Pursuant to Section 8.16.050 of the Winnetka Village Code, the following rates are hereby established for special refuse collections:

SCHEDULE OF FEES FOR SPECIAL REFUSE COLLECTIONS

<u>Service</u>	<u>Charge</u>
Base Fee for special collections	\$41.40
Bulk pick-ups [Note: Bulk pick-ups are for light refuse other than liquids and yard waste.]	
Bulk pick-ups (<i>continued</i>)	
Up to 1.0 cubic yards	Base Fee
Over 1.0 cubic yards	Base Fee plus \$15.53 for each additional cubic yard or fraction thereof
White goods and other large items [Note: Includes appliances, sofas, etc.]	Base Fee plus \$10.00 for each item

Service

Hard-to-handle refuse

[**Note:** Hard-to-handle refuse includes such miscellaneous rubbish as wood, fencing, carpeting, multiple pieces of furniture and cabinets, and construction materials such as wallboard, plaster and flooring, but shall not include liquids, soil, concrete and asphalt.]

Charge

Base Fee plus \$17.60 per cubic yard

Carts and roll-off boxes

[**Note:** Charge is based on container size. Contents shall not include concrete, soil, asphalt or liquids]

2.0 cubic yard

\$84.38

E. Yard Waste. Pursuant to Section 8.16.050 of the Winnetka Village Code, the following rates are hereby established for the removal of certain yard waste:

SCHEDULE OF YARD WASTE REMOVAL FEES**Service**

Removal of yard waste

Customer supplied bags (one sticker required per bag)

Charge

\$2.75 per sticker

SECTION 6: STORMWATER SEWER FEES. The fee for stormwater utility service provided in the Village of Winnetka pursuant to Chapter 13.16 of the Winnetka Village Code is hereby established at \$21.83 per month per Equivalent Runoff Unit (ERU), as defined in Section 13.16.04 of the Winnetka Village Code.

SECTION 7: FEE FOR RETURNED PAYMENT. A fee of \$30.00 shall be charged for any payment of fees charged pursuant to this Resolution that is returned to the Village for any reason, including, but not limited to, insufficient funds, account closed, or referred to maker.

SECTION 8: PAYMENT PERIOD; LATE FEES. All bills issued for Utility Services shall be paid in full within the payment period specified in the bill. The payment period shall be

established by the Director of Finance, and shall be no less than 21 nor more than 30 days from the date of the issuance of the bill. Pursuant to Sections 13.04.040.B, 13.08.040.B, 13.12.010.B, and 13.16.090.B of the Winnetka Village Code, if any bill for utility service is not paid within the specified payment period, a late payment penalty of 5% of the amount due shall be added to the bill and collected from the user.

SECTION 9: EFFECT OF RESOLUTION. The rates established in this Resolution shall apply to all Utility Service usage that will be billed by the Village on bills with a billing date on or after January 1, 2024.

SECTION 10: REPEALER. Resolution R-100-2023 shall be repealed and shall no longer be in force and effect for all Utility Service usage that will be billed by the Village on bills with a billing date on or after January 1, 2025.

SECTION 11: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law, but in no event prior to January 1, 2025.

ADOPTED this 3rd day of December, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

Village President

Countersigned:

Village Clerk

Introduced: November 19, 2024

Adopted: December 3, 2024



Agenda Item Executive Summary

TITLE: Resolution No. R-85-2024: Amending General, Building, and Miscellaneous Service Fees (Adoption)

PRESENTER: Tim Sloth

AGENDA DATE: December 3, 2024

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

The Village Council held a budget review meeting on November 1 and a public hearing on November 19, 2024 to review the proposed fiscal year 2025 budget. The Village Council sets general and building permit fees annually by resolution during the budget approval process.

EXECUTIVE SUMMARY:

There were no changes in fees that impact existing services provided to Village residents or incorporated businesses.

The Village Code requires that this Resolution be introduced at a meeting and adopted at a subsequent meeting.

The Village will consider adoption of this resolution at the December 3, 2024 Council Meeting.

RECOMMENDATION:

Consider adoption of Resolution No. R-85-2024, a Resolution Amending General, Building, and Miscellaneous Service Fees.

ATTACHMENTS:

1. Resolution No. R-85-2024: Amending General, Building, and Miscellaneous Service Fees

**A RESOLUTION
AMENDING GENERAL, BUILDING, AND
MISCELLANEOUS SERVICE FEES**

WHEREAS, the Village of Winnetka (“Village”) is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970, pursuant to which it has the authority, except as limited by Section 6 of Article VII of such Constitution, to exercise any power and perform any function pertaining to the government and affairs of the Village, including, but not limited to, the powers (i) to regulate for the protection of the public health, safety, morals and welfare, (ii) to license, (iii) to tax, and (iv) to incur debt; and

WHEREAS, pursuant to its home rule authority and the Illinois Municipal Code, the Village is permitted to set rates and charge fees for various permits, licenses and services; and

WHEREAS, the President and Village Council have determined that adoption of this Resolution will serve and be in the best interest of the Village of Winnetka;

NOW, THEREFORE, be it resolved by the Council of the Village of Winnetka as follows:

SECTION 1: RECITALS. The Village Council hereby adopts the foregoing recitals as its findings, as if fully set forth herein.

SECTION 2: GENERAL PERMIT, LICENSE AND REGISTRATION FEES. Fees are hereby established for certain permits, licenses and registrations, in the amounts and for the purposes set forth in the following Schedule of General Permit, License and Registration Fees, pursuant to the sections of the Winnetka Village Code (“Code”) referred to therein:

SCHEDULE OF GENERAL PERMIT, LICENSE AND REGISTRATION FEES

Note: Unless otherwise specifically provided in the following Schedule of General Permit, License and Registration Fees (“Schedule”), all annual permits, licenses and registrations provided for in this Schedule are due and payable on or before the beginning of the fiscal year (January 1) of each year, and remain in effect until the end of the fiscal year (December 31).

<u>Type of Permit, License or Registration</u>	<u>Amount of Fee</u>	<u>Code Section</u>
<i>Amusement Devices</i>		5.12.010
Daily	\$15.00	
Annual	\$25.00	
<i>Animals</i>		6.08.010
Dog License (Annual)		
Unspayed Female	\$15.00	
All Other Dogs	\$10.00	

<u>Type of Permit, License or Registration</u>	<u>Amount of Fee</u>	<u>Code Section</u>
<i>Animals (cont'd)</i>		6.08.010
Replacement License	\$2.00	
Taking up or Impounding Dog	\$55.00	
<i>Bicycle Registration</i>	No Fee	10.32.060
<i>Charitable and Political Solicitation</i>	None	5.48.010
<i>Circuses and Carnivals (Daily)</i>	\$100.00	5.52.040
<i>Film Production Application Fees</i>		
Basic Application Processing Fee	\$1,000.00	5.20.070
Additional Application Processing Fee (Per Hour)	\$250.00	5.20.070
<i>Food Dealers</i>		
Restaurant Permit: (Annual, based on seating capacity)		5.24.010
1-20	\$35.00	
21-50	\$45.00	
51-100	\$50.00	
More than 100	\$75.00	
Fast Food/Drive-In	\$75.00	
Food Store Permit (Annual, per cash register)	\$25.00	5.24.010
Temporary Food Dealer (Daily)	\$15.00	5.24.010
Vending Machine Operator Permit (Annual, per machine)	\$15.00	5.24.010
<i>Foresters, Tree Surgeons</i>		5.72.010
Annual License	\$15.00	
<i>Garbage and Refuse Scavenger</i>		8.16.040
Annual License	\$500.00	
<i>Junk Dealers (Annual)</i>		5.32.010
License, Base Fee	\$50.00	
Vehicle Fee (per vehicle)	\$25.00	
<i>Landscaper License</i>	\$25.00	5.78.020
<i>Laundries</i>		5.36.010
Annual Fee	\$15.00	

<u>Type of Permit, License or Registration</u>	<u>Amount of Fee</u>	<u>Code Section</u>
<i>Liquor Licenses</i>		
Class A Restaurant (Annual)	\$750.00	5.09.100
Class A-1 Restaurant w/ Limited Bar (Annual)	\$1,000.00	
Class A-2 Restaurant (Annual; Beer & Wine)	\$500.00	
Class A-3 Restaurant w/ Limited Bar (Annual; Beer & Wine)	\$750.00	
Class A-4 Specialty Restaurant (Annual; Wine)	\$500.00	
Class A-5 Specialty Restaurant (Annual; Wine)	\$500.00	
Class B - Grocery Store (Annual)	\$750.00	
Class C - Special Event (Daily)	\$25.00	
Maximum per event more than 2 days	\$75.00	
Class D – Package delivery service/mail (Annual; Retail)	\$150.00	
Class D-1 – Package delivery service/mail (Annual; Wholesale)	\$500.00	
Class E - Limited Food Products Store (Annual; Wine)	\$500.00	
Class E-1 - Limited Food Products Store (Annual; Wine)	\$500.00	
Class E-2 – Specialty Beverage Store (Annual; Wine and Beer)	\$500.00	
Class F Coffee Shop (Annual; Wine and Beer)	\$500.00	
Class P - Park District (Annual)	\$500.00	
Class X – Special Use (Daily)	\$25, Max \$75	
Class Y – Banquet Facilities	\$1,000.00	
Class W Wine Station Ride (eligible for A; A-1; A-2; A-3)	None	
<i>Parades and Processions</i>	None	10.08.060
<i>Pawnbrokers</i>		5.44.010
Annual Fee, per location	\$100.00	
<i>Public Garage and Service Station</i>		5.60.010
Base fee, annual	\$50.00	
For each fuel pump	\$5.00	
<i>Raffle, per event</i>	\$25.00	9.04.040
<i>Second Hand Dealers</i>		5.64.010
Annual Fee, per location	\$25.00	
<i>Special Event</i>		5.66.050
Application Fee	\$35.00	
User Fee	Actual Cost	See Section 7

<u>Type of Permit, License or Registration</u>	<u>Amount of Fee</u>	<u>Code Section</u>
<i>Taxicab Operator's License</i>	\$2.00	5.68.050
<i>Vehicle (Motor) Licenses</i>		10.12.030
Annual Fee	\$40.00	
Late Fee	\$20.00	
Semi-Annual Fee (if purchased after 6/30)	\$20.00	
Transfer Fee	\$1.00	

SECTION 3: PARKING PERMIT FEES. Pursuant to Chapter 10.24 of the Winnetka Village Code, titled, "Parking," the following fees are hereby established for parking permits:

SCHEDULE OF PARKING PERMIT FEES

Semi-Annual Parking Permits (Commuter Parking Permits)

Note: Semi-annual parking permits are issued for the periods of January through June and July through December. Purchase and refund amounts are pro-rated based on the month in which the purchase or refund request is made. Only persons who reside in the Village of Winnetka, and who have a current Village vehicle sticker for a vehicle registered with the State to a Winnetka address, are eligible for the resident fee.

Month of Purchase or Refund	Purchase Cost		Refund Amount	
	Resident	Non-Resident	Resident	Non-Resident
January or July	\$100.00	\$220.00	\$83.33	183.33
February or August	83.33	183.33	66.67	146.67
March or September	66.67	146.67	50.00	110.00
April or October	50.00	110.00	33.33	73.33
May or November	33.33	73.33	16.67	36.67
June or December	16.67	36.67	—	—

Annual Parking Permits (Not refundable)

Business District Employee Parking Permit	\$10.00
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Daily Parking Permits (Not refundable)

Commuter Parking Lots	\$3.00
Business District Employee Parking	\$3.00
Banquet Parking Permit	\$3.00

Remote Lot Parking Permits (Public Works Yards)

Semi-annual charge per vehicle	\$120.00
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Note: The Village Manager may issue permits to allow parking on a limited basis at the Village's landfill site, 1390 Willow Road, by businesses located in the Village of Winnetka, including but not limited to the United States Postal Service, for parking of their fleet vehicles, and by businesses located in the Village of Winnetka that are engaged in the retail sale of automobiles, for parking of their sales inventory. The Village Manager shall determine the number and location of such spaces that may be made available on the site may vary from time to time. Such space shall be limited to areas of the

site that the Village Manager determines will not interfere with the Village's use of the site. Requests for such parking shall be made directly to the Village Manager. Remote parking spaces shall not be available for the general public.

Valet Parking Permit Application

Fee for one calendar year from the \$250.00
Date of issuance of permit (5.76.030)

SECTION 4: FEES FOR VEHICLE IMPOUNDMENT AND TOWING. Fees and charges are hereby established for the impoundment, towing and storage of vehicles upon the issuance of a final notice for unpaid parking tickets, as set forth in the following Impoundment and Towing Fee Schedule, pursuant to the sections of the Winnetka Village Code ("Code") referred to therein:

IMPOUNDMENT AND TOWING FEES

<u>Type of Fee</u>	<u>Fee Amount</u>	<u>Conditions for Payment or Refund</u>
<i>Impoundment</i>	\$200.00	Payment is required prior to release of vehicle. Payment will be refunded if the hearing officer determines that the impoundment was not conducted in accordance with the procedural requirements of Village Code Section 10.24.130.
<i>Towing and/or Storage - Private Contractor</i>	Actual cost as billed by the towing or impounding facility	Payment is required prior to release of towed, removed, relocated and/or stored vehicle. Payment will be refunded if the hearing officer determines that the towing, removal, relocation and/or storage was not conducted in accordance with the procedural requirements of Village Code Section 10.24.130.
<i>Storage on Village Property</i>	\$10.00 per day, per vehicle	Payment is required prior to release of stored vehicle. Payment will be refunded if the hearing officer determines that the storage was not conducted in accordance with the procedural requirements of Village Code Section 10.24.130.
<i>Collateral</i>	100% of the amount of all outstanding fines due, as stated in the final notice.	Payment is required prior to release of impounded, towed, removed, relocated and/or stored vehicle. Payment is also required before a request for a judicial proceeding made pursuant to a "final notice" is processed. Payment will be refunded if, as the result of the dismissal of outstanding or unsettled traffic violation notices, judgments and/or warrants by a court of competent jurisdiction, the impounded or removed vehicle is subject to fewer than five unsatisfied fines for violation of any parking ordinance of the Village.

SECTION 5: MISCELLANEOUS SERVICE FEES. Fees are hereby established for the following certain miscellaneous services and purchase items in the amounts and for the purposes set forth in the following Schedule of General Permit, License and Registration Fees, pursuant to the sections of the Winnetka Village Code (“Code”) referred to therein:

SCHEDULE OF GENERAL PERMIT, LICENSE AND REGISTRATION FEES

<u>Miscellaneous Service Fees</u>	<u>Amount of Fee</u>	<u>Code Section</u>
<i>Ambulance Services - Residents</i>		2.52.040
Advanced Life Support – Level 1	\$725.00	
Advanced Life Support – Level 2	\$775.00	
Basic Life Support	\$575.00	
Mileage Charge (per loaded patient mile)	\$12.00	
<i>Ambulance Services – Non-Residents</i>		
Advanced Life Support – Level 1	\$900.00	
Advanced Life Support – Level 2	\$950.00	
Basic Life Support	\$700.00	
Mileage Charge (per loaded patient mile)	\$12.00	
Pursuant to participation in the Ground Emergency Medical Transportation (GEMT) Program, rates for Medicaid claims shall be set by the approved rate sheet received by the Illinois Department of Healthcare and Family Services (HFS) and/or the federal Centers for Medicare and Medicaid Services (CMS) reflecting the actual cost incurred for transport of residents and nonresidents.		
<i>Audit (Print copy)</i>	\$35.00	
<i>Annual Budget (Print copy)</i>	\$35.00	
<i>Certified copies (per certification)</i>	\$1.00	
<i>Comprehensive Plan</i>		
With Maps	\$35.00	
Without Maps	\$8.50	
<i>Copying, Scanning and Printing Charges</i>		
In-house copying		
Black & White, 8½” x 11” (per side)	\$0.15	
Black & White, 8½” x 14” (per side)	\$0.15	
Black & White, 11” x 17” (per side)	\$0.50	
Color, 8½” x 11” (per side)	\$0.50	
Color, 8½” x 14” (per side)	\$1.00	
Color, 11” x 17” (per side)	\$1.00	
Out-sourced copying	Actual Cost	

<u>Miscellaneous Service Fees</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Oversize documents (plats, etc.)	Actual Cost	
<i>Credit Card Fee</i>		
For credit card payments over \$10,000	3%	
<i>Fire Alarm Monitoring Services</i> (direct connections to Village's fire alarm monitoring system only)	\$61.00 per month	
<i>Kenilworth Fire Service</i>		R-114-2022
Annual amount per IGA (2023)	\$479,158	
<i>Other, Unspecified Services</i>	Actual Cost	
<i>Special Detail Police Services</i>	\$75.00 per hour	
<i>Street Cleaning</i>	\$550.00	
<i>Unincorporated Fire Service</i>		13.040.120
Annual amount per Contract address	\$1,518.38	
<i>Winnetka Village Code</i>	\$200.00	
<i>Winnetka Zoning Ordinance</i>	\$10.00	

SECTION 7: FEES FOR SPECIAL SERVICES, FILM PRODUCTION AND SPECIAL EVENTS. Services provided or performed in conjunction with film production permits issued pursuant to Chapter 5.20 of the Winnetka Village Code and in conjunction with special event permits issued pursuant to Chapter 5.66 of the Winnetka Village Code shall be subject to the following fee schedule:

SCHEDULE OF SPECIAL SERVICE FEES

Note: The following hourly rates shall be assessed for: (i) all services provided in conjunction with film production and film production permits issued pursuant to Chapter 5.20 of the Village Code; (ii) all services provided in conjunction with film special events and events subject to special events permits issued pursuant to Chapter 5.66 of the Village Code; and (iii) all other non-standard services provided by Village personnel and all other uses of Village equipment not subject to specific fees set out in either this resolution.

<u>Department</u>	<u>Hourly Rate</u>
<i>Village Administration & Finance Departments</i>	
Village Manager	\$400
Assistant Village Manager	\$330
Village Attorney	\$400

<u>Department</u>	<u>Hourly Rate</u>
Department Head	\$330
Supervisory Personnel	\$220
Clerical/Support Staff	\$220
<i>Police Department</i>	
Command Staff (Deputy Chief, Commanders)	\$275
Sergeants	\$220
Administrative Services Manager	\$220
Patrol Officers	\$185
Support Staff	\$160
Vehicles	\$60
<i>Fire Department</i>	
Command Staff (Deputy Chief, Captains)	\$275
Lieutenants	\$220
Fire Medics	\$185
Support Staff	\$160
Light Vehicles	\$70
Ambulance	\$125
Fire Truck / Engine	\$530
<i>Public Works</i>	
Supervisory	\$220
Engineers	\$220
Maintenance Workers	\$160
Light Trucks	\$70
Medium Trucks	\$100
Heavy Trucks, Refuse Trucks, Street Sweepers	\$150
<i>Community Development</i>	
Assistant Director	\$275
Planners, Architect	\$220
Inspectors	\$185
Clerical / Support Staff	\$160
Vehicles	\$60
<i>Water & Electric</i>	
Assistant Director	\$275
Supervisory	\$220
Plant Operators	\$185
Linemen	\$185
Clerical / Support Staff	\$160
Light Trucks	\$70
Medium Trucks	\$100
Heavy Trucks, Boom Trucks	\$150

SECTION 8: BUILDING PERMIT, LICENSE AND REGISTRATION FEES.

Pursuant to the sections of the Winnetka Village Code (“Code”) referred to in the following Schedule Building, Zoning and Construction Activity Fees (“Fee Schedule”), there are hereby established certain permit, license and registration fees, in the amounts and for the purposes set forth in said Fee Schedule:

SCHEDULE OF BUILDING, ZONING AND CONSTRUCTION ACTIVITY FEES

WORK PERFORMED WITHOUT PERMITS (SECTION 15.32.010)

All permit fees for work performed without a required permit shall be double the amount of the fees for the required permits.

PERMIT DEPOSITS (SECTIONS 15.32.020, 15.54.120)

[Note: Deposits must be submitted with permit applications. The Village’s costs, including plan review and re-inspections, will be deducted from deposits. Deposit balances will be retained by the Village until a final certification of occupancy is approved.]

For Building Demolition Permits with site restoration or new building construction plans	\$ 5,000
For Construction and Demolition Debris Recycling	\$ 2,500
For Temporary Certificate of Occupancy	\$ 5,000
For Tree Replacement (for each inch of DBH)	\$ 300

PLAN REVIEW FEES (SEC. 15.32.020)

For all Building Permits, other than restrictive building permits:

- 15% of building permit fee, \$100 minimum.

For review of Construction Document Revisions

- \$20 for each review where original building permit was subject to minimum fee, building permit is not required, or revision is for a restrictive building permit.
- \$130 for all reviews of any revision to building permit construction documents that do **not** require zoning, engineering, and/or forestry reviews.
- \$170 for all reviews of any revision to building permit construction documents that require zoning, engineering, and/or forestry reviews for minor revisions (as determined by the Director of Community Development).
- 25% of original plan review fee for all reviews of any major revision to building permit construction documents (as determined by the Director of Community Development).

For engineering review required for building in the flood plain:

- | | |
|---|---------------|
| • Flood plain development review | \$ 600 |
| • Letter of Map Revisions (LOMR) review | \$ 600 |

SCHEDULE OF BUILDING, ZONING AND CONSTRUCTION ACTIVITY FEES

For plan reviews required for fire and life safety systems (Sec. 15.16.070)

- | | |
|-----------------------------|-------------|
| • Fire Department review | \$ 150 |
| • Technical review services | Actual cost |

CONTRACTOR PERMIT BOND (Sec. 15.32.060)

[Note: Bond to be payable to the Village of Winnetka. Contractor may provide a certified copy of its current unified contractor bond in amount of no less than \$50,000, as on file with Cook County Clerk.]	\$ 25,000
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BUILDING PERMIT FEES (Sec. 15.32.020)

Alterations, including remodeling, additions to existing structures, and new primary structures, and for other construction activity not specified by Resolution of the Council ("Major Permits")

- \$30.00 per \$1,000.00 or fraction thereof of the estimated total project cost, \$100.00 minimum.

Alterations, including remodeling, and additions to a historic or architecturally significant structure granted the maximum building size bonus per Chapter 15.52 or Chapter 15.53 of the Village Code (Major Permit).

- \$20.00 per \$1,000.00 or fraction thereof of the estimated total project cost, \$100 minimum.

RESTRICTIVE PERMITS

Canopy/Awning (Sec. 15.44.030)	\$ 90 each
[Note: Certificate of Appropriateness of Design may be required.]	

Construction Trailers (Sec. 15.32.020)	\$ 290 each
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Demolition (Sec. 15.52.020)

- | | |
|---|----------|
| • For each accessory structure | \$ 60 |
| • For demolition with building permit application and complete construction documents. | \$16,070 |
| • For demolition with site restoration plan and schedule. | \$16,070 |
| (Note: The \$16,070 includes \$600 reimbursement of payment made by Village of Winnetka to Winnetka Historical Society for research related to demolition of a primary structure) | |

Fences (Sec. 15.44.060)	\$85 each
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Historic Maximum Building Size – Alteration or Addition Administrative Review Escrow	\$1,500
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Roofing (Sec. 15.32.020 and 15.44.100)	\$85 each
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SCHEDULE OF BUILDING, ZONING AND CONSTRUCTION ACTIVITY FEES

Signs (Sec. 15.60.140)

[Note: Signs may require Certificate of Appropriateness of Design.]

- For each non-illuminated sign \$ 80
- For each illuminated sign (includes electrical permit fee) \$195

Swimming Pools (Sec. 15.56.020)

\$ 680

[Note: Includes electrical, plumbing and fence permits]

Tree Enhancement/Tree Protection Plan Review (Sec. 15.28.070)

- For each review per lot in development site \$ 100

Landscape/Tree Replacement Plan Review (Sec. 15.28.050 and 15.28.060)

- For each review per lot in development site \$ 100

Tree Removal Permit Fee (Sec. 15.28.040)

- For each tree \$ 75

Zoning Analysis, Pre-Building Permit Submittal

\$100

ELECTRICAL PERMITS – For permits other than Major Permits, unless otherwise noted (Sec. 15.32.020 and 15.44.050)

- Base Fee for All Permits \$90
- Electrical Fixtures-outlets, receptacles and switches \$ 1.40
- Motors over 0.5 hp, per motor \$30
- New Service or Modifications to Existing Service Entrance Equipment
[Note: Permit fees are waived if modifications result from Water & Electric Department's scheduled undergrounding program.] \$70
- Temporary Service, per service – For All Permits, including Major Permits
 - Overhead \$ 450
 - Underground (excavation not included) \$ 740

PLUMBING AND MECHANICAL (HVAC) PERMITS (Sec. 15.32.020 and 15.44.050)

Plumbing – For permits other than Major Permits

- Base Fee for All Plumbing Permits (includes 5 fixtures) \$ 90
- Plumbing Fixtures (beginning with the sixth fixture), per fixture \$ 13
- Process Piping for Heating System, per unit \$ 130

HVAC– For permits other than Major Permits

[Note: Exterior installations require zoning approval.]

- Base Fee for all HVAC Permits \$ 100
- For replacement of duct work only, per unit \$60
- For totally new system, per unit \$120
- For each roof-top unit, new or replacement \$130
- For each new or replacement AC unit, if total capacity on the property is 8 tons or more. \$ 130
- For minor heating/cooling/ventilation system items, per unit. \$ 35

SCHEDULE OF BUILDING, ZONING AND CONSTRUCTION ACTIVITY FEES

Irrigation

- Base Fee \$ 105
- Per Sprinkler Head \$ 1.20

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SCHEDULE OF BUILDING, ZONING AND CONSTRUCTION ACTIVITY FEES

MISCELLANEOUS FEES

Construction & Demolition Debris (Sec. 15.54.080)	\$ 325
Development Agreement — Base Fee (Sec. 15.32.080(K))	\$1,500
[Note: Base Fee includes standard staff review time and 3 hours of Village Attorney time.]	
Development Agreement — Supplemental Fee (Sec.15.32.080(K))	Variable,
All Village costs in excess of those included in the Base Fee shall be based upon the actual time spent by the Village, plus costs incurred, and shall be incorporated into the Development Agreement.	based on Staff time
Partial Permits (Sec. 15.32.110)	\$ 200
Permit Renewal (Sec. 15.32.200)	50% of total original building permit fee
Stop Work Order (Sec. 15.04.100)	
• 1 st Stop Work Order	\$ 325
• 2 nd Stop Work Order	\$ 650
• 3 rd Stop work Order	\$ 975
Temporary Certificate of Occupancy (Sec. 15.36.010)	\$ 350
Village Attorney Services (Sec. 5.66.040)	\$400 per hour,
For non-standard services related to post-approval implementation or amendment of development agreements, subdivisions and planned developments	½ hour increments

PETITION FILING FEES

Administrative Appeals

• Building Code Appeals (Sec. 15.72.010)	\$ 450
• Zoning Appeals (Sec. 17.72.010)	\$ 575
• Appeal of Landmark Preservation Commission Maximum Building Size Bonus Determination (Sec. 15.52.060 & 15.53.030)	\$250
• Appeal of Landmark Preservation Demolition Delay Determination Appeals (Sec. 15.52.070)	\$250

Certificate of Appropriateness of Design (Sec. 15.40.010)

• For each new primary structure or addition thereto	\$ 575
• For each existing structure	\$ 135
• For each application for signs, canopies, or awnings	\$ 70

Driveway Variation (Sec. 12.12.010 and 15.44.040)	\$ 275
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Flood Plain Variation (Sec. 15.68.100)	\$ 800
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SCHEDULE OF BUILDING, ZONING AND CONSTRUCTION ACTIVITY FEES

Sign Variation (Sec. 15.60.250)	\$ 275
Historic Maximum Building Size Fees	
• Preliminary Property History Study Preparation Fee (Sec 15.53.020)	\$550
• Maximum Building Size Bonus Application Fee (Sec 15.53.020)	\$300
• Alteration or Addition Administrative Review Escrow (Sec.15.52.090 & 15.53.050)	\$1,500
[Note: Escrow fees must be submitted with applications. The Village's costs for an analysis prepared by an architectural historian, historic architect, or other similarly qualified professional will be deducted from the escrow fees. Escrow balances will be retained by the Village until the Director or Village Council, determine whether proposed alterations to the exterior or additions to a building would destroy the nature of a building's Critical Exterior Historical or Architectural Features and all third-party costs are paid by the Village. Additional funds may be required if insufficient to cover the Village's third-party costs.]	
Special Use Permit (Sec. 17.56.010)	\$ 1,200
Subdivision or Consolidation of Land – Base Fee (Sec. 16.04.040)	\$ 1,200
[Note: Base Fee includes standard staff review time and 3 hours of Village Attorney time.]	
Subdivision of Land – Supplemental Fee (Sec. 15.32.080(K))	Variable,
All Village costs in excess of those included in the Base Fee shall be based upon the actual time spent by the Village, plus costs incurred. For projects requiring a Development Agreement, the supplemental fee shall be incorporated into the Development Agreement.	
	based on Staff time
Zoning Map Amendment (Sec. 17.72.040)	\$ 2,500
Zoning Planned Development (Chapter 17.58)	\$ 1,200
Zoning Text Amendment (Sec. 17.72.040)	\$ 1000
Zoning Variation by Zoning Administrator (Minor Variation) (Sec. 17.60.015)	\$ 325
Zoning Variation by Zoning Board of Appeals (Standard Variation) (Sec. 17.60.020)	\$ 525
Zoning Variation by Ordinance (Major Variation)(Sec. 17.60.030)	\$ 1,000
STREETS, SIDEWALKS, DRIVEWAYS AND OTHER IMPERMEABLE SURFACES	
(Sec. 12.04.110)	
Driveway curb cut, new or enlarged (Sec. 12.12.010)	\$200
[Note: Includes right-of-way excavation fee.]	

SCHEDULE OF BUILDING, ZONING AND CONSTRUCTION ACTIVITY FEES

Right-of-way Excavation and/or Occupation, per excavation/occupation (Sec. 12.16.010 and 12.20.010)	\$ 200
Sewer, per sewer line type (Sec. 15.24.090)	\$150
Impermeable Surfaces (including driveways, sidewalks, patios, etc.) (For permits other than Major Permits)(Sec. 12.08.010)	\$75
Street Replacement (Sec. 12.04.20) • Noncompliance fee	\$5,000

SECTION 9: DETERMINATION OF CONSTRUCTION COSTS. In setting any fee based on the cost of construction, the Director of Community Development may use any of the following methods:

- A. An estimate furnished by the permit applicant;
- B. A certification of the cost of construction from a licensed architect or a registered structural or professional engineer;
- C. An affidavit from the owner or the owner's agent setting forth the estimated cost of the proposed work; or
- D. A calculation to be made by the Director of Community Development, based on the most current edition of the RS Means Square Foot Costs Book.

SECTION 10: FEE FOR RETURNED PAYMENTS. A fee of \$30.00 shall be charged for any payment of fees charged pursuant to this Resolution that is returned to the Village for any reason (excluding building permits), including, but not limited to, insufficient funds, account closed, or referred to maker.

SECTION 11: FEE FOR RETURNED BUILDING PERMIT PAYMENTS. A fee in the amount of \$150.00 or 5% of the building permit fee, whichever is greater, shall be charged for any payment that is returned to the Village for any reason, including, but not limited to, insufficient funds, account closed, or referred to maker.

SECTION 12: REPEALER. Resolution R-99-2023 shall be, and is hereby, repealed and shall no longer be in force and effect from and after the passage of this Resolution and approval according to law.

SECTION 13: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law, but in no event prior to January 1, 2025.

ADOPTED this 3rd day of December, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

Village President

Countersigned:

Village Clerk

Introduced: November 19, 2024

Adopted: December 3, 2024



Agenda Item Executive Summary

TITLE: Ordinance No. M-14-2024: Levying Taxes for the Year 2024 (Adoption)

PRESENTER: Tim Sloth

AGENDA DATE: December 3, 2024

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

The Council has reviewed the proposed 2025 calendar year budget and the funding provided by property taxes to balance the budget. The proposed 2024 property tax levy will generate \$16,298,997 for village operations, an increase of \$540,820 or 3.432% from the prior year. The proposed increase in the tax levy is due to two factors:

- Capturing the impact of new development throughout the Village - .482%.
- Inflationary adjustment - 2.95%.

EXECUTIVE SUMMARY:

The 2024 property tax levy sets the amount of revenue to be raised from property taxes to fund Village operations. In Illinois, property taxes are paid a year in arrears. This means that the amount of money requested for the 2024 property tax levy will be received by the Village in calendar 2025. It should be noted that the final proposed tax levy is \$70,912 lower than what was initially proposed to the Council at the November 1st budget review meeting.

RECOMMENDATION:

Consider adoption of Ordinance No. M-14-2024, an Ordinance Levying Taxes for the Year 2024.

ATTACHMENTS:

1. Ordinance No. M-14-2024: Levying Taxes for the Year 2024
2. Village of Winnetka Schedule of Property Tax Levy Calculations

AN ORDINANCE LEVYING TAXES FOR THE YEAR 2024

WHEREAS, the Village of Winnetka (“Village”) is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and, pursuant thereto, has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including the power to tax; and

WHEREAS, on December 5, 2023, the Council of the Village of Winnetka (“Village Council”) adopted Resolution No. R-98-2023, which budgeted \$39,707,061 to meet the expenses and liabilities of the Village for general corporate purposes and retirement fund contributions for the fiscal year beginning January 1, 2024, and ending December 31, 2024; and

WHEREAS, pursuant to page 413 of the budget approved on December 5, 2023, the Village Council has made its preliminary estimate of the 2024 levy, estimating that it is necessary to raise Sixteen Million Four Hundred Sixty-Seven Thousand Two Hundred Ninety-Five Dollars (\$16,467,295) by taxation of taxable property within the Village for general corporate purposes and for retirement fund contributions for the fiscal year beginning January 1, 2024, and ending December 31, 2024; and

WHEREAS, at its November 19, 2024 meeting, the Village Council, upon evaluation of the proposed fiscal year 2024 annual budget, directed the staff to present a 2024 property tax levy for consideration at the December 3, 2024, Village Council meeting, said property tax levy to be in the amount of Sixteen Million Two Hundred Ninety-Eight Thousand Nine Hundred Ninety-Seven Dollars (\$16,298,997), One Hundred Sixty Eight Thousand Two Hundred Ninety-Eight Dollars (\$168,298) less than was estimated to be necessary to be raised by taxation of taxable property within the Village for general corporate purposes and for retirement fund contributions for the fiscal year beginning January 1, 2024, and ending December 31, 2024; and

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Winnetka, as follows:

SECTION 1: That the foregoing recitals are hereby adopted as the findings of the Council of the Village of Winnetka, as fully set forth herein.

SECTION 2: That in order to meet the expenses and liabilities of the Village of Winnetka for the fiscal year beginning January 1, 2024, and ending December 31, 2024, for general corporate purposes and for retirement fund contributions, there is hereby levied upon all of the taxable property within the corporate limits of the Village of Winnetka subject to taxation for the current year, as assessed and equalized for the year 2024, the sum of Sixteen Million Two Hundred Ninety-Eight Thousand Nine Hundred Ninety-Seven Dollars (\$16,298,997), which is to be collected from the levy of the Village of Winnetka for the year 2024 for all purposes heretofore budgeted.

2024 TAX LEVY SUMMARY

General Fund	Amount Budgeted	Amount To Be Raised By Tax Levy
For General Corporate Purposes		
Administration	\$ 4,167,427	\$ 1,484,230
Police	\$ 8,133,595	\$ 4,223,281
Fire	\$ 6,918,778	\$ 3,018,023
Community Development	\$ 2,128,748	\$ 763,108
Public Works / Engineering	\$ 5,344,955	\$ 1,923,875
Capital Expenses	\$ 2,916,110	\$ 1,090,060
General Fund Transfers	\$ 4,500,000	\$ 1,100,000
Totals for General Fund	\$ 34,109,613	\$ 13,602,577
For Retirement Fund Contributions		
For Police Pension Fund	\$ 2,720,262	\$ 1,135,073
For Fire Pension Fund	\$ 2,877,186	\$ 1,561,347
Totals for Retirement Fund Contributions	\$ 5,597,448	\$ 2,696,420
Total Amount Budgeted	\$ 39,707,061	
Total Amount of Levy		\$ 16,298,997

SECTION 3: That there is hereby certified to the County Clerk of Cook County, Illinois, the several sums above, constituting said total amount, and the total amount of Sixteen Million Two Hundred Ninety-Eight Thousand Nine Hundred Ninety-Seven Dollars (\$16,298,997), which is the total amount the Village of Winnetka requires to be raised by taxation for the current fiscal year of the Village, and that, on or before the time required by law, the Village Clerk shall file a certified copy of this Ordinance with the County Clerk of Cook County, Illinois, whereupon it shall be the duty of said County Clerk to levy taxes for the year 2024 on all properties subject to taxation within the Village of Winnetka, in accordance with the provisions of this Ordinance.

SECTION 4: This Ordinance is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 5: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this 3rd day of December, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

Village President

Countersigned:

Village Clerk

Introduced: November 19, 2024

Adopted: December 3, 2024

Village of Winnetka

Schedule of Property Tax Levy Calculations

<u>Tax Levy Category</u>	<u>2023 Actual Tax Levy</u>	<u>2024 Proposed Tax Levy</u>	<u>\$ - Change</u>	<u>% - Change</u>
<u>General Fund:</u>				
Corporate*	\$12,661,625	\$13,602,577	\$940,952	7.432%
<u>Other Funds:</u>				
Police Pension	\$1,336,136	\$1,135,073	(\$201,063)	-15.048%
Fire Pension	\$1,760,416	\$1,561,347	(\$199,069)	-11.308%
Total Village-wide Tax Levy	\$15,758,177	\$16,298,997	\$540,820	3.432%
Less: New Development @ 0.482%		(\$75,954)	(\$75,954)	-0.482%
Existing Tax Payer Increase	\$15,758,177	\$16,223,043	\$464,866	2.950%

Increase (Decrease) Based on Total Property Tax Bill
--

Total Property Taxes Paid 100.00%	Other Taxing Distr. 88.42%	Village 11.58%	2.95% Change / Village
\$10,000	\$8,842	\$1,158	\$34
\$15,000	\$13,263	\$1,737	\$51
\$20,000	\$17,684	\$2,316	\$68
\$25,000	\$22,105	\$2,895	\$85
\$30,000	\$26,526	\$3,474	\$102
\$35,000	\$30,947	\$4,053	\$120
\$40,000	\$35,368	\$4,632	\$137
\$50,000	\$44,210	\$5,790	\$171
\$60,000	\$53,052	\$6,948	\$205

* Included in the Corporate fund levy is \$1.1 million levied for the Business District Revitalization Fund

Note: New development is calculated based on \$8,491,414 or .482% of new value identified in the 2023 Cook County Agency Tax Rate Report. Last year new property value totaled \$20,433,227.

<https://www.cookcountyclerk.il.gov/service/tax-agency-reports>



Agenda Item Executive Summary

TITLE: Ordinance No. M-15-2024: Abating the Tax Heretofore Levied for the Year 2024 to Pay the Principal of and Interest on Taxable General Obligation Refunding Bonds, Series 2020, of the Village of Winnetka, Cook County, Illinois (Adoption)

PRESENTER: Tim Sloth

AGENDA DATE: December 3, 2024

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

The Council has reviewed the proposed 2025 calendar year budget and all funding sources required to balance the budget. It has been determined that sufficient revenue is on hand in the stormwater fund to pay the debt service on the Series 2020 bonds and therefore an additional tax levy for this purpose is not necessary.

EXECUTIVE SUMMARY:

The Village issued General Obligation bonds in the amount of \$9.0 million in 2013 and \$7.5 million in 2014 to fund stormwater improvements. These bonds were refunded and replaced by the Series 2020 bonds (\$12,035,000) with the intention of the Village abating the property tax levy each year on these bonds and paying the principal and interest from stormwater utility fees collected by the Village. There are adequate funds on hand to allow for the abatement of the property tax levy for 2024 related to these General Obligation bond issues, due to Stormwater utility alternate revenues.

RECOMMENDATION:

Consider adoption of Ordinance No. M-15-2024, an Ordinance Abating the Tax Heretofore Levied for the Year 2024 to Pay the Principal of and Interest on Taxable General Obligation Refunding Bonds, Series 2020, of the Village of Winnetka, Cook County, Illinois.

ATTACHMENTS:

1. Ordinance No. M-15-2024: Abating Tax Heretofore Levied for the Year 2024 to Pay the Principal of & Interest on Taxable GO Refunding Bonds Series 2020

**AN ORDINANCE
ABATING THE TAX HERETOFORE LEVIED
FOR THE YEAR 2024
TO PAY THE PRINCIPAL OF AND INTEREST ON
TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020,
OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS**

WHEREAS, the Village of Winnetka (“Village”) is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and, pursuant thereto, has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including the power to tax; and

WHEREAS, the Council of the Village, consisting of the President and Board of Trustees (the “Council”), by Ordinance Number M-16-2020, adopted on the 13th day of October, 2020 (the “Ordinance”), did provide for the issue of \$12,035,000 Taxable General Obligation Refunding Bonds, Series 2020 (the “Bonds”), and for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Village has deposited sufficient funds in the bond fund established by the Ordinance to pay the principal of and interest on the Bonds up to and including December 15, 2025; and

WHEREAS, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2024 to pay the principal of and interest on the Bonds be abated in its entirety.

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Winnetka, as follows:

SECTION 1: Abatement of Tax. The tax heretofore levied for the year 2024 of Eight Hundred Two Thousand Nine Hundred Eighty Dollars (\$802,105.00) in the Ordinance to pay the principal and interest on the Bonds is hereby abated in its entirety.

SECTION 2: Filing of Ordinance. Forthwith upon the adoption of this Ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of the County of Cook, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2024 in accordance with the provisions hereof.

SECTION 3: **Home Rule.** This Ordinance is adopted by the Council in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 4: **Effective Date.** This Ordinance shall be in full force and effect from and its passage, approval, and posting as provided by law.

PASSED this 3rd day of December 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

Village President

Countersigned:

Village Clerk

Introduced: November 19, 2024

Adopted: December 3, 2024



Agenda Item Executive Summary

TITLE: Ordinance No. M-17-2024: An Ordinance Granting a Variation from the Winnetka Zoning Ordinance to Allow the Construction of Additions to an Existing Residence within the R-5 Single Family Residential Zoning District (402 Hawthorn Lane) (Introduction/Adoption)

PRESENTER: Ann Klaassen

AGENDA DATE: December 3, 2024

CONSENT: No

ITEM TYPE: Ordinances and Resolutions

ITEM HISTORY:

None

EXECUTIVE SUMMARY:

INTRODUCTION

On December 2, 2024, the Village Council is scheduled to consider Ordinance M-17-2024 in response to an application submitted by Caitlin and Patrick Clark (collectively, the “Applicant”) as the owners of the property located at 402 Hawthorn Lane (the “Subject Property”). (**Attachment 1**) The Applicant requests approval of the following zoning variation to allow construction of building additions to the existing residence on the Subject Property:

1. **Corner yard setback** of 6.3 feet from the west property line along Woodland Avenue, whereas a minimum of 18 feet is required, a variation of 11.7 feet (65%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The residence currently provides a corner yard setback of 6.3 feet].

The variation is being requested in order to construct additions on the first and second floors of the existing residence. On the west elevation of the residence, the proposed addition on the first floor would consist of a kitchen and mudroom expansion. The second-floor addition would consist of a primary bedroom suite. The Applicant’s plans also include a two-story addition on the northeast side of the residence, which complies with the required setbacks. This addition would consist of a den on the first floor and a bedroom on the second floor. In total, the proposed additions represent an increase in gross floor area of 1,389 square feet. With the exception of the corner yard setback, the proposed additions comply with zoning regulations.

ADVISORY BOARD/COMMISSION REVIEW

The Zoning Board of Appeals (ZBA) considered the request on November 18, 2024. **Attachment 2** includes the staff report to the ZBA and the meeting minutes, which summarize the request. One public comment was received prior to the ZBA meeting, but after the posting of the agenda packet, and is

provided in **Attachment 3**. The Applicant has also included messages of support from nearby neighbors as part of the application materials in Attachment 2. After hearing from the Applicant's architect, the Board discussed the request. The Board's discussion focused on the proposed addition staying within the current setbacks and not increasing the encroachment. They also highlighted the apparent support of the surrounding neighbors and the fact that the view across the street would be from a school rather than other households. Ultimately, by a vote of 5-0, the Board recommended approval of the request.

RECOMMENDATION:

Given the ZBA recommendation of approval was unanimous, the Council may wish to (a) consider waiving introduction of Ordinance M-17-2024 and consider adoption of the Ordinance, OR (b) consider only introduction of Ordinance M-17-2024.

ATTACHMENTS:

1. Ordinance No. M-17-2024: Granting a Variation from the Winnetka Zoning Ordinance to Allow construction of Additions (402 Hawthorn Lane)
2. November 14, 2024, ZBA Staff Report and Attachments
3. Public Correspondence

**AN ORDINANCE GRANTING A VARIATION FROM THE
WINNETKA ZONING ORDINANCE TO ALLOW THE CONSTRUCTION
OF ADDITIONS TO AN EXISTING RESIDENCE WITHIN
THE R-5 SINGLE FAMILY RESIDENTIAL DISTRICT
(402 Hawthorn Lane)**

WHEREAS, Caitlin and Patrick Clark (collectively, “*Applicant*”) are the record title owners of the parcel of real property commonly known as 402 Hawthorn Lane in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance (“*Subject Property*”); and

WHEREAS, the Subject Property is approximately 0.24 acres in area and located within the R-5 Single Family Residential District of the Village (“*R-5 District*”) and is improved with a single-family residence (“*Residence*”); and

WHEREAS, the Applicant desires to construct the following: (i) an addition on the first floor of the west elevation of the Residence which would consist of a kitchen and mudroom expansion; (ii) a second-floor addition on the west elevation of the Residence which would consist of a primary bedroom suite; and (iii) a two-story addition on the northeast side of the Residence which would consist of a den on the first floor and a bedroom on the second floor (collectively, the “*Proposed Additions*”); and

WHEREAS, pursuant to Section 17.30.050 of the Winnetka Zoning Ordinance (“*Zoning Ordinance*”), the minimum required side yard setback for the Subject Property is 18 feet; and

WHEREAS, to construct the Proposed Additions on the Subject Property, the Applicant filed an application for a variation from Section 17.30.050 to allow a side yard setback of 6.3 feet from the west property line (“*Variation*”); and

WHEREAS, on November 18, 2024, after due notice thereof, the Zoning Board of Appeals (“*ZBA*”) conducted a public hearing on the Variation and, by a vote of five members in favor and zero opposed, recommended that the Council of the Village of Winnetka (“*Village Council*”) approve the Variation; and

WHEREAS, pursuant to Section 17.60.050 of the Zoning Ordinance, the Village Council has determined that: (i) the Variation is in harmony with the general purpose and intent of the Zoning Ordinance and is in accordance with general or specific rules set forth in Chapter 17.60 of the Zoning Ordinance; and (ii) there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provision or regulation of the Zoning Ordinance from which the Variation has been sought; and

WHEREAS, the Village Council has determined that approval of the Variation for the Subject Property within the R-5 District is in the best interest of the Village and its residents;

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated into this section as the findings of the Village Council, as if fully set forth herein.

SECTION 2: APPROVAL OF VARIATION. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 3 of this Ordinance, the Variation from Section 17.30.050 of the Zoning Ordinance to allow the construction of the Proposed Additions on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

SECTION 3: CONDITIONS. The Variation granted by Section 2 of this Ordinance is subject to, and contingent upon, compliance by the Applicant with the following conditions:

- A. **Commencement of Construction.** The Applicant must commence the construction of the Proposed Additions no later than 12 months after the effective date of this Ordinance.
- B. **Compliance with Regulations.** Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Additions and Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.
- C. **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.
- D. **Compliance with Plans.** The development, use, and maintenance of the Proposed Additions on the Subject Property must be in strict accordance with the plans prepared by Healy M. Rice PC consisting of five sheets, with a latest revision date of September 9, 2024, copies of which are attached to, and by this reference, made part of this Ordinance as **Exhibit B (“Plans”)**, except for minor changes and site work approved by the Director of Community Development or the Director of Engineering (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards.

SECTION 4: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Clerk Recording Division. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and are binding upon, the Applicant and each of its heirs, representatives, successors, and assigns.

SECTION 5: FAILURE TO COMPLY. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the approval granted in Section 2 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approval granted in Section 2 of this Ordinance unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the applicable zoning district and the applicable provisions of the Zoning Ordinance, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 6: AMENDMENTS. Any amendment to this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance for amending or granting variations.

SECTION 7: SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 8: EFFECTIVE DATE.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

1. Passage by the Village Council in the manner required by law;
2. Publication in pamphlet form in the manner required by law; and
3. The filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit C** attached to and, by this reference, made a part of this Ordinance to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance.

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 8.A.3 of this Ordinance

within 60 days after the date of passage of this Ordinance by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

PASSED this 3rd day of December, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2024.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of _____,
2024.

Introduced: December 3, 2024

Passed and Approved: _____, 2024

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

PARCEL 1:

LOT 10 AND THE WEST 10 FEET OF LOT 9 IN BLOCK 10 IN LAKE SHORE SUBDIVISION IN THE VILLAGE OF WINNETKA, IN SOUTHEAST FRACTIONAL $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

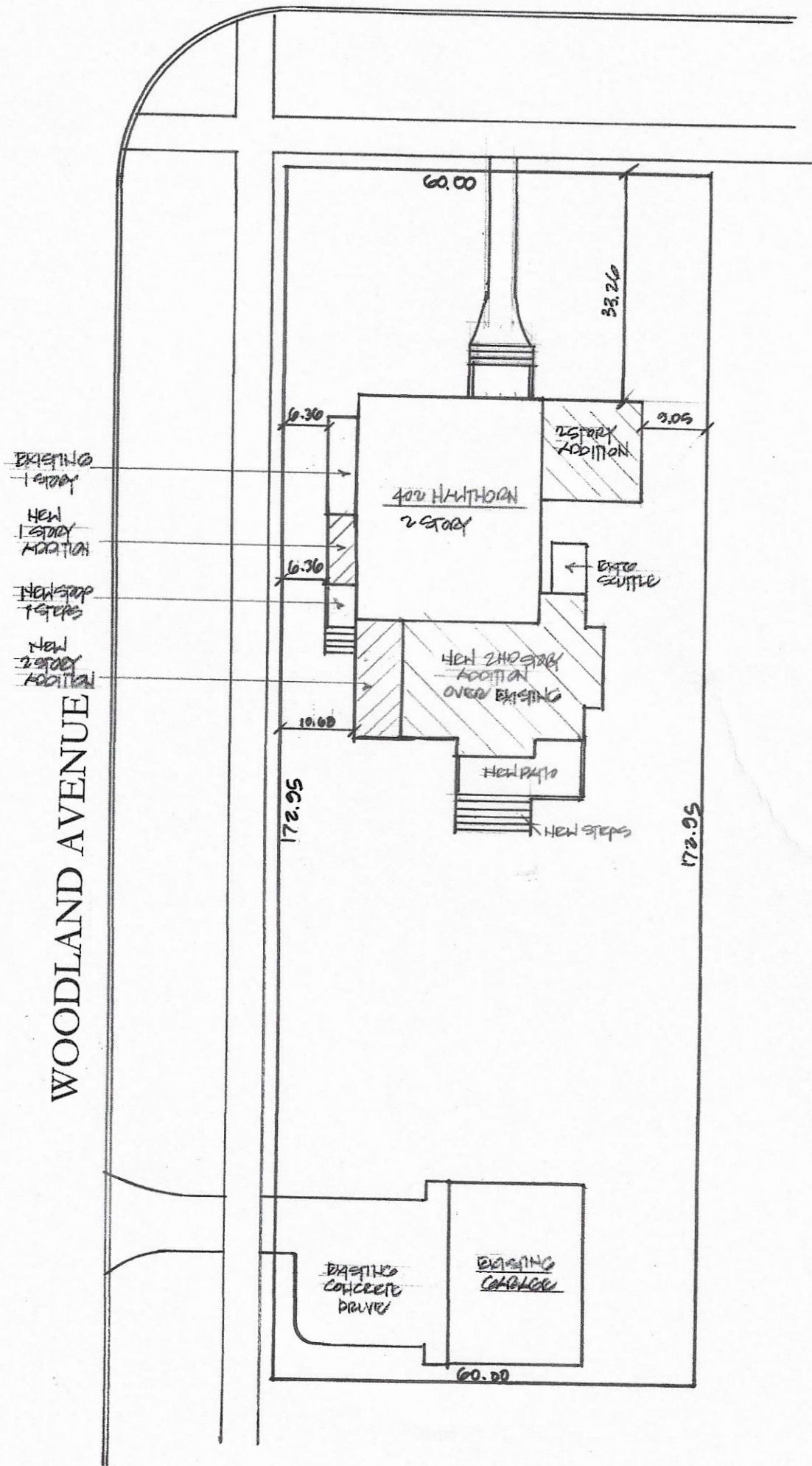
THE NORTH $\frac{1}{2}$ OF THE VACATED ALLEY, LYING SOUTH OF AND ADJOINING PARCEL 1.

Commonly known as 402 Hawthorne Lane, Winnetka, Illinois.

PIN: 05-21-407-001-0000

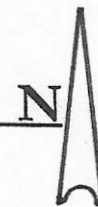
EXHIBIT B
PLANS

HAWTHORN LANE



PROPOSED SITE PLAN

1" = 20' = 0"



CLARK RESIDENCE
402 HAWTHORN LANE
WINNETKA, IL. 60093



EXISTING NORTH ELEVATION
 1/4" = 1'-0"



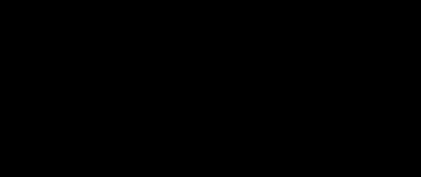
EXISTING WEST ELEVATION
 1/4" = 1'-0"



EXISTING SOUTH ELEVATION
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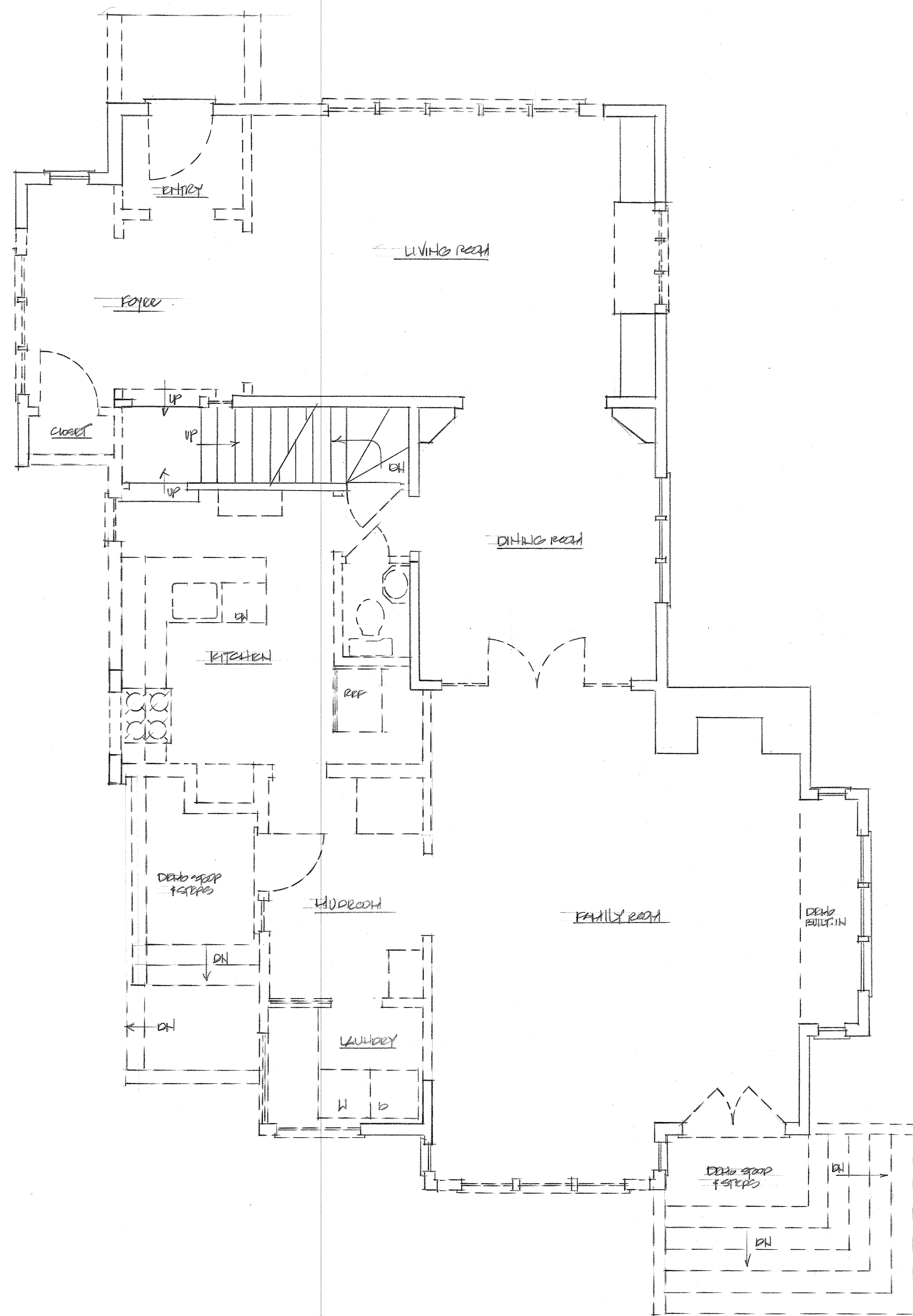
CLARK RESIDENCE
 402 HAWTHORN LN.
 WINNETKA, IL. 60093

HEALY M. RICE, PC

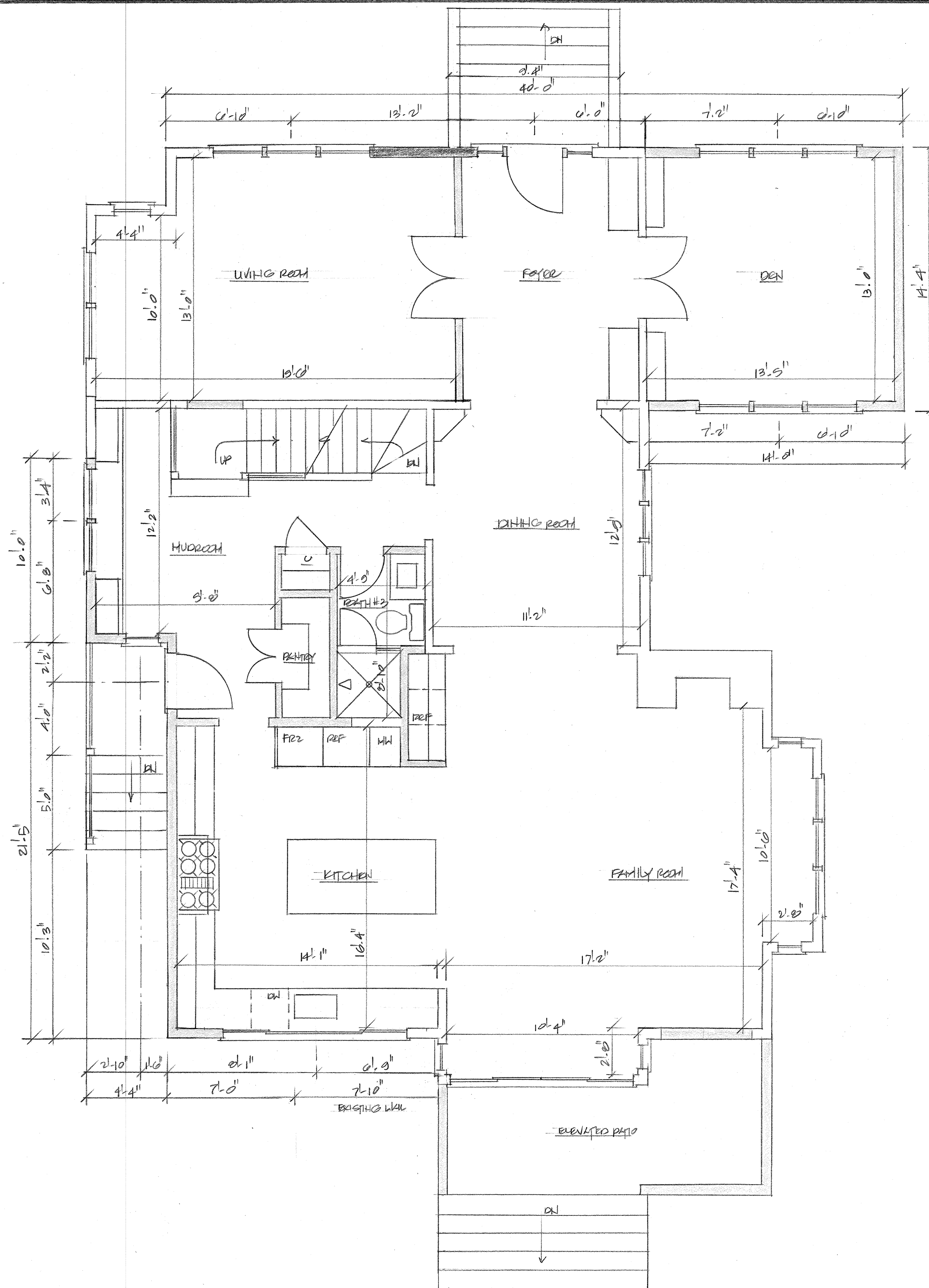


DATE 27 OCT 24
 REVISED

SHEET 1 OF 1



1ST FLOOR DEMOLITION
 1/4" = 1'-0"
 DEMOLITION

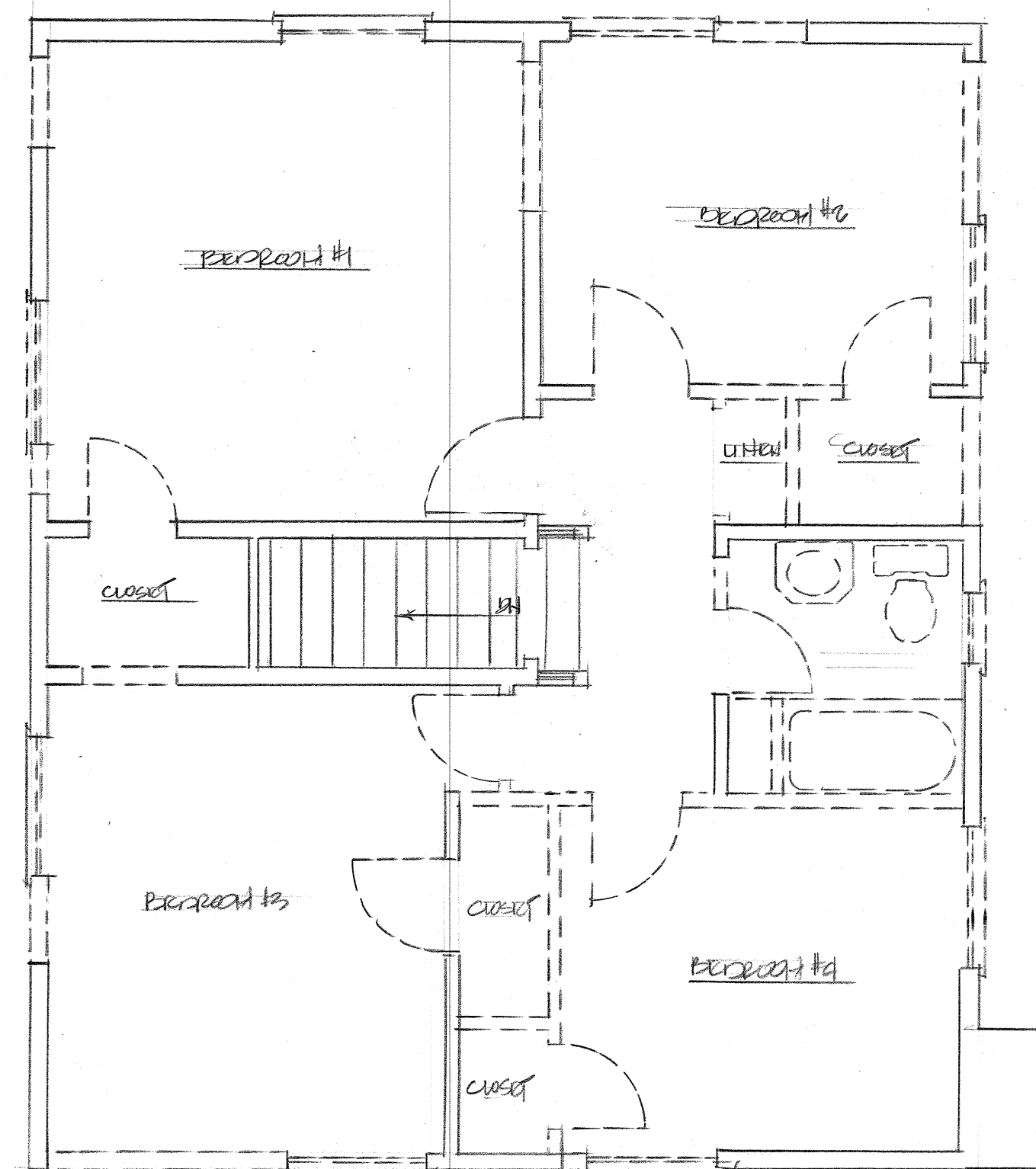


1ST FLOOR PLAN
 1/4" = 1'-0"
 NEW CONSTRUCTION

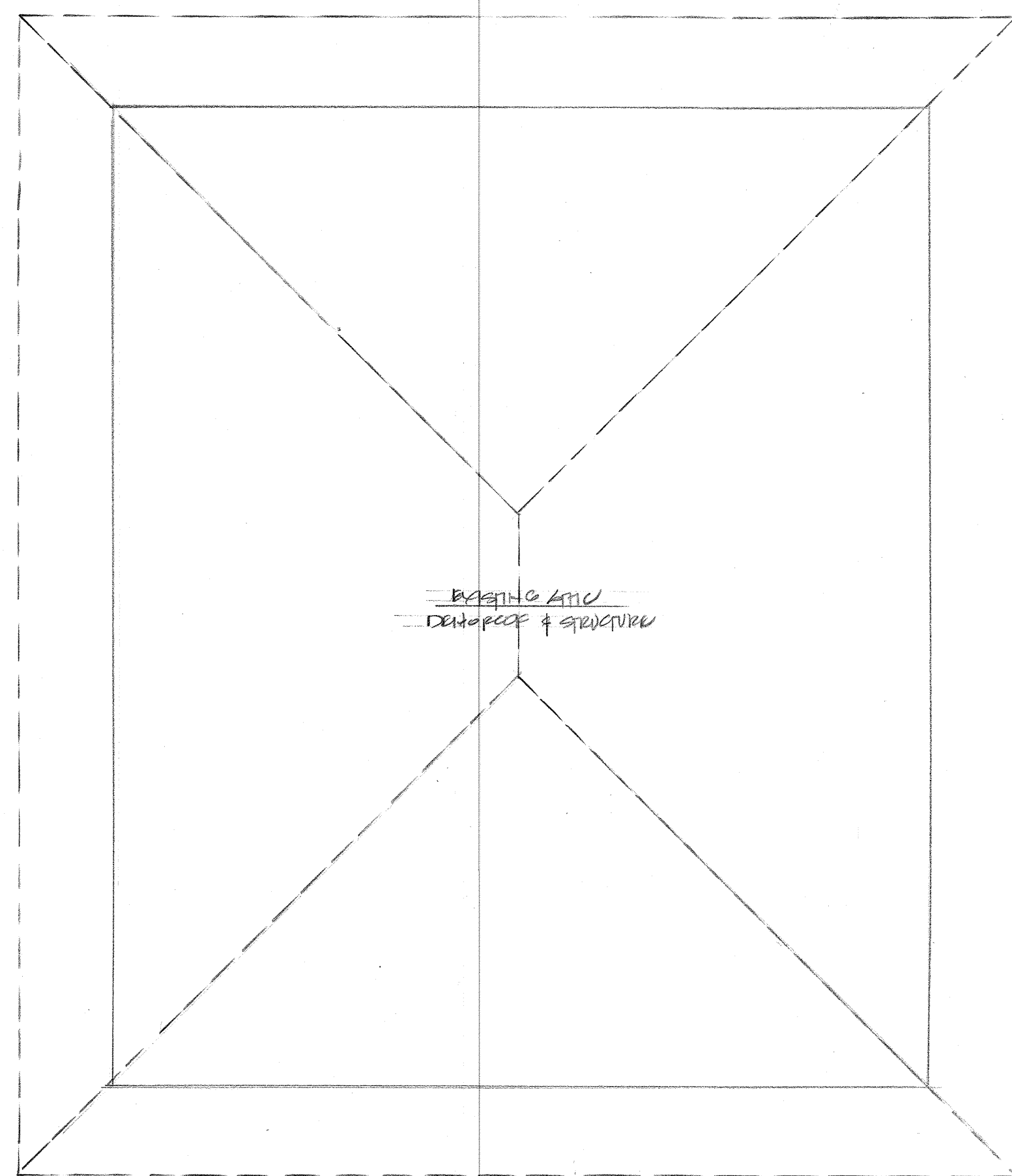
CLARK RESIDENCE
 402 HAWTHORN LANE
 WINNETKA, IL. 60093

HEALY M. RICE, P.C.

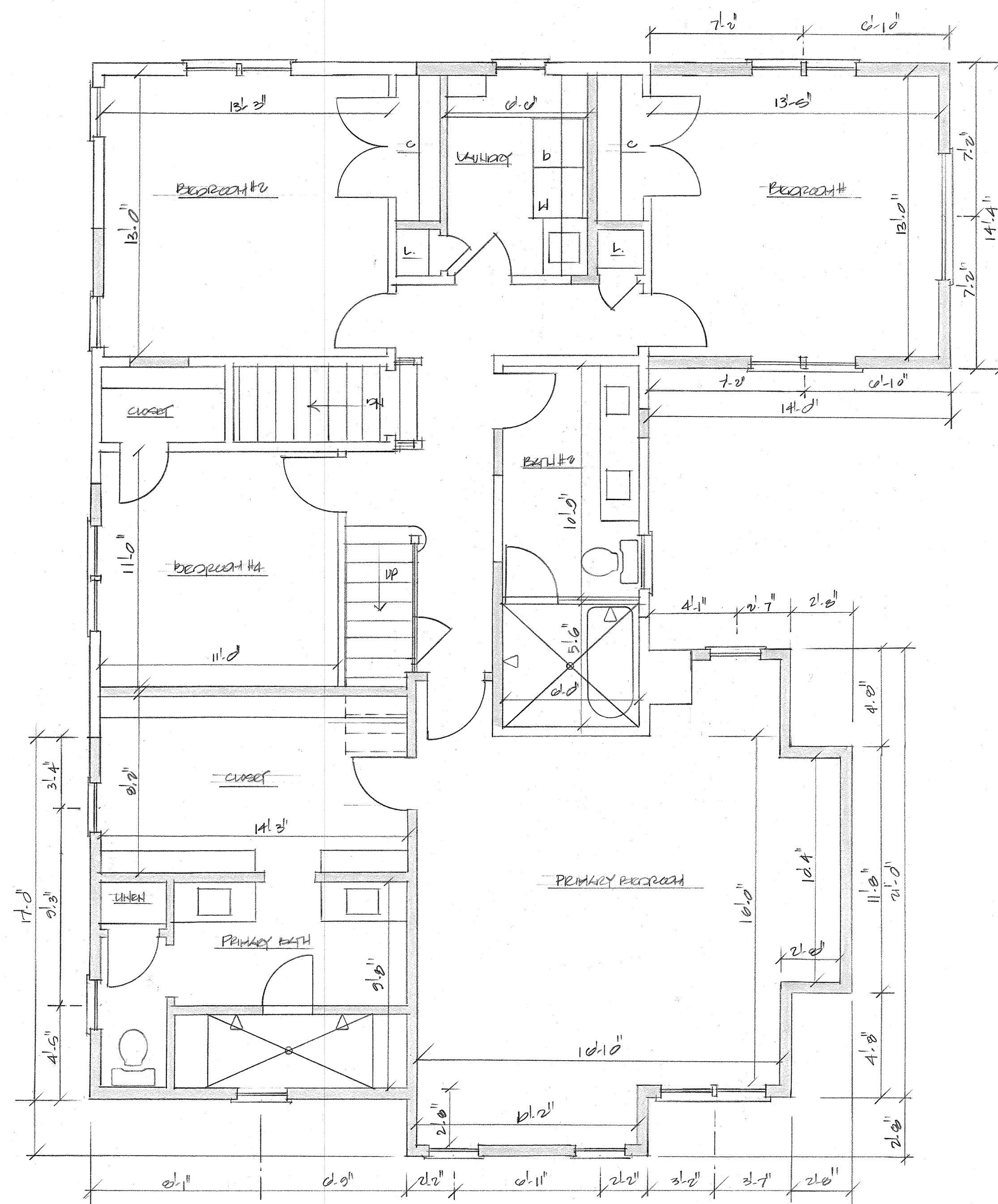
DATE 9 SEPT 24
 REVISED
 SHEET 2



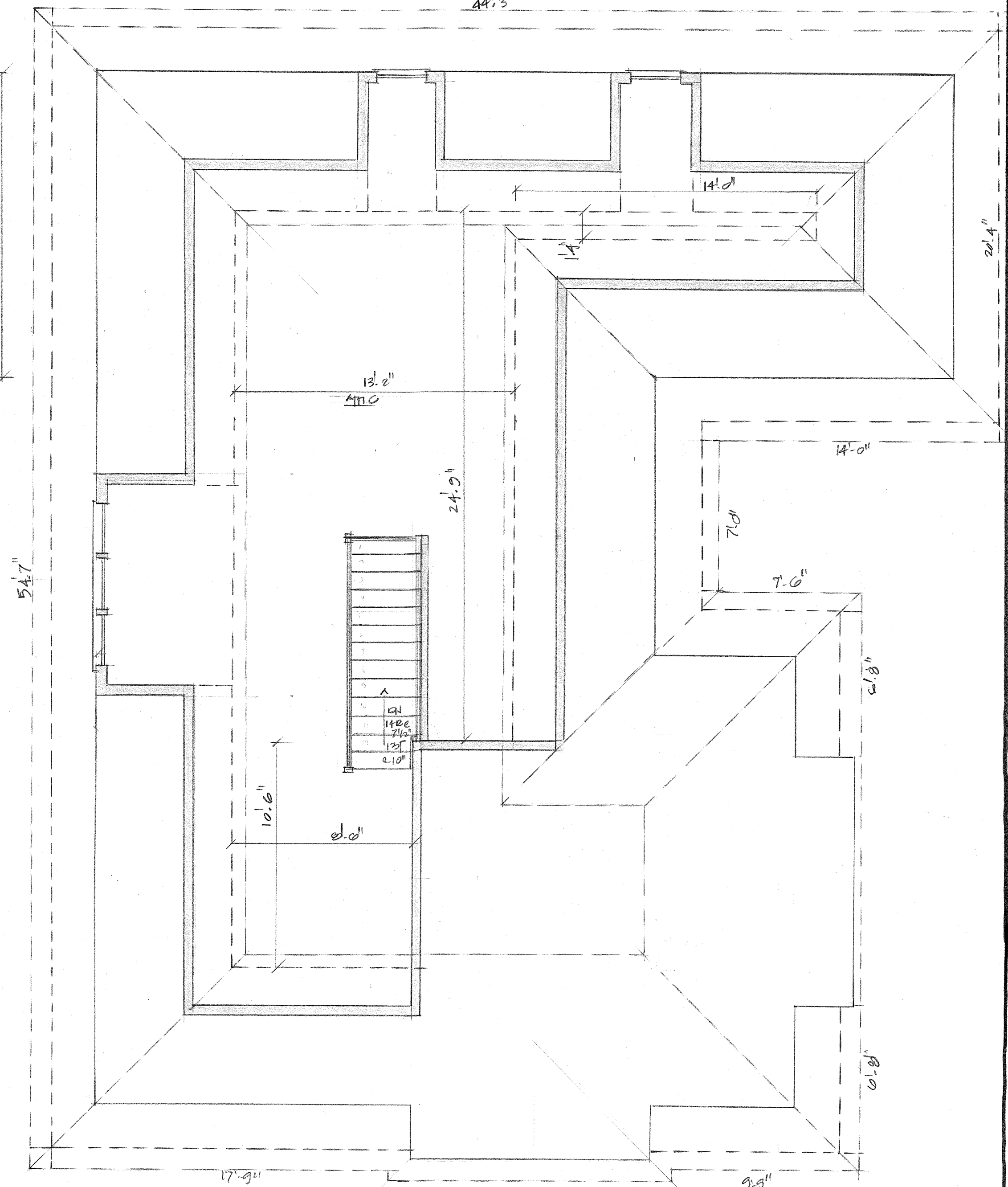
2ND FLOOR DEMOLITION
 1/4" = 1'-0"
 DEMOLITION



3RD FLOOR DEMOLITION
 1/4" = 1'-0"
 DEMOLITION



2ND FLOOR PLAN
 1/4" = 1'-0"
 NEW CONSTRUCTION



3RD FLOOR PLAN
 1/4" = 1'-0"
 NEW CONSTRUCTION

CLARK RESIDENCE
 402 HAWTHORN LANE
 WINNETKA, IL. 60093

HEALY M. RICE, P.C.

DATE
 REVISED 9 SEPT 24

SHEET 3



PROPOSED NORTH ELEVATION
1/4" = 1'-0"



PROPOSED WEST ELEVATION
1/4" = 1'-0"



PROPOSED SOUTH ELEVATION
1/4" = 1'-0"



PROPOSED EAST ELEVATION
1/4" = 1'-0"

CLARK RESIDENCE
402 HAWTHORN LANE
WINNETKA, IL. 60093

HEALY M. RICE, PC

DATE 9 SEPT 24
REVISED

SHEET 4

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Winnetka, Illinois ("**Village**");

WHEREAS, Caitlin and Patrick Clark (collectively, "**Applicant**") are the record title owners of the parcel of real property commonly known as 402 Hawthorn Lane in Winnetka, Illinois, and legally described in Exhibit A attached to and, by this reference, made a part of this Ordinance ("**Subject Property**"); and

WHEREAS, the Subject Property is approximately 0.24 acres in area and located within the R-5 Single Family Residential District of the Village ("**R-5 District**") and is improved with a single-family residence ("**Residence**"); and

WHEREAS, the Applicant desires to construct the following: (i) an addition on the first floor of the west elevation of the Residence which would consist of a kitchen and mudroom expansion; (ii) a second-floor addition on the west elevation of the Residence which would consist of a primary bedroom suite; and (iii) a two-story addition on the northeast side of the Residence which would consist of a den on the first floor and a bedroom on the second floor (collectively, "**Proposed Additions**"); and

WHEREAS, to construct the Proposed Additions on the Subject Property, the Applicant filed an application for a variation from Section 17.30.050 to allow a side yard setback of 6.3 feet from the west property line ("**Variation**"); and

WHEREAS, Ordinance No. M-17-2024, adopted by the Village Council on December 3, 2024 ("**Ordinance**"), grants the Variation; and

WHEREAS, Section 8 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant has filed, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Applicant does hereby agree and covenant as follows:

1. The Applicant hereby unconditionally agrees to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of the

Variation for the Subject Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.

4. The Applicant hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the Variation for the Subject Property.

5. The Applicant hereby agrees to pay all expenses incurred by the Village in defending itself with regard to any and all of the claims mentioned in this Unconditional Agreement and Consent. These expenses will include all out-of-pocket expenses, such as attorneys' and experts' fees, and will also include the reasonable value of any services rendered by any employees of the Village.

Dated: _____, 2024

ATTEST: **CAITLIN CLARK**

By: _____

ATTEST: **PATRICK CLARK**

By: _____



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: CHRISTOPHER MARX, ACIP – ASSOCIATE PLANNER
DATE: NOVEMBER 14, 2024
SUBJECT: 402 HAWTHORN LANE – VARIATION (CASE NO. 24-22-V2)

INTRODUCTION

On November 18, 2024, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by Caitlin and Patrick Clark (collectively, the “Applicant”), as the owners of the property located at 402 Hawthorn Lane (the “Subject Property”). The Applicant requests approval of the following zoning variation to allow construction of building additions to the existing residence on the Subject Property:

1. **Corner yard setback** of 6.3 feet from the west property line along Woodland Avenue, whereas a minimum of 18 feet is required, a variation of 11.7 feet (65%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The residence currently provides a corner yard setback of 6.3 feet].

A mail notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on October 31, 2024. As of the date of this memo, staff has not received any written comments from the public regarding this application. The Applicant has included messages of support from nearby neighbors as part of the application materials included as **Attachment C**.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant a variation to reduce a required corner yard setback for a principal building by more than 50% of the required setback.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.24 acres in size, is located on the southeast corner of the intersection of Woodland Avenue and Hawthorn Lane and contains an existing two-story residence with a detached garage (see Figure 1). The property is zoned R-5 Single Family Residential and is bordered by R-5 Single Family Residential to the west, south, and east, and by R-4 Single Family Residential to the north (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

The existing lot is a legally nonconforming corner lot that has an average lot width of 60 feet, while the minimum required average lot width for a corner lot in the R-4 District is 70 feet.

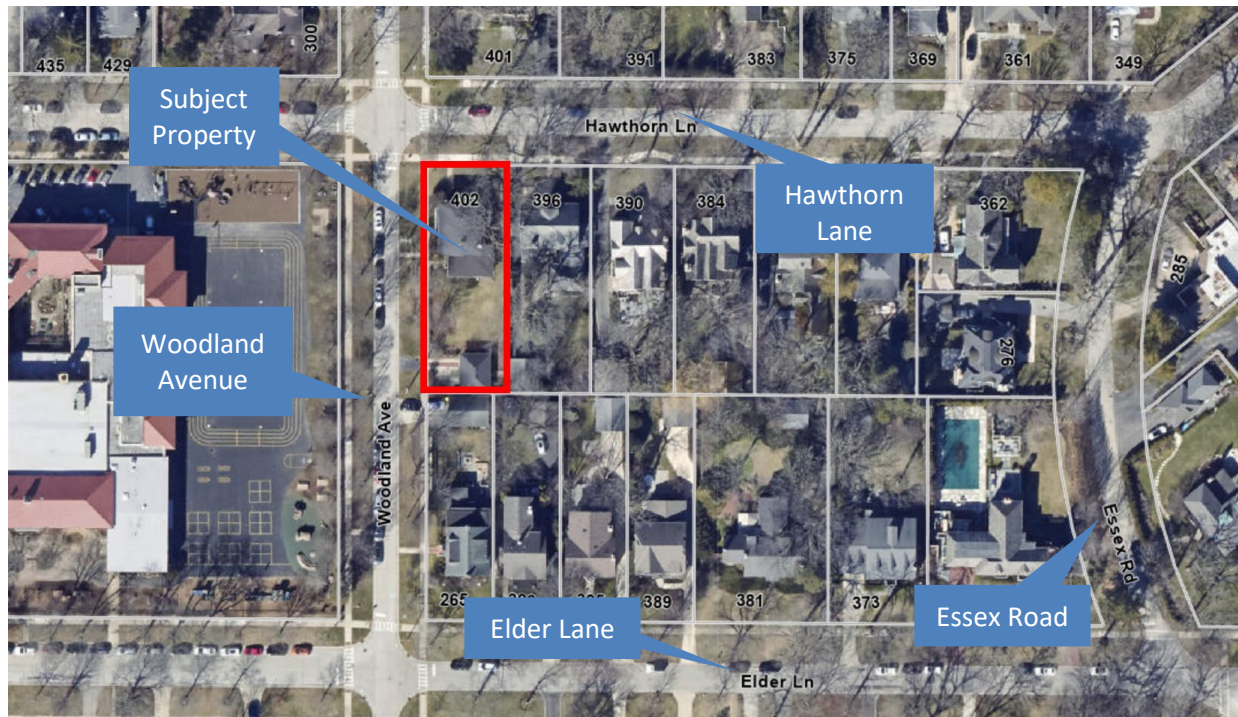


Figure 1 – GIS Aerial Map

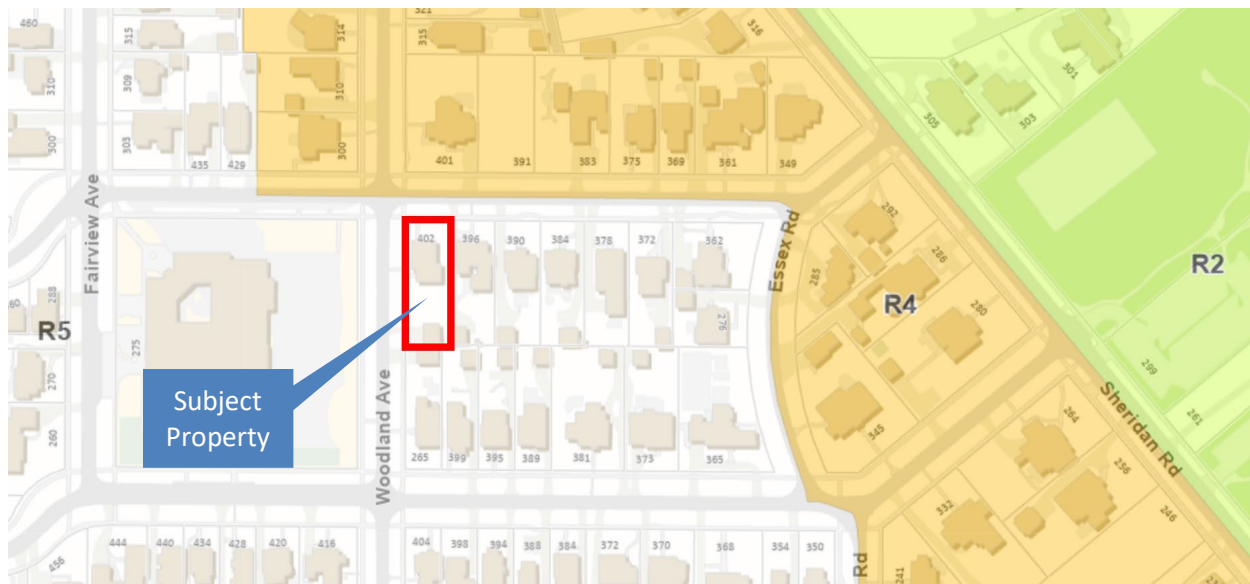


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was constructed in 1921 with subsequent additions built in 1988 and 2002. There are two (2) previous zoning cases on file, which occurred prior to the Applicant acquiring the Subject Property. In 1988 (ZBA Case No. 1407) and 2002 (ZBA Case No. 02-39-V), variations were approved to allow additions to the existing residence to provide less than the minimum required corner yard setback. Most of the existing building walls on the west façade of the house are legally nonconforming in that they encroach into the required corner yard setback of 18 feet by varying degrees with the greatest encroachment being 11.7 feet. The Applicant acquired the property in 2023 and has received a permit for tree removal.

Figures 3 through 5 below are current photos of the Subject Property.



Figure 3 – Subject Property - Front Elevation (Hawthorn Lane)



Figure 4 – Subject Property – Front and Side Elevations



Figure 5 – Subject Property – Corner Elevation (Woodland Avenue)

PROPOSED PLAN

The variation is being requested in order to construct additions on the first and second floors of the existing residence. On the west elevation of the residence, the proposed addition on the first floor would consist of a kitchen and mudroom expansion. The second-floor addition would consist of a primary bedroom suite. The Applicant's plans also include a two-story addition on the northeast side of the residence, which complies with the required setbacks. This addition would consist of a den on the first floor and a bedroom on the second floor. In total, the proposed additions represent an increase in gross floor area of 1,389 square feet. With the exception of the corner yard setback, the proposed additions comply with zoning regulations.

Excerpts of the proposed site plan, floor plans, and building elevations are provided on the following pages as **Figures 6 through 11**. The complete set of plans is provided in the application materials as **Attachment C**.

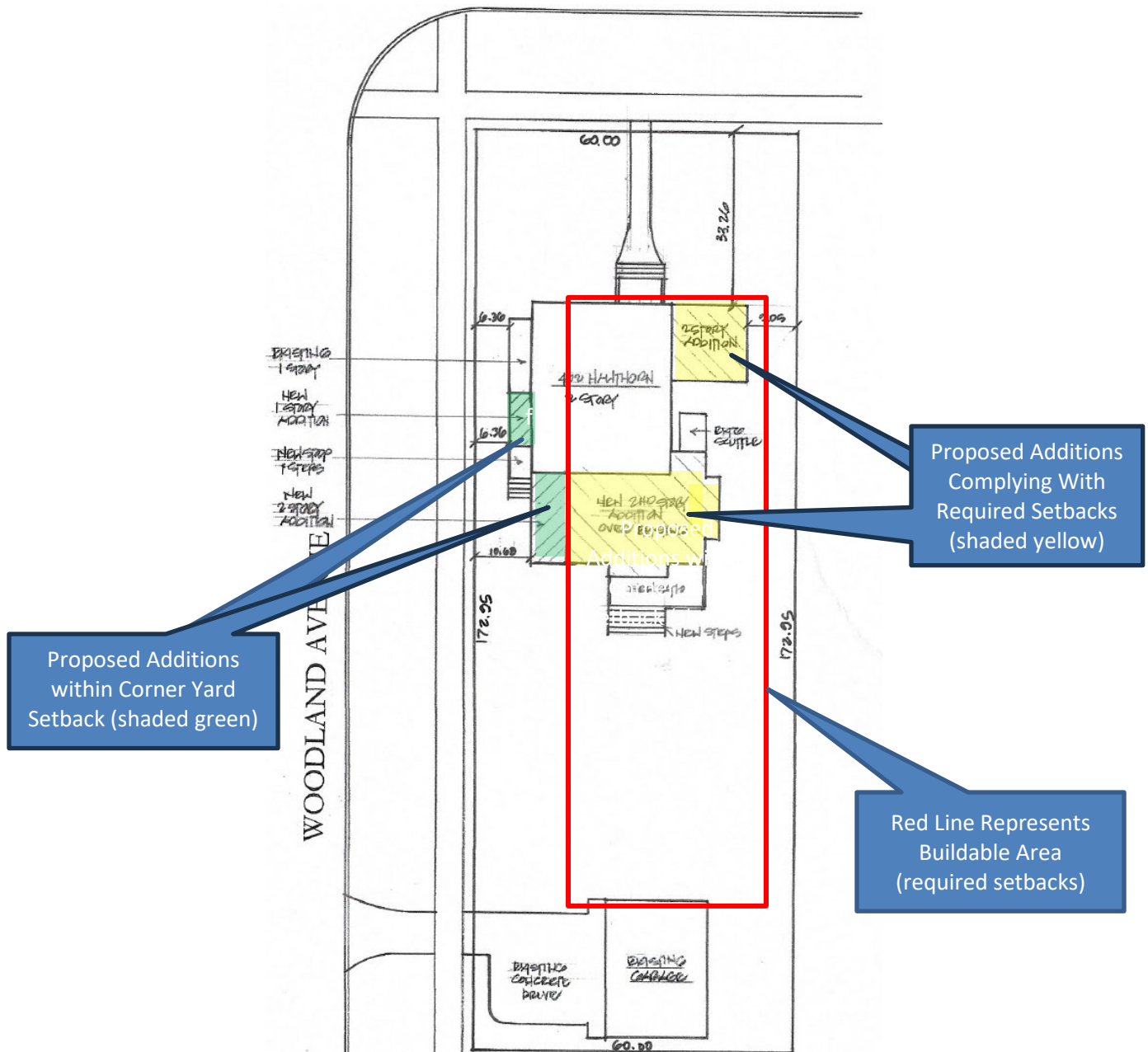
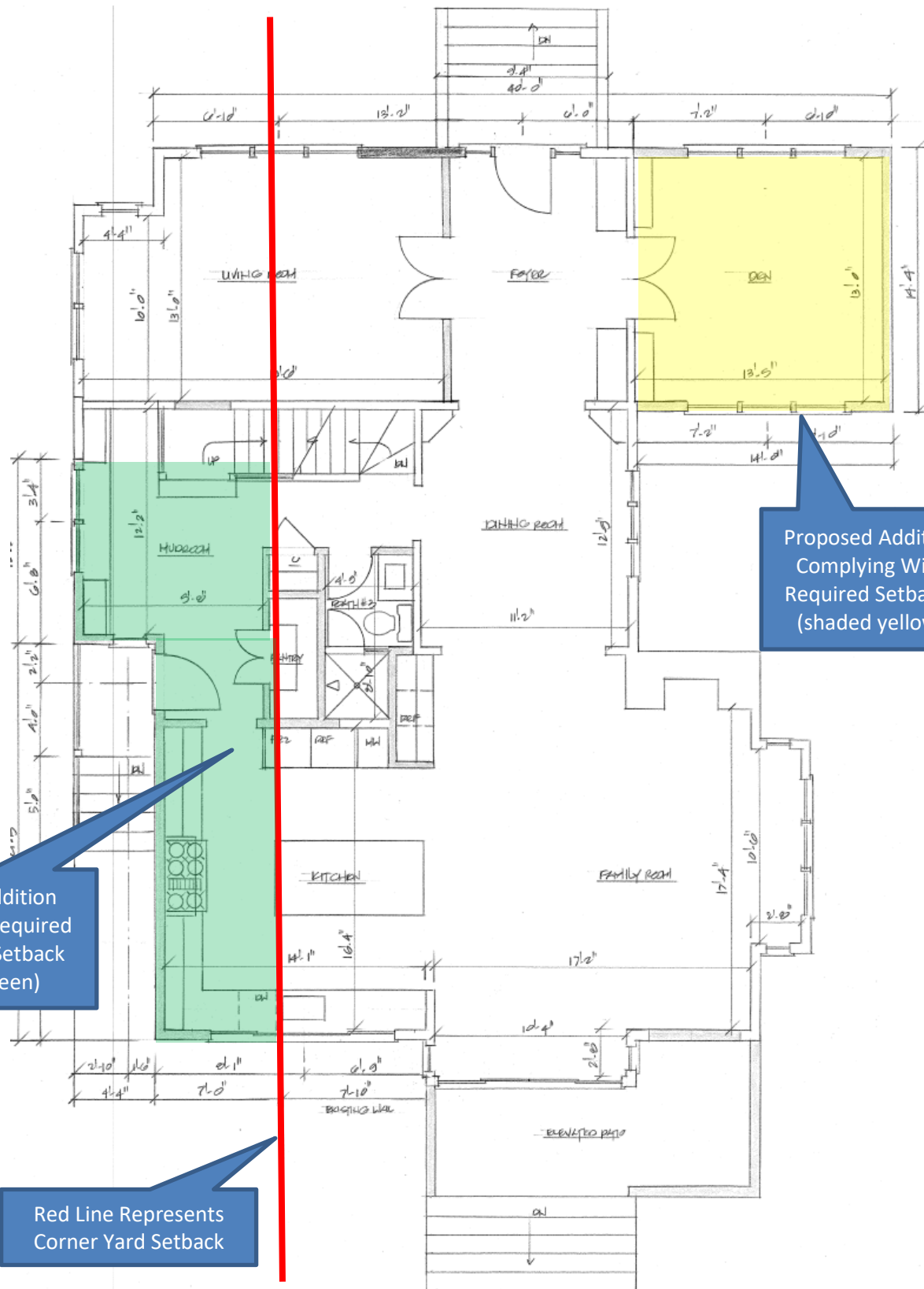


Figure 6 – Site Plan



Proposed Addition
Complying With
Required Setbacks
(shaded yellow)

Proposed Addition
Encroaching Required
Corner Yard Setback
(shaded green)

Red Line Represents
Corner Yard Setback

Figure 7 – Proposed First Floor Plan

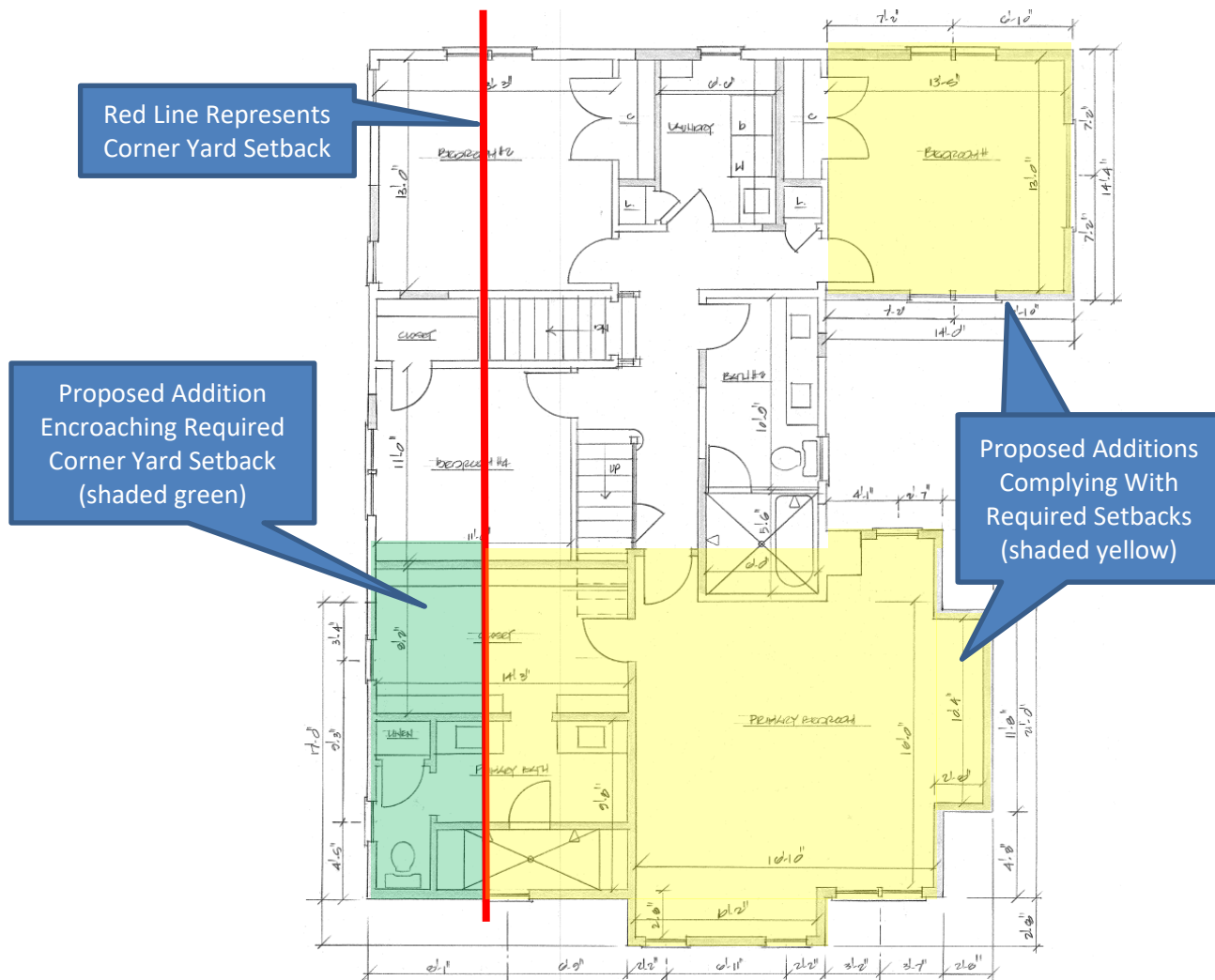


Figure 8 – Proposed Second Floor Plan



Figure 9 – Proposed Front (North) Elevation



Figure 10 – Proposed Corner (West) Elevation



Figure 11 – Proposed Rear (South) Elevation

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (**Attachment B**). Based on the proposed plan it appears additional stormwater detention would not be required. However, a final determination will be made by Village Engineering staff upon submittal of the permits necessary for the proposed improvements, which are required to comply with the Village stormwater regulations. Figure 12 on the following page represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year floodplain.

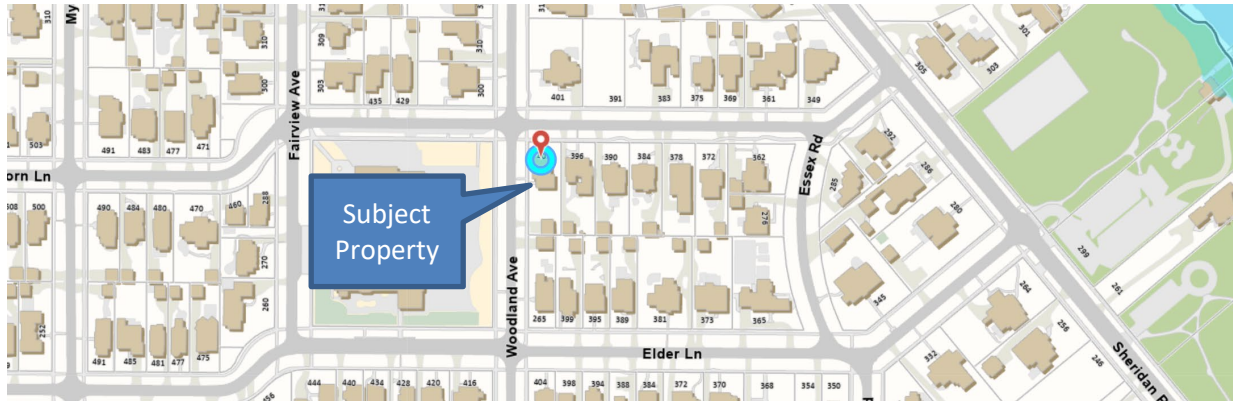


Figure 12 - GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached Zoning Matrix highlights the existing lot and the proposed improvement's compliance with the R-5 zoning district (**Attachment A**). One variation is being requested to allow the proposed additions to provide a corner yard setback of 6.3 feet from the west property line along Woodland Avenue, whereas a minimum setback of 18 feet is required, a variation of 11.7 feet (65%). The existing residence is legally nonconforming with respect to the minimum required corner yard setback as it currently provides a corner yard setback of 6.3 feet from the west property line, encroaching the minimum required setback of 18 feet by 11.7 feet. The proposed additions would not encroach any further than the existing residence.

FINDINGS

Section 17.60.040 of the Zoning Ordinance lists eight variation standards that the Board must find a variation application meets. The Applicant has supplied as part of their application materials a narrative addressing how this proposal meets these standards.

After hearing from the Applicant and the public, the Board may decide to act on one of two options:

1. Continue the public hearing to a specific date to provide the Applicant and/or staff with additional time to address questions and comments from the Board; or
2. Consider a motion recommending approval or denial of the variation. If the ZBA is prepared to make a recommendation to the Village Council regarding the requested relief, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the following variation granting:

- A. Corner Yard Setback of 6.3 feet from the west property line, whereas a minimum of 18 feet is required, a variation of 11.7 feet (65%) [Section 17.30.050 – Front and Corner Yard Setbacks].

The Zoning Board of Appeals finds, based on evidence in the record or a public document, that the variation requested is **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required pursuant to Section 17.60.050 of this Code **have been met [have not been met]** in connection with this variation application **[subject to the following conditions...]**

The eight standards to consider when granting a variation are as follows:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone.
2. The plight of the owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants.
3. The variation, if granted, will not alter the essential character of the locality.
4. An adequate supply of light and air to the adjacent property will not be impaired.
5. The hazard from fire and other damages to the property will not be increased.
6. The taxable value of the land and buildings throughout the Village will not diminish.
7. The congestion in the public street will not increase.
8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not otherwise be impaired.

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Stormwater Matrix

Attachment C: Application Materials

ATTACHMENT A

ZONING MATRIX

ADDRESS: 402 Hawthorn Lane

CASE NO: 24-22-V2

ZONING: R-5

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	8,900 SF	10,377 SF	N/A	N/A	OK
Min. Average Lot Width	70 FT	60 FT	N/A	N/A	EXISTING NONCONFORMING
Min. Lot Depth	120 FT	172.95 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	2,801.79 SF (1)	1,741 SF	2,285.2 SF	544.2 SF	OK
Max. Gross Floor Area	3,890.4 SF (1)	2,379.26 SF	3,768.54 SF	1,389.28 SF	OK
Max. Impermeable Lot Coverage	5,188.5 SF (1)	3,016.12 SF	3,600.32 SF	584.2 SF	OK
Min. Front Yard (Hawthorn/North)	30 FT	33.25 FT	33.25 FT	0 FT	OK
Min. Corner Yard (Woodland/West)	18 FT	6.3 FT	6.3 FT	0 FT	11.7 FEET (65%) VARIATION
Min. Side Yard (East)	6 FT	14 FT	9.09 FT	-4.91 FT	OK
Min. Rear Yard (South)	25 FT	89.69 FT	89.69 FT	0 FT	OK

NOTES:

(1) Based on lot area of 10,377 square feet

(2) Variation amount is the difference between proposed and requirement.

ATTACHMENT B

Stormwater Volume Requirements for Development Sites

In addition to meeting the following storm water volume detention requirements, development sites must meet all other Village storm water management requirements such as drainage and grading, storm water release rates, storage system design requirements, etc. An exception is for lots along the lakefront that directly discharge into Lake Michigan; those lots are not required to provide stormwater volume detention on-site. They are required to meet all other Village stormwater system design requirements.

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<i>Applies to 402 Hawthorn Lane.</i> <i>Based upon preliminary review of information to date, it appears that 402 Hawthorn Lane <u>would not</u> have to provide additional storm water detention volume. However, a final determination will not occur until engineering plans are submitted with a building permit application.</i>
E. Improvements to existing lots, who currently exceed maximum impermeable lot coverage (e.g., School sites, single family and multi-family sites)	The amount of additional required storm water detention volume is based upon: a) The amount of the impermeable lot coverage (ILC) currently in excess of the maximum permitted amount of ILC allowed by zoning that will be removed and replaced, and/or b) The amount of ILC in addition to what currently exists on the lot.	

ATTACHMENT B
Stormwater Volume Requirements for Development Sites

	The amount of required detention volume is then determined using the run-off coefficient for 100-year storm event.	
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VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. _____

Property InformationSite Address: 402 Hawthorn LaneOwner InformationName: Caitlin and Patrick ClarkAddress: 402 Hawthorn LaneCity, State, ZIP: Winnetka, IL 60093

Email: _____

Primary Contact: Pat Clark

Phone No. _____

Date property acquired by owner: 2024Architect InformationName: Healy M. Rice PCPrimary Contact: Healy Rice

Address: _____

City, State, ZIP: Wilmette, IL 60091

Phone No. _____

Email: _____

Attorney Information

Name: _____

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Nature of any restrictions on property: none known

Brief explanation of variation(s) requested (attach separate sheet providing additional details): _____

Side yard adjoining a street setback variation to permit construction
of 2 story addition

Property Owner Signature: _____

Date: 09/05/2024

**Caitlin and Pat Clark
402 Hawthorn Lane
Winnetka, IL 60091**

Request for Zoning Variation

402 Hawthorn Lane is located at the southeast corner of Hawthorn Lane and Woodland Avenue. We are seeking side yard setback variations of 11.64 feet in order to build a one-story addition and 7.32 feet to build a two-story addition to our legally non-conforming home. All floor area, lot coverage, impervious surface and remaining setbacks are compliant with required.

We seek this variation due to unique circumstances, hardship, and practical difficulty. The home was built in the early 1900's. The 6.36- and 10.68-foot setbacks to Woodland Avenue are original to the house, not created by us, and predate the current zoning regulations. We are proposing additions to the west side of the house to relocate our mudroom and kitchen, and to build a second-floor addition above it and our existing one-story family room to create a new primary suite. We will be going no closer to Woodland than already exists.

The home currently has a very small, outdated kitchen and tiny powder room on the first floor. An addition by previous owners in 2003 added a large family room and mudroom but did not address those areas or the second floor. On the second floor there is only one bathroom and four average sized bedrooms with mediocre closets. Our proposed addition would extend the existing one-story bump out closest to Woodland an additional 10.0 feet south to relocate the mudroom, and square up the southwest corner of the house even with the existing west wall to move the kitchen and create a more family friendly kitchen-family room connection. On the second floor we would build over the addition at the 10.68-foot setback, and the existing family room to create a new primary bath and closet above. These proposed additions provide amenities that are in keeping with other homes in the neighborhood and maintain the open and airy feel of our back yard.

The existing attic has a ridge 66" above the floor; as such is it not usable for living space. With the second floor addition needing a new roof anyway, we are proposing to remove the existing roof structure to build a new usable attic with habitable space for future expansion.

No neighboring homes will be affected by our additions, which is the main reason we felt the west side of the property made the most sense for our expansion. To the west, the Greeley School playground is directly across the street and the school building is set well away from Woodland Avenue and our house. To the north and south we are going no closer to either home than already exists, so there will be no impact to either home. To the south, our neighbor's house is also sited closer to Woodland Avenue, so the consistency on this block is also retained. To the east our proposed setback is compliant.

The proposed zoning relief does not alter the essential character of the neighborhood and will be consistent with the goals, objectives, and policies established in the zoning ordinance. The proposed variation will not impair an adequate supply of light and air to the adjacent properties, will not injure other property and its use, will not substantially increase the danger of fire, or otherwise endanger public health, safety and welfare, and will not substantially diminish or impair property values within the neighborhood. Congestion in the public street will not increase.

Thank you for your consideration.

Standards of Review:

1. **The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that district.**

The proposed addition will update the kitchen and mudroom, and provide a new primary bedroom, bathroom and closet. The existing second floor bedroom and bath configuration is original to the house and substandard for modern families. We explored options to reconfigure the existing layout and were unsuccessful without an addition. The proposed addition location is the most efficient and least impactful to the home and neighboring properties.

2. **The plight of the owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants.**

The home predates the current sideyard adjoining a street setback requirement of 30% of the lot width. The existing west wall at 6.36 feet satisfies the 10% requirement. We wish to extend the existing most non-conforming wall only 10.0 feet at one story. The proposed two-story wall and roofline at 10.68 feet from the west property line will also be no closer than already exists.

3. **The variation if granted will not alter the essential character of the locality.**

Most homes in this neighborhood have 4+ second floor bedrooms and primary suites. The addition will be in keeping with the neighborhood for properties of this size.

4. **An adequate supply of light and air to adjacent property will not be impaired.**

The proposed addition is no closer to the west property line than existing. The hipped roof shape angles away from the west to minimize bulk and maximize light and air. There is ample separation between the Greeley School playground and our property. The existing north and south setbacks of the house are unchanged at the closest points to the property lines and neighbors, so have no negative impact on these houses.

5. **The hazard from fire and other damages to the property will not be increased.**

The footprint of the house only increases modestly, and as such will not create an increase in risk of fire or other damages.

6. **The taxable value of the land and buildings throughout the Village will not diminish.**

The value of the home will improve with the addition; therefore, the taxable value of the land and buildings throughout the Village will not diminish.

7. **The congestion in the public street will not increase.**

There will be no increase in congestion in the public street.

8. **The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be otherwise impaired.**

There will be no impact to the public health, safety, comfort, morals or welfare of the inhabitants of the Village.





TH

A. P. SURVEYING COMPANY, PC.

LICENSE No. 184-003309

PROFESSIONAL DESIGN FIRM - LAND SURVEYING CORPORATION

PLAT OF SURVEY

OF

2121 PARKVIEW COURT
WILMETTE, ILLINOIS 60091
TEL: (847) 853-9354
FAX: (847) 853-9391
e-mail: apsurveying@yahoo.com

9.05

PARCEL 1:
LOT 10 AND THE WEST 10 FEET OF LOT 9 IN BLOCK 10 IN LAKE SHORE SUBDIVISION IN THE VILLAGE OF WINNETKA, IN SOUTHEAST
FRACTIONAL 1/4 OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

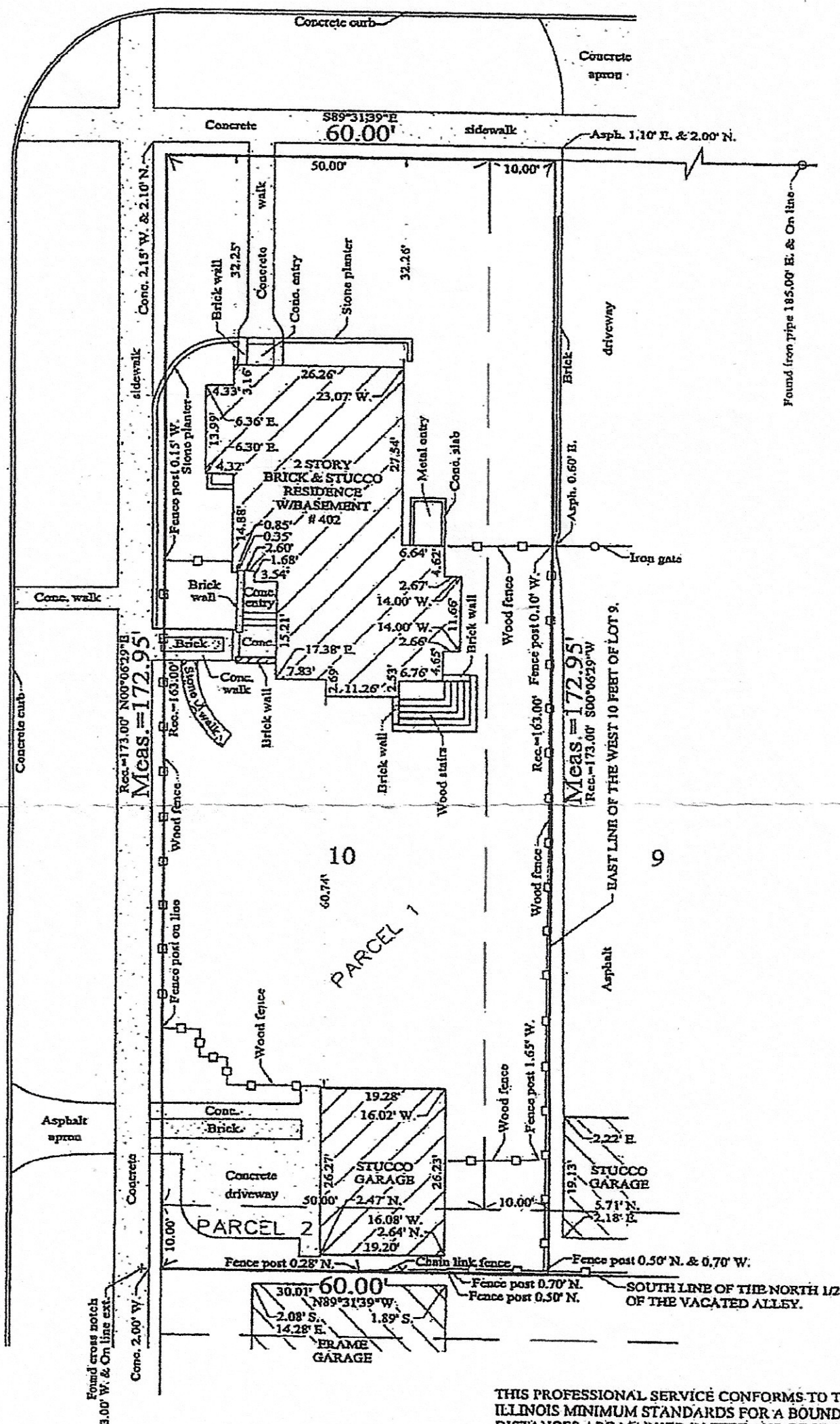
PARCEL 2:
THE NORTH 1/2 OF THE VACATED ALLEY, LYING SOUTH OF AND ADJOINING PARCEL 1

COMMONLY KNOWN AS: 402 HAWTHORN LANE, WINNETKA, ILLINOIS.

HAWTHORN LN.

AVE.

WOODLAND



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. DISTANCES ARE MARKED IN FEET AND DECIMAL PART THEREOF. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

State of Illinois s.s.
County of Cook

We, A. P. SURVEYING COMPANY, PC. do hereby certify that we have surveyed the above described property and that, to the best of our knowledge, the plat hereon drawn is an accurate representation of said survey.



PR [Redacted] 3186
License Expiration: November 30, 2022.

ATION OR WITNESS POINTS WERE NOT SET AT THE CLIENTS REQUEST.
G BASIS, AND COORDINATE DATUM IF USED IS NAD83 SPC IL. EAST ZONE
TMENT).
COMMITMENT NO.: 22GCO023177SK WAS FURNISHED FOR THIS SURVEY.
S ARE NOT TO BE ASSUMED FROM SCALING.

22-9340

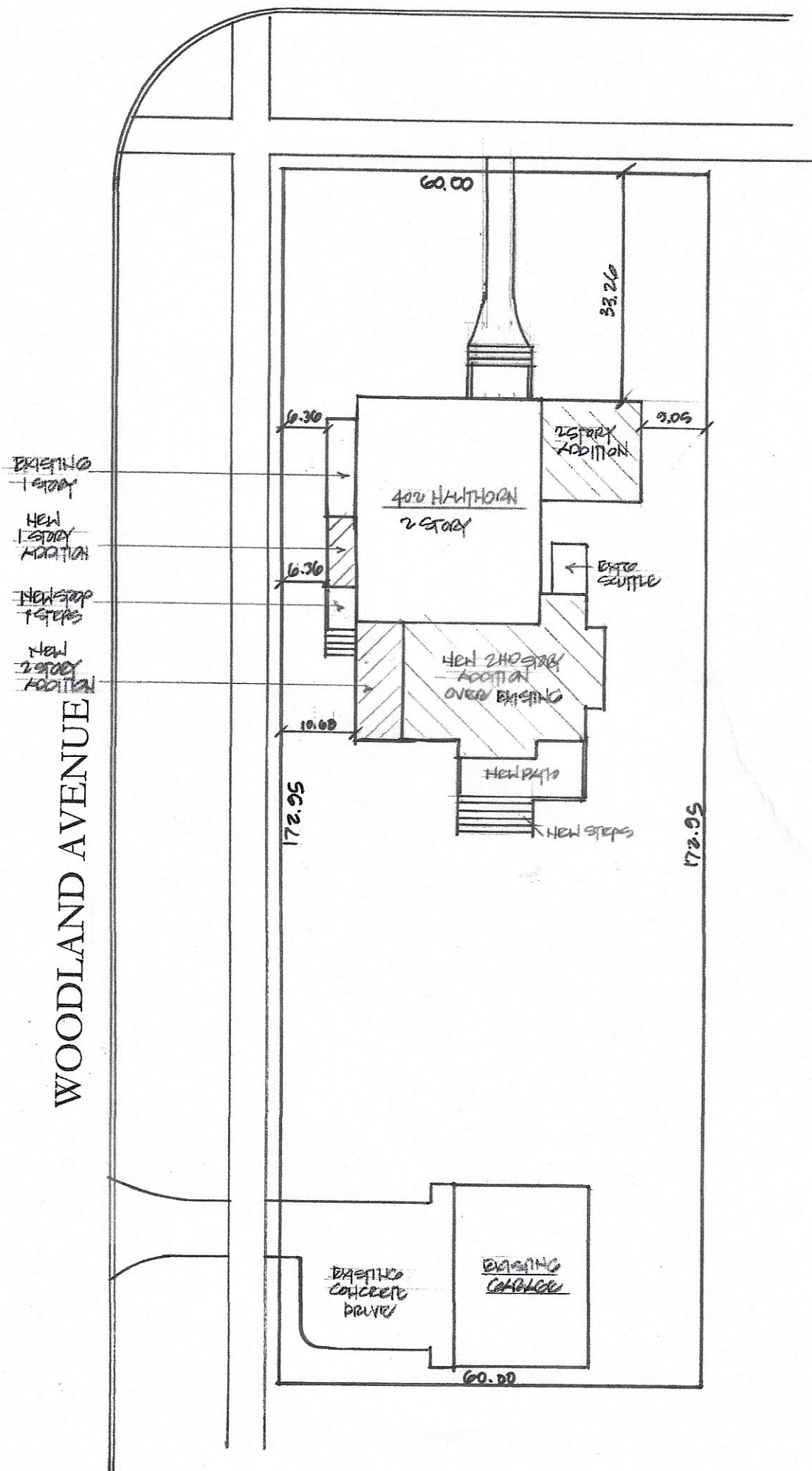
20

MAY 17, 2022.

ZUCKER & BOYER, LTD.

ATTORNEYS AT LAW

HAWTHORN LANE



PROPOSED SITE PLAN

1" = 20'-0"



CLARK RESIDENCE
402 HAWTHORN LANE
WINNETKA, IL. 60093



EXISTING NORTH ELEVATION
 $\frac{1}{4}" = 1'-0"$



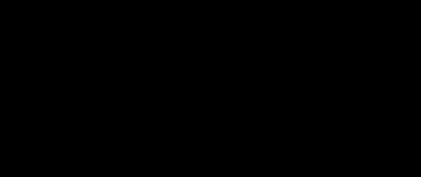
EXISTING WESTELEVATION
 $\frac{1}{4}" = 1'-0"$



EXISTING SOUTH ELEVATION
 $\frac{1}{4}" = 1'-0"$

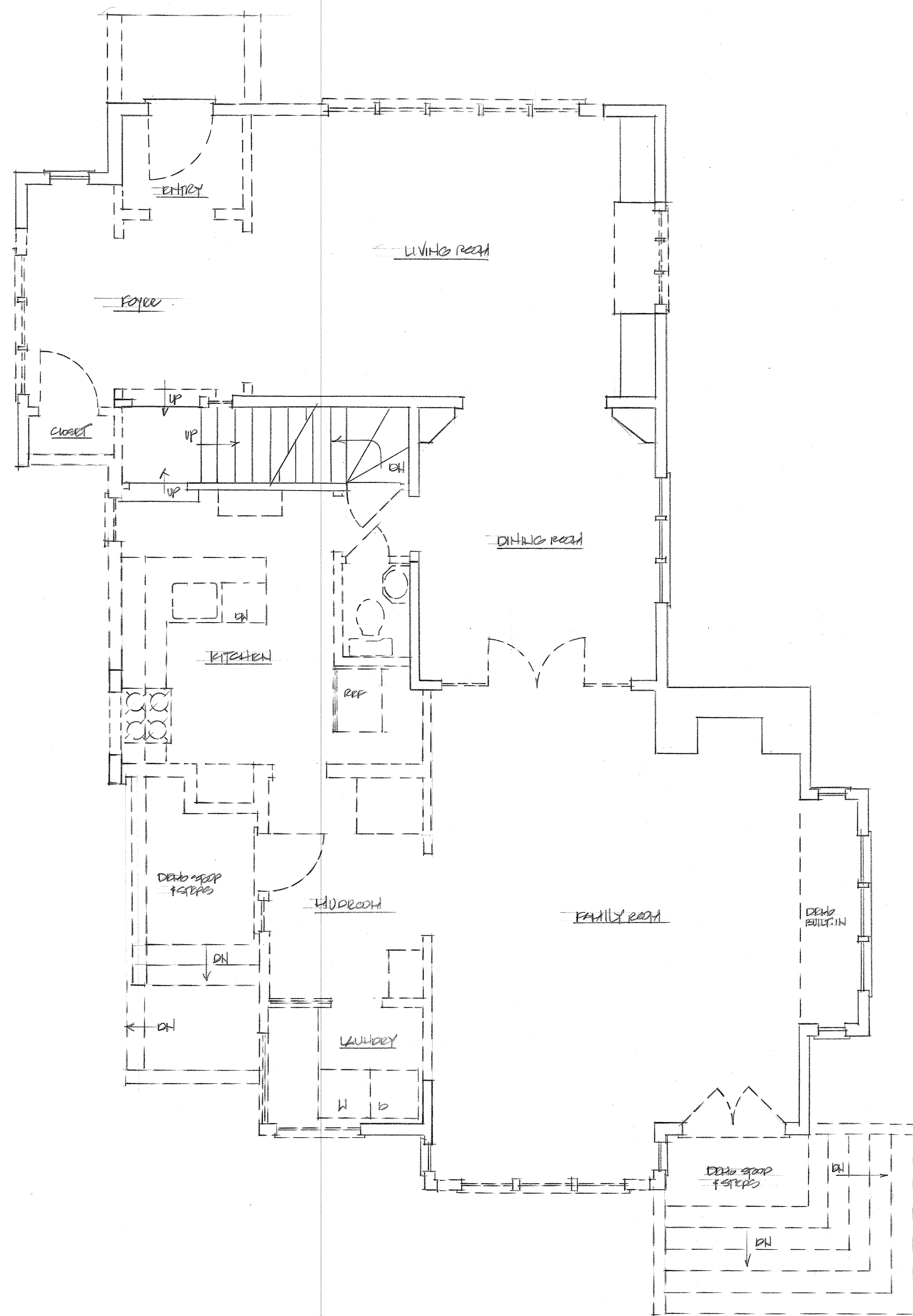
CLARK RESIDENCE
 402 HAWTHORN LN.
 WINNETKA, IL. 60093

HEALY M. RICE, PC

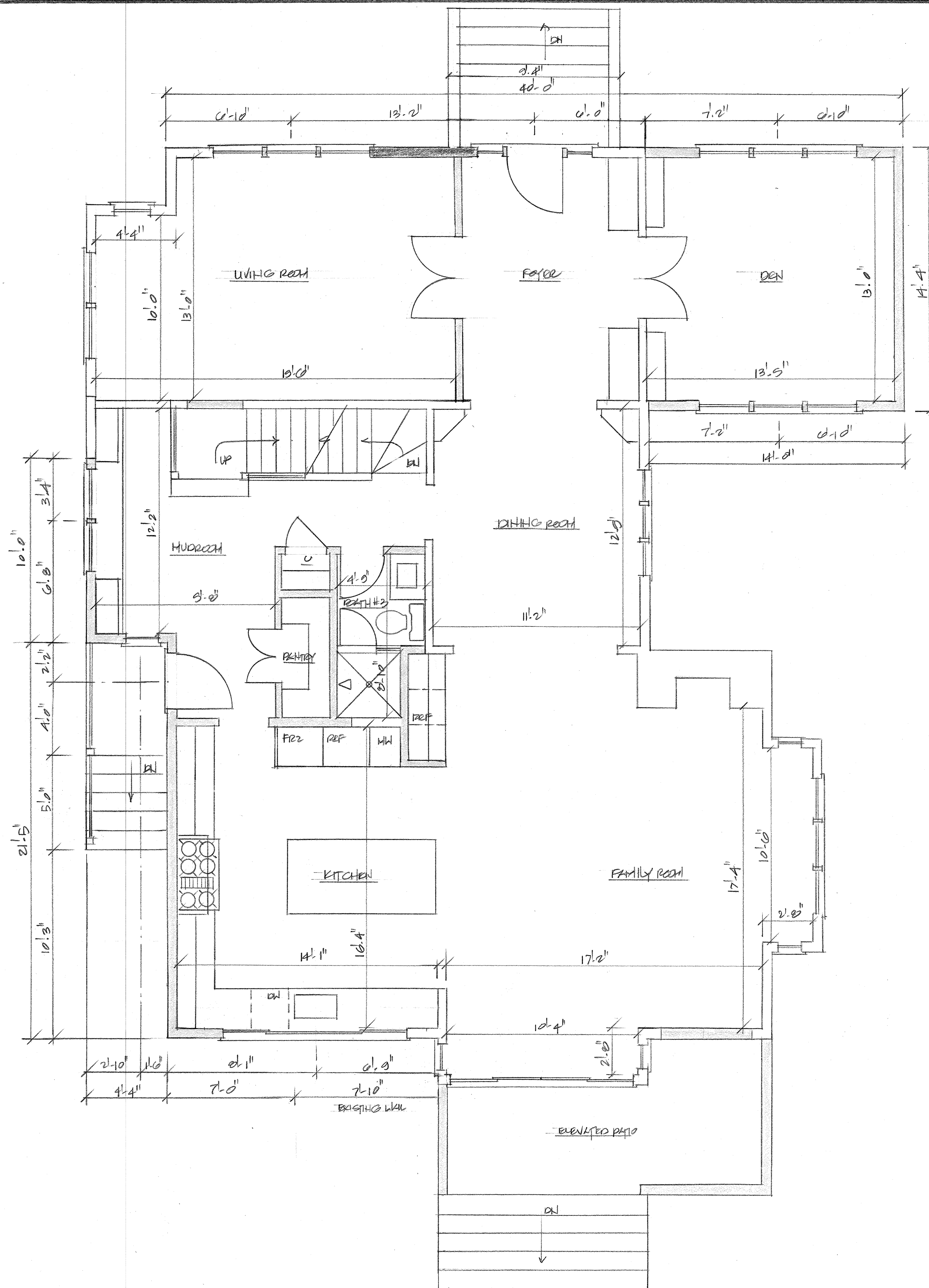


DATE 27 OCT 24
 REVISED

SHEET 1 OF 1



1ST FLOOR DEMOLITION
 1/4" = 1'-0"
 DEMOLITION



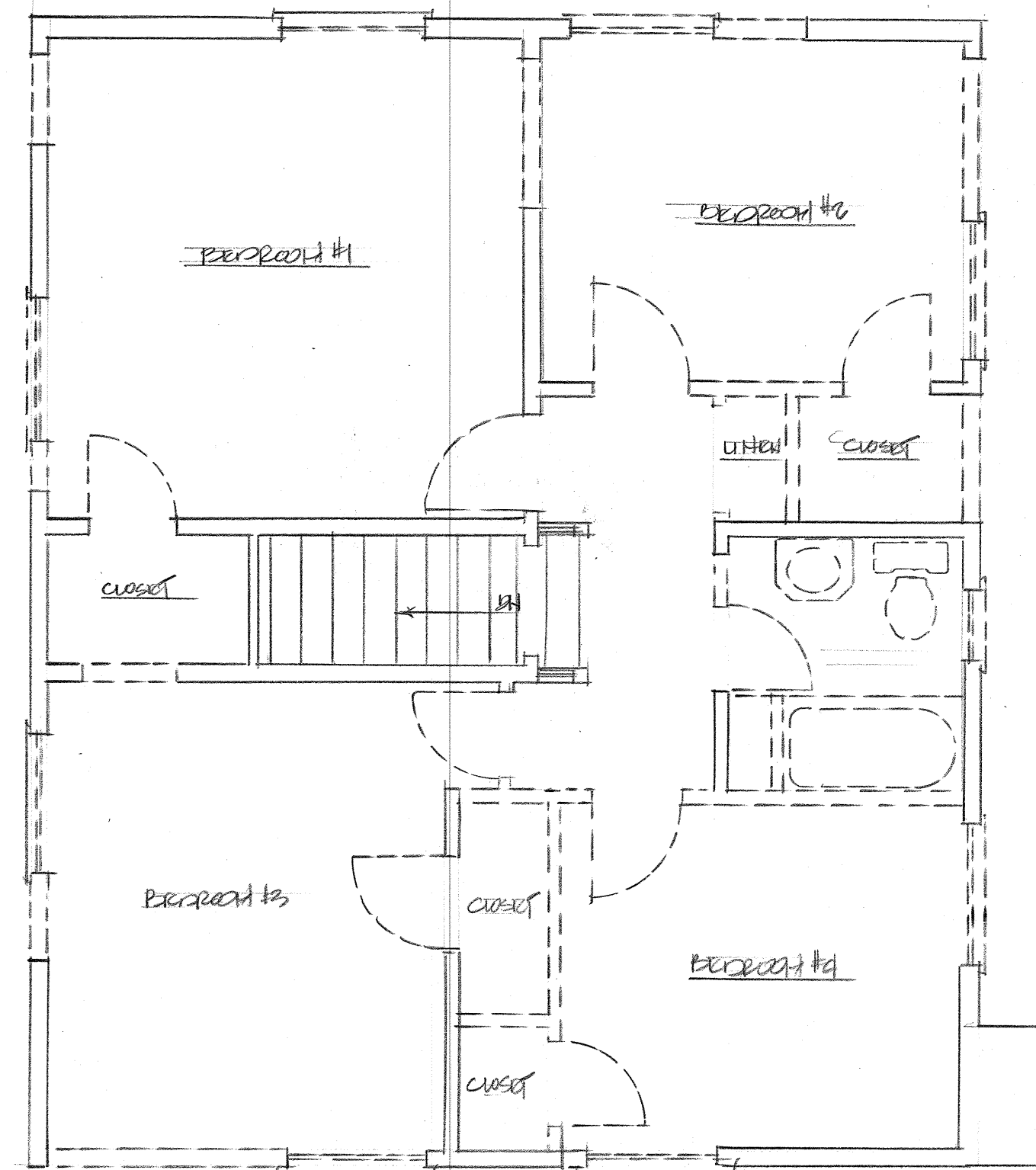
1ST FLOOR PLAN
 1/4" = 1'-0"
 NEW CONSTRUCTION

CLARK RESIDENCE
 402 HAWTHORN LANE
 WINNETKA, IL. 60093

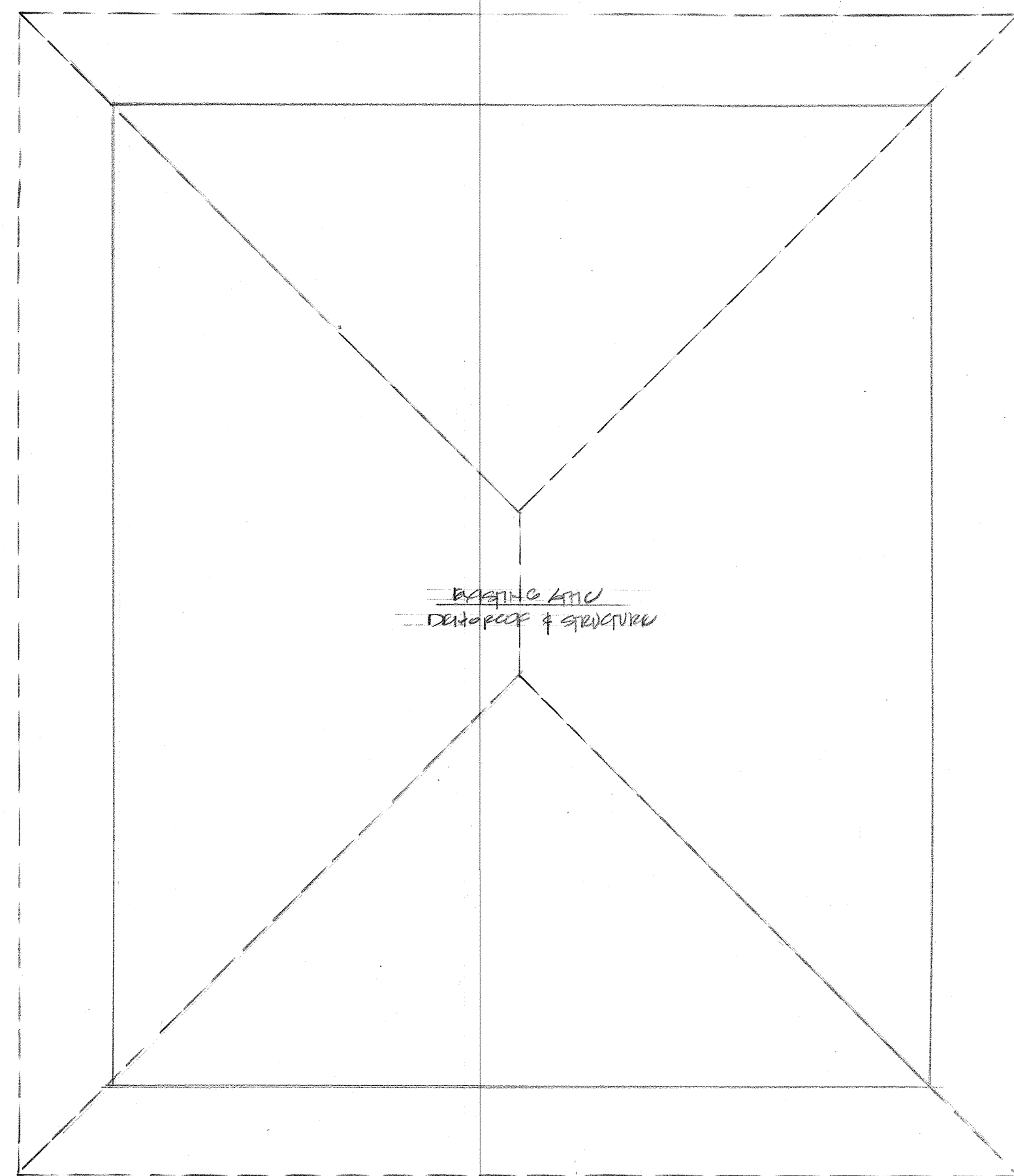
HEALY M. RICE, P.C.

DATE 9 SEPT 24
 REVISED

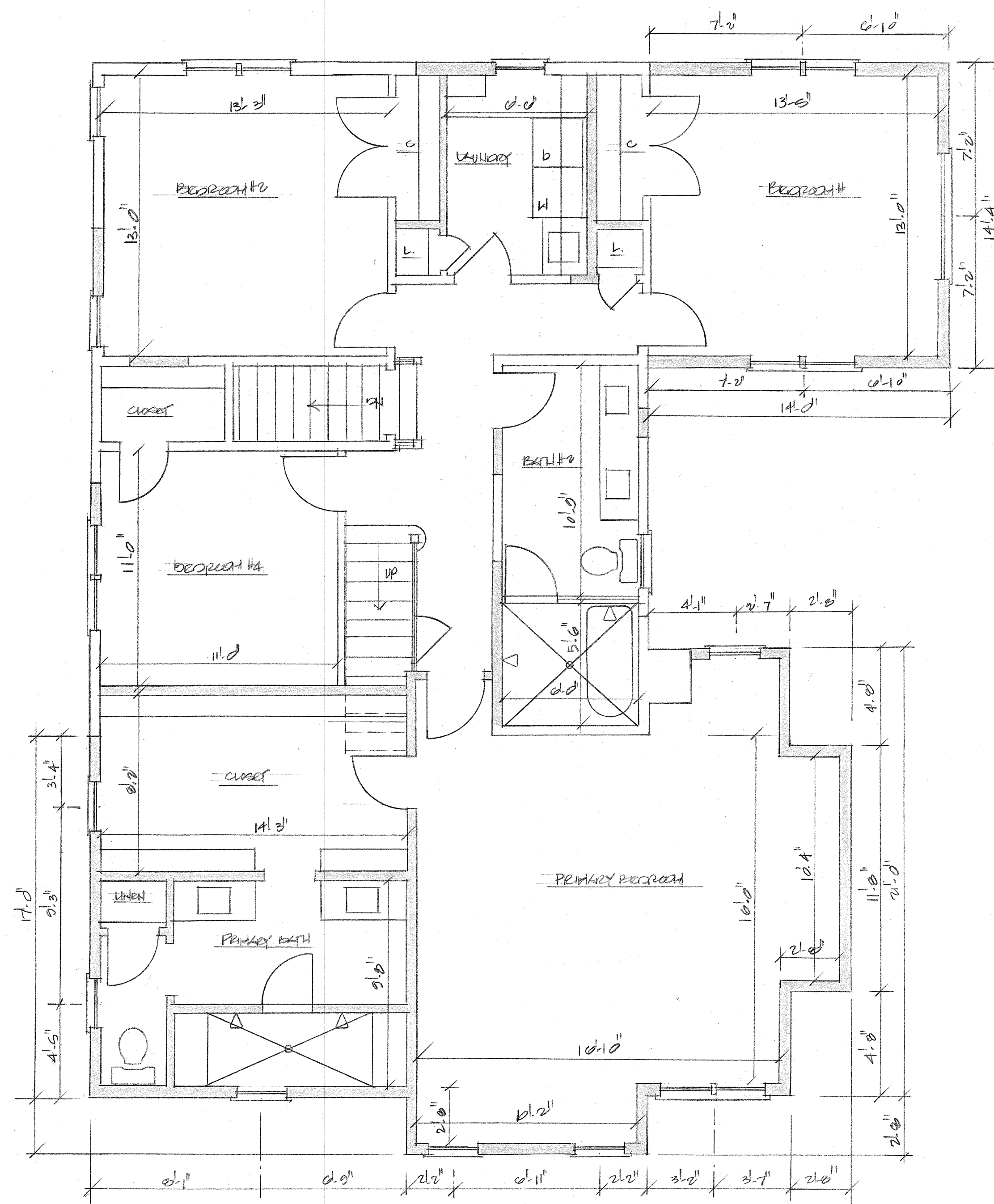
SHEET 2



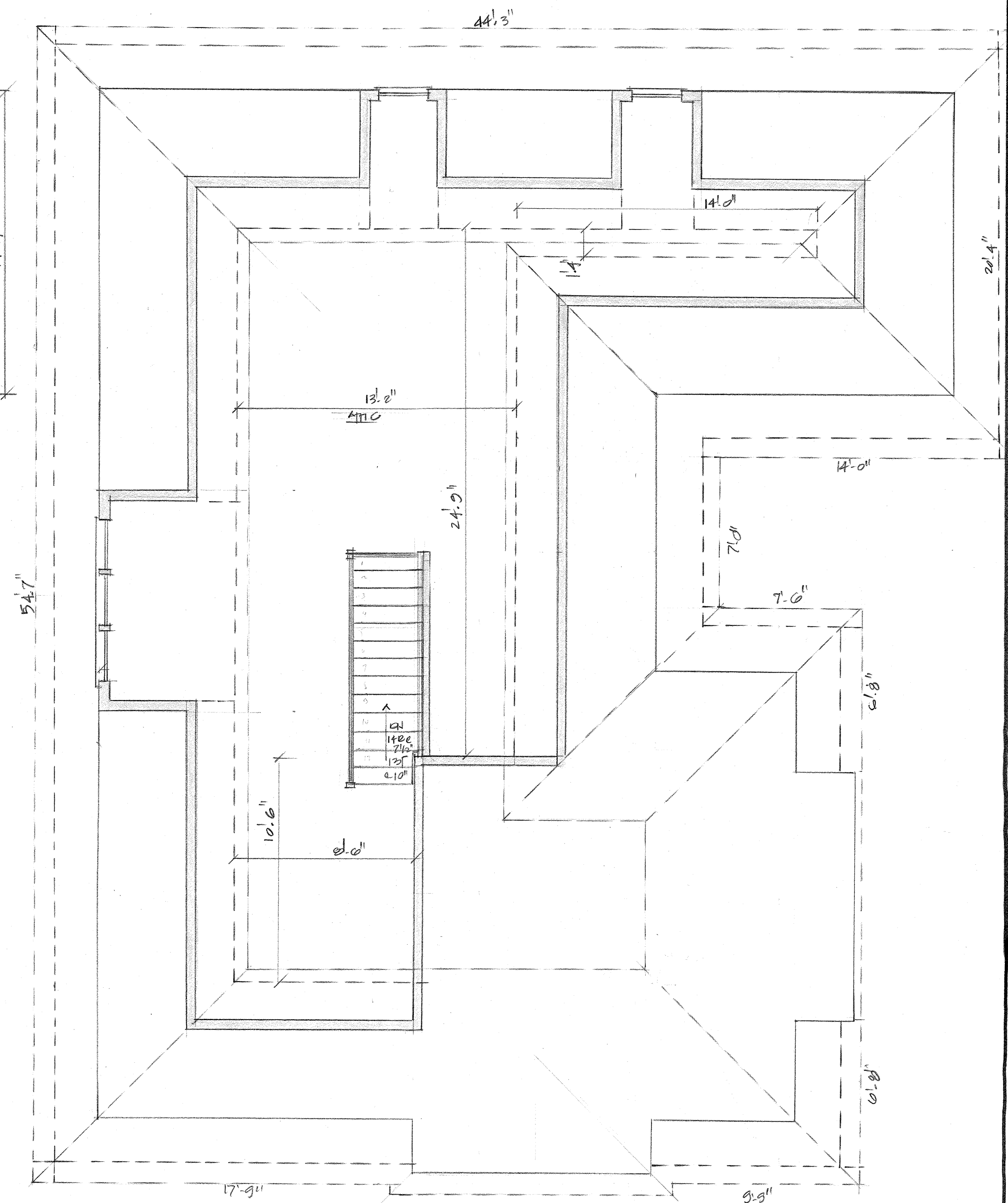
2ND FLOOR DEMOLITION
 1/4" = 1'-0"
 DEMOLITION



3RD FLOOR DEMOLITION
 1/4" = 1'-0"
 DEMOLITION



2ND FLOOR PLAN
 1/4" = 1'-0"
 NEW CONSTRUCTION



3RD FLOOR PLAN
 1/4" = 1'-0"
 NEW CONSTRUCTION

CLARK RESIDENCE
 402 HAWTHORN LANE
 WINNETKA, IL. 60093

HEALY M. RICE, P.C.

DATE
 REVISED 9 SEPT 24

SHEET 3



PROPOSED NORTH ELEVATION
 $\frac{1}{4}" = 1'-0"$



PROPOSED WEST ELEVATION
 $\frac{1}{4}" = 1'-0"$



PROPOSED SOUTH ELEVATION
 $\frac{1}{4}" = 1'-0"$



PROPOSED EAST ELEVATION
 $\frac{1}{4}" = 1'-0"$

CLARK RESIDENCE
 402 HAWTHORN LANE
 WINNETKA, IL. 60093

HEALY M. RICE, P.C.

DATE 9 SEPT 24
 REVISED

SHEET 4

From: [REDACTED]
To: [Christopher Marx](#)
Cc: [REDACTED]
Subject: Fwd: 402 Hawthorn Renovation
Date: Thursday, November 7, 2024 9:57:50 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Chris,
Forwarding you confirmation from the adjacent neighbors to Pat and Caitlin Clark supporting their variation request.
Thank you

----- Forwarded message -----

From: Pat Clark <[REDACTED]>
Date: Thu, Nov 7, 2024 at 9:00 AM
Subject: Fwd: 402 Hawthorn Renovation
To: Healy Rice <[REDACTED]>
Cc: KK <[REDACTED]>

Message from Ben & Allison Butler - 265 Woodland Ave

Pat

Begin forwarded message:

From: Bennet Butler <[REDACTED]>
Date: October 30, 2024 at 8:16:53 PM CDT
To: Patrick Clark <[REDACTED]>
Cc: KK <[REDACTED]>
Subject: Re: 402 Hawthorn Renovation

Sounds good guys... good luck with the renovation

On Wed, Oct 30, 2024 at 8:12 PM Patrick Clark <[REDACTED]> wrote:
Dear Neighbors,

First, Caitlin and I would like to thank you for making our first year plus at the corner of Hawthorn and Woodland one of our best yet. We are incredibly grateful to have such welcoming neighbors.

Now that we have buttered you up, we would like to inform you and ideally get your blessing on our upcoming renovation. In November (tentative date of 11/18) we will be requesting a variance from the Winnetka Zoning Board. The

From: [REDACTED]
Cc: [REDACTED]
Subject: Fwd: ZBA Application - 402 Hawthorn
Date: Thursday, November 7, 2024 9:59:15 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Also support from Hawthorn neighbors across the street.
Thanks!

----- Forwarded message -----

From: Pat Clark <[REDACTED]>
Date: Thu, Nov 7, 2024 at 9:01 AM
Subject: Re: ZBA Application - 402 Hawthorn
To: Healy Rice <[REDACTED]>
Cc: KK <[REDACTED]>

Messages from Frank and Laura Kastelic - 401 Hawthorn Lane.

Pat

Begin forwarded message:

From: Frank Kastelic <[REDACTED]>
Date: November 5, 2024 at 6:34:07 PM CST
To: Laura Kastelic <[REDACTED]>
[REDACTED]
Subject: Re: 402 Hawthorn Renovation

Agreed. Best of luck with the variance and remodel!

Frank J. Kastelic
[REDACTED]

From: Laura Kastelic <[REDACTED]>
Sent: Tuesday, November 5, 2024 6:05:26 PM
To: Patrick Clark <[REDACTED]>
Cc: KK <[REDACTED]> Frank Kastelic
[REDACTED]
Subject: Re: 402 Hawthorn Renovation

Hi Patrick and Caitlin,

You have our full support for your renovation project at 402 Hawthorn Ln. The plans look beautiful and the variance request seems very reasonable. Please let us know if you need anything else from us.

Good luck!

Laura and Frank

Sent from my iPad

On Oct 31, 2024, at 9:24 AM, Patrick Clark [REDACTED] wrote:

It has come to our attention that our attempt to highlight the attached floor plans failed. Here is a screenshot of the drawings—the highlighted area should now be visible. Sorry about that!

-Pat and Caitlin

> On Oct 30, 2024, at 9:12 PM, Patrick Clark [REDACTED] wrote:

>

> Dear Neighbors,

>

> First, Caitlin and I would like to thank you for making our first year plus at the corner of Hawthorn and Woodland one of our best yet. We are incredibly grateful to have such welcoming neighbors.

>

> Now that we have buttered you up, we would like to inform you and ideally get your blessing on our upcoming renovation. In November (tentative date of 11/18) we will be requesting a variance from the Winnetka Zoning Board. The variance would allow us to bump out our mud room and kitchen on the west side of our property (Woodland Ave). The mud room bump out will be in line with the current single story bump out, and the kitchen extension will be in line with the SW corner of the two story structure. We have attached the drawings submitted with our application and highlighted the two areas. Please feel free to reach out with any questions.

>

> All the best,

>

> Pat and Caitlin

>

>

From: [REDACTED]
To: [Christopher Marx](#)
Cc: [REDACTED]
Subject: Fwd: 402 Hawthorn Renovation
Date: Friday, November 15, 2024 8:49:15 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see email below from neighbors directly to the east

Pat

Begin forwarded message:

From: Mark Kowalczyk <[REDACTED]>
Date: November 15, 2024 at 8:44:03 AM CST
To: Patrick Clark <[REDACTED]>
[REDACTED]
Cc: Agnieszka Kowalczyk <[REDACTED]>
Subject: RE: 402 Hawthorn Renovation

Dear Caitlin, Patrick,

Thanks so much for reaching out to us and informing us of your upcoming project. As a next door neighbor @ 396 Hawthorn we fully support your project and are happy that you make the neighborhood more beautiful. Please let us if we could be of any assistance in the upcoming approval process.

Best regards,

Mark and Agnieszka

-----Original Message-----

From: Patrick Clark <[REDACTED]>
Sent: Wednesday, October 30, 2024 8:12 PM
To: KK <[REDACTED]>
Subject: 402 Hawthorn Renovation

Dear Neighbors,

First, Caitlin and I would like to thank you for making our first year plus at the corner of Hawthorn and Woodland one of our best yet. We are incredibly grateful to have such welcoming neighbors.

Now that we have buttered you up, we would like to inform you and ideally get your blessing on our upcoming renovation. In November (tentative date of 11/18)

WINNETKA ZONING BOARD OF APPEALS SPECIAL MEETING MINUTES
NOVEMBER 18, 2024

Zoning Board Members Present:

Matt Bradley, Chairman
Mark Haller
Lynn Hanley
Kathryn Leister
Todd Vender

Zoning Board Members Absent:

Kate Casale MacNally
Kathryn Leister
Mike Nielsen

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Assistant Director of Community Development
Christopher Marx, Associate Planner

**Special Minutes of the Zoning Board of Appeals
November 18, 2024**

a. Case No. 24-22-V2: 402 Hawthorn Lane: An application seeking approval of a variation to allow construction of additions to the existing residence at 402 Hawthorn Lane. The requested variation would permit the proposed additions to provide less than the minimum required corner yard setback from the west property line along Woodland Avenue. The Village Council has final jurisdiction on this request.

Mr. Marx identified the property's location, zoning classification, size and noted the home is legally nonconforming due to the western corner setback encroachment off Woodland Avenue. He referred to property photographs and various elevations, the plat-of-survey and proposed site plan. Mr. Marx described the first and second floor proposed additions and identified the areas which would encroach into the setbacks. He also identified the variation relief being requested noting the proposed addition would not be closer than the existing building to the west property line on Woodland Avenue. Mr. Marx referred to proposed elevation renderings with the encroaching additions highlighted. He referred to page nos. 33 and 34 in terms of the Board's recommendations and stated that following the applicant's presentation and public comment, the Board may make a motion to approve or deny or to continue the request. Mr. Marx noted one public comment was received after the agenda packet was provided to the Board as well as other correspondence provided by the applicant that was included in the application materials of the agenda packet. He then asked if there were any questions. No questions were raised at this time.

Chairman Bradley asked for the applicant's presentation. Healy Rice (previously sworn in), the architect for the project, stated she is representing the property owners, Caitlin and Patrick Clark, and identified the setback variations and proposed additions to the nonconforming existing home. She described the rooms contained in the proposed addition as well as how the proposed addition would be attached and square up the home. Ms. Rice then stated that surrounding property owners who are supportive of the request and asked if there were any questions. No questions were raised at this time.

Chairman Bradley asked for public comment. No comments were made at this time. He then called the matter in for discussion.

Ms. Hanley described the request as straightforward and the encroachment into the setback would not increase. She stated she would be in favor. Mr. Haller referred to the neighbors' support and Greeley School across the street. He stated there would be no visual effect and he would be in favor. Ms. Leister agreed with the comments made and stated she would also be in favor of the request which would modernize the older home. Chairman

1 Bradley stated he also is in favor of the request and commented the proposal is being done in a thoughtful
2 manner. He added all of the standards have been met.
3

4 Chairman Bradley then asked for a motion to recommend approval. A motion was made by Mr. Haller and
5 seconded by Ms. Hanley. A vote was taken and the motion unanimously passed, 5 to 0:

6 AYES: Bradley, Haller, Hanley, Leister, Vender

7 NAYS: None
8
9

DRAFT

ATTACHMENT 3

From: [REDACTED]
To: [Planning](#)
Subject: Case No. 24-22-V2 (402 Hawthorn Lane)
Date: Sunday, November 17, 2024 2:51:31 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Having received notice from the Village of this public hearing, I am writing to you in support of this project. Nice to see this house invested in, rather than torn down.

Sincerely,
Susan Curry
375 Hawthorn Lane

Sent from my iPad



Agenda Item Executive Summary

TITLE: Ordinance No. M-18-2024: An Ordinance 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 (270 Birch Street) (Introduction)

PRESENTER: Ann Klaassen

AGENDA DATE: December 3, 2024

CONSENT: No

ITEM TYPE: Ordinances and Resolutions

ITEM HISTORY:

None

EXECUTIVE SUMMARY:

INTRODUCTION

On December 3, 2024, the Village Council is scheduled to consider Ordinance No. M-18-2024 in response to an application submitted by Spencer and Alexandra Kaehler (collectively, the "Applicant") as the owners of the property located at 270 Birch Street (the "Subject Property"). (**Attachment 1**) The Applicant requests approval of the following zoning variation to allow construction of an addition to the existing residence on the Subject Property:

1. **Front Yard Setback** of 16.25 feet from the easterly property line along Birch Street, whereas a minimum of 50 feet is required, a variation of 33.75 feet (67.5%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The residence currently provides a front yard setback of 49.55].

The Applicant requests the variation in order to construct a one-story attached garage addition on the front elevation of the existing residence. There is an existing front-facing attached two-car garage that would be converted into storage space and an entrance vestibule. The proposed garage would accommodate three vehicles and would be side-loaded, with the garage doors facing the interior of the lot, not the street.

ADVISORY BOARD/COMMISSION REVIEW

The Zoning Board of Appeals (ZBA) considered the request on November 18, 2024. **Attachment 2** includes the staff report to the ZBA and the meeting minutes, which summarize the request. There was one public comment received prior to the ZBA meeting in support of the request which is included in Attachment 2. One member of the public spoke at the meeting in opposition to the request and also submitted a written comment, which is provided in **Attachment 3**. After hearing from the Applicant and the public, the Board discussed the request. Four members found the proposed garage befitting to the size of the existing residence as well as the neighborhood in general. One member found the

proposed encroachment into the front yard to be too significant. Ultimately, by a vote of 4-1, the Board recommended approval of the request.

RECOMMENDATION:

Given the ZBA recommendation of approval was not unanimous, on the Council's agenda is only the introduction of Ordinance No. M-18-2024. Consideration of the adoption of the ordinance would occur at a future meeting.

ATTACHMENTS:

1. Ordinance No. M-18-2024: Granting a Variation from the Zoning Ordinance to Allow the Construction of an Addition to an Existing Residence (270 Birch)
2. November 13, 2024, ZBA Staff Report and Attachments, and November 18, 2024, ZBA Draft Meeting Minutes
3. Public Correspondence

ATTACHMENT 1

ORDINANCE NO. M-18-2024

AN ORDINANCE 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 (270 Birch Street)

WHEREAS, Spencer and Alexandra Kaehler (collectively, “*Applicant*”) are the record title owners of the parcel of real property commonly known as 270 Birch Street in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance (“*Subject Property*”); and

WHEREAS, the Subject Property is approximately 0.87 acres in area and located within the R-2 Single Family Residential District of the Village (“*R-2 District*”) and is improved with a single-family residence (“*Residence*”); and

WHEREAS, the Applicant desires to construct a one-story attached garage addition on the front elevation of the Residence (“*Proposed Addition*”); and

WHEREAS, pursuant to Section 17.30.050 of the Winnetka Zoning Ordinance (“*Zoning Ordinance*”), the minimum required front yard setback for the Subject Property is 50 feet; and

WHEREAS, to construct the Proposed Addition on the Subject Property, the Applicant filed an application for a variation from Section 17.30.050 to allow a front yard setback of 16.25 feet from the east property line along Birch Street (“*Variation*”); and

WHEREAS, on November 18, 2024, after due notice thereof, the Zoning Board of Appeals (“*ZBA*”) conducted a public hearing on the Variation and, by a vote of four members in favor and one opposed, recommended that the Council of the Village of Winnetka (“*Village Council*”) approve the Variation; and

WHEREAS, pursuant to Section 17.60.050 of the Zoning Ordinance, the Village Council has determined that: (i) the Variation is in harmony with the general purpose and intent of the Zoning Ordinance and is in accordance with general or specific rules set forth in Chapter 17.60 of the Zoning Ordinance; and (ii) there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provision or regulation of the Zoning Ordinance from which the Variation has been sought; and

WHEREAS, the Village Council has determined that approval of the Variation for the Subject Property within the R-2 District is in the best interest of the Village and its residents;

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated into this section as the findings of the Village Council, as if fully set forth herein.

SECTION 2: APPROVAL OF VARIATION. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 3 of this Ordinance, the Variation from Section 17.30.050 of the Zoning Ordinance to allow the construction of the Proposed Addition on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

SECTION 3: CONDITIONS. The Variation granted by Section 2 of this Ordinance is subject to, and contingent upon, compliance by the Applicant with the following conditions:

- A. **Commencement of Construction.** The Applicant must commence the construction of the Proposed Addition no later than 12 months after the effective date of this Ordinance.
- B. **Compliance with Regulations.** Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Addition and Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.
- C. **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.
- D. **Compliance with Plans.** The development, use, and maintenance of the Proposed Addition on the Subject Property must be in strict accordance with the plans prepared by James B. Laughlin consisting of 13 sheets, with a latest revision date of March 8, 2024, copies of which are attached to, and by this reference, made part of this Ordinance as **Exhibit B (“Plans”)**, except for minor changes and site work approved by the Director of Community Development or the Director of Engineering (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards.

SECTION 4: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Clerk Recording Division. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and are binding upon, the Applicant and each of its heirs, representatives, successors, and assigns.

SECTION 5: FAILURE TO COMPLY. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition

to all other remedies available to the Village, the approval granted in Section 2 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approval granted in Section 2 of this Ordinance unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the applicable zoning district and the applicable provisions of the Zoning Ordinance, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 6: AMENDMENTS. Any amendment to this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance for amending or granting variations.

SECTION 7: SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 8: EFFECTIVE DATE.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

1. Passage by the Village Council in the manner required by law;
2. Publication in pamphlet form in the manner required by law; and
3. The filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit C** attached to and, by this reference, made a part of this Ordinance to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance.

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 8.A.3 of this Ordinance within 60 days after the date of passage of this Ordinance by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

PASSED this 3rd day of December, 2024, pursuant to the following roll call vote: AYES:

NAYS: _____

ABSENT: _____

APPROVED this _____ day of _____, 2024.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of _____,
2024.

Introduced: December 3 2024

Passed and Approved: _____, 2024

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

PARCEL 1:

LOTS 46 TO 54 INCLUSIVE IN OAK GROVE ADDITION TO WINNETKA. A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 42 NORTH RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN.

ALSO,

THE NORTH 33 FEET OF OSGOOD STREET IN THE VILLAGE OF WINNETKA. ABUTTING ON THE SAID LOTS 46 TO 54 INCLUSIVE AFORESAID ALL IN COOK COUNTY, ILLINOIS.

ALSO KNOWN AS:

LOT D IN OWNER S CONSOLIDATION OF LOTS 10 THROUGH 72 IN OAK GROVE ADDITION TO WINNETKA INCLUDED WITH VACATED WINDES AND OSGOOD STREETS. A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 29, 1947 AS DOCUMENT NO. 14155054.

Commonly known as 270 Birch Street, Winnetka, Illinois.

PIN: 05-20-400-065-0000

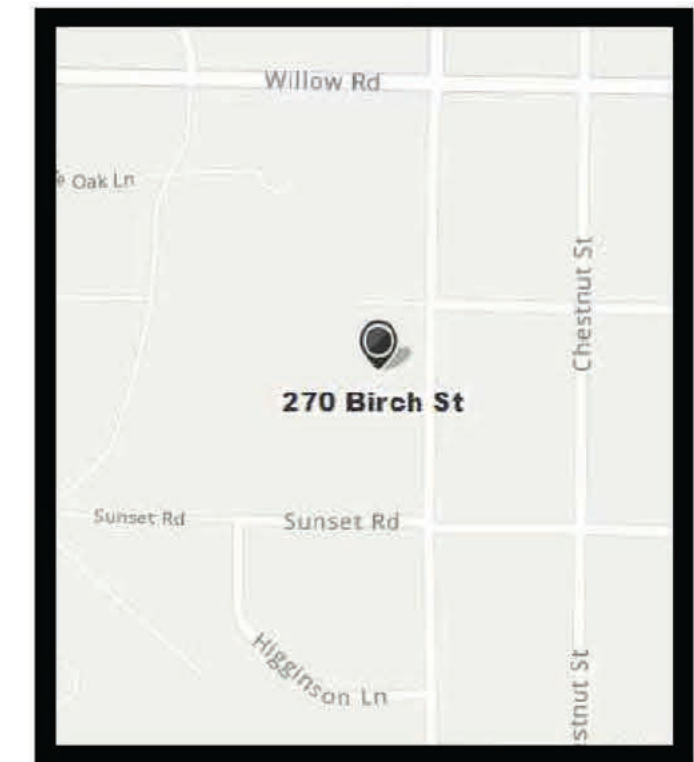
EXHIBIT B

PLANS

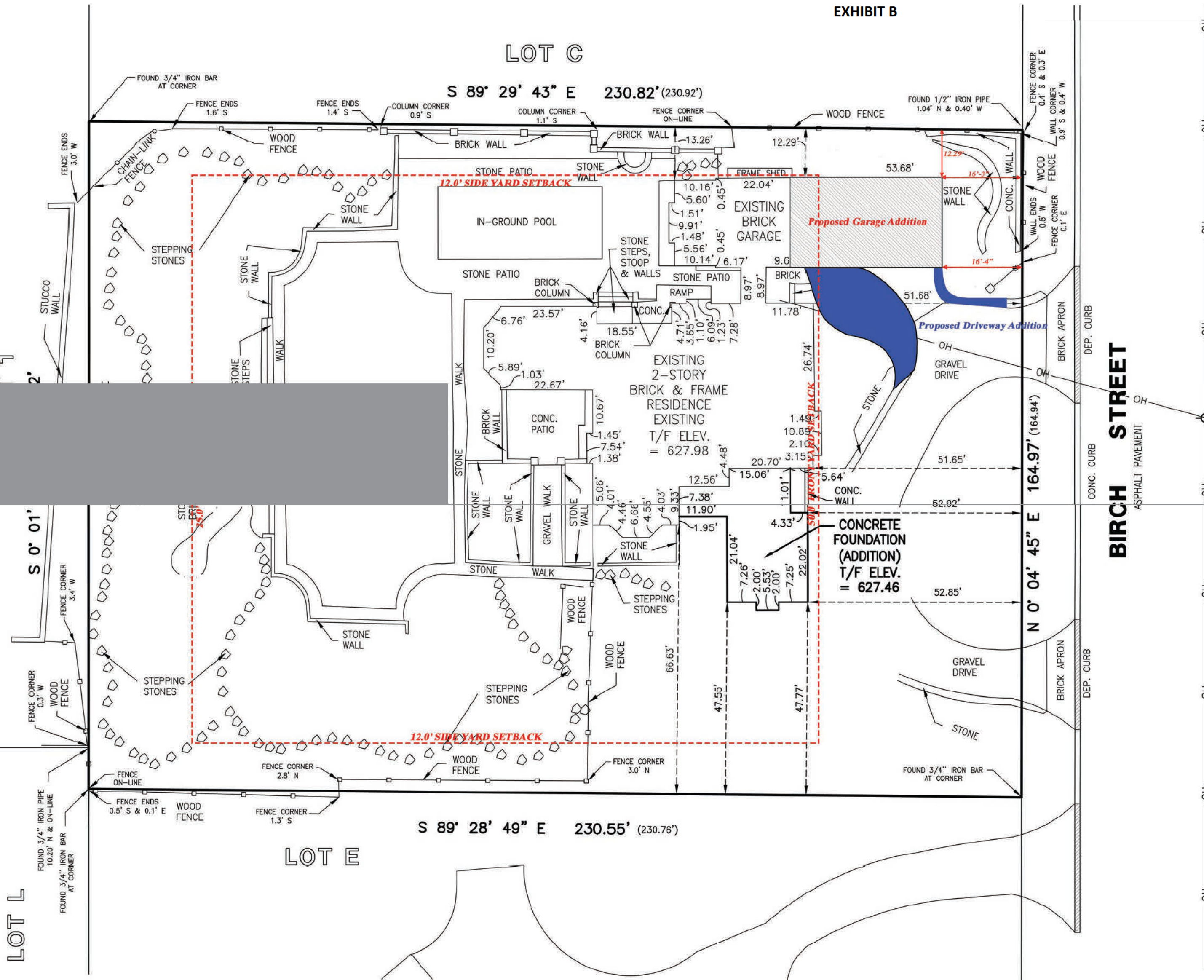
(SEE ATTACHED EXHIBIT B)

PLAT OF SURVEY

LOT D IN OWNER'S CONSOLIDATION OF LOTS 10 THROUGH 72 IN OAK GROVE ADDITION TO WINNETKA INCLUDED WITH VACATED WINDES AND OSGOOD STREETS, A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



LOCATION MAP
NOT TO SCALE



SURVEYORS NOTES:

- THIS SURVEY IS SUBJECT TO MATTERS OF TITLE WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT.
- SURVEY FOR THE PURPOSE OF DEPICTING ADDITION.
- BUILDING TIES SHOWN HEREON ARE MEASURED TO THE OUTSIDE FACE OF FINISHED CONCRETE FOUNDATION.
- () DENOTES RECORD DIMENSION.
- BEARINGS HEREON SHOWN ARE ON AN ASSUMED BASIS.
- ORIGINAL CLIENT: [REDACTED]

OTHER INSTRUMENTS OF RECORD.

- COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.

— OH — OVERHEAD LINES

STATE OF ILLINOIS } SS
COUNTY OF LAKE }

WE, GREENGARD INC., DO HEREBY STATE THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 18TH DAY OF FEBRUARY, A.D., 2021

GREENGARD, INC.
111 BARCLAY BOULEVARD, SUITE 310
LINCOLNSHIRE, ILLINOIS 60069

JOSEPH R. SADOSKI
ILLINOIS
PROFESSIONAL LAND SURVEYOR NO. 3316
MY RENEWABLE LICENSE EXPIRES 11-30-22.



GREENGARD, INC.
Engineers • Surveyors • Planners
111 Barclay Blvd., Suite 310, Lincolnshire, Illinois 60069-3615
PHONE: 847-634-3883 E-MAIL: 231@GREENGARDINC.COM
FAX: 847-634-0687 ILL. REGISTRATION NO. 184-000995

SCALE: 1"=20'
DRAWING No. 66161
SHEET 1 OF 1

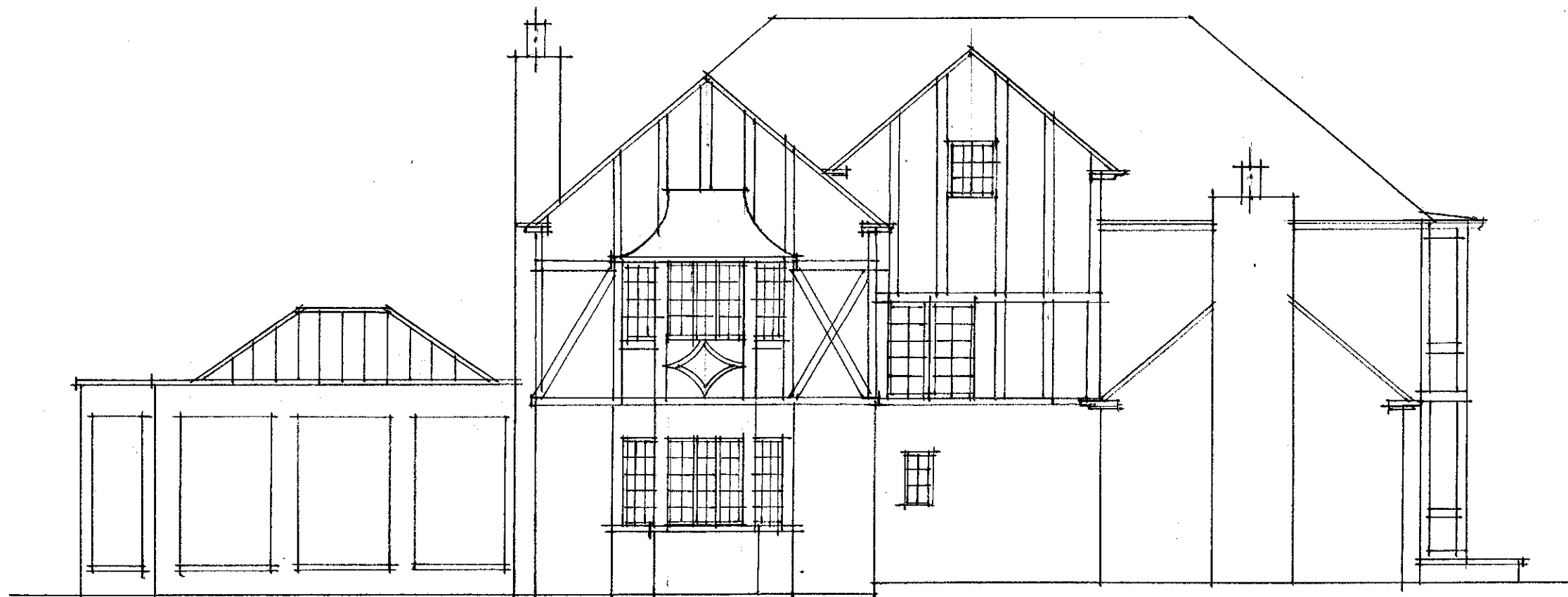
270 BIRCH STREET — WINNETKA, ILLINOIS

PLAT OF SURVEY

DESIGNED BY: AN	DATE: 08-17-20
CHECKED BY: JRS	DATE: 08-19-20
APPROVED BY:	DATE:
JS 02-17-21	FOUNDATION LOCATION ADDITION
DRAWN BY:	DATE:
	REVISIONS

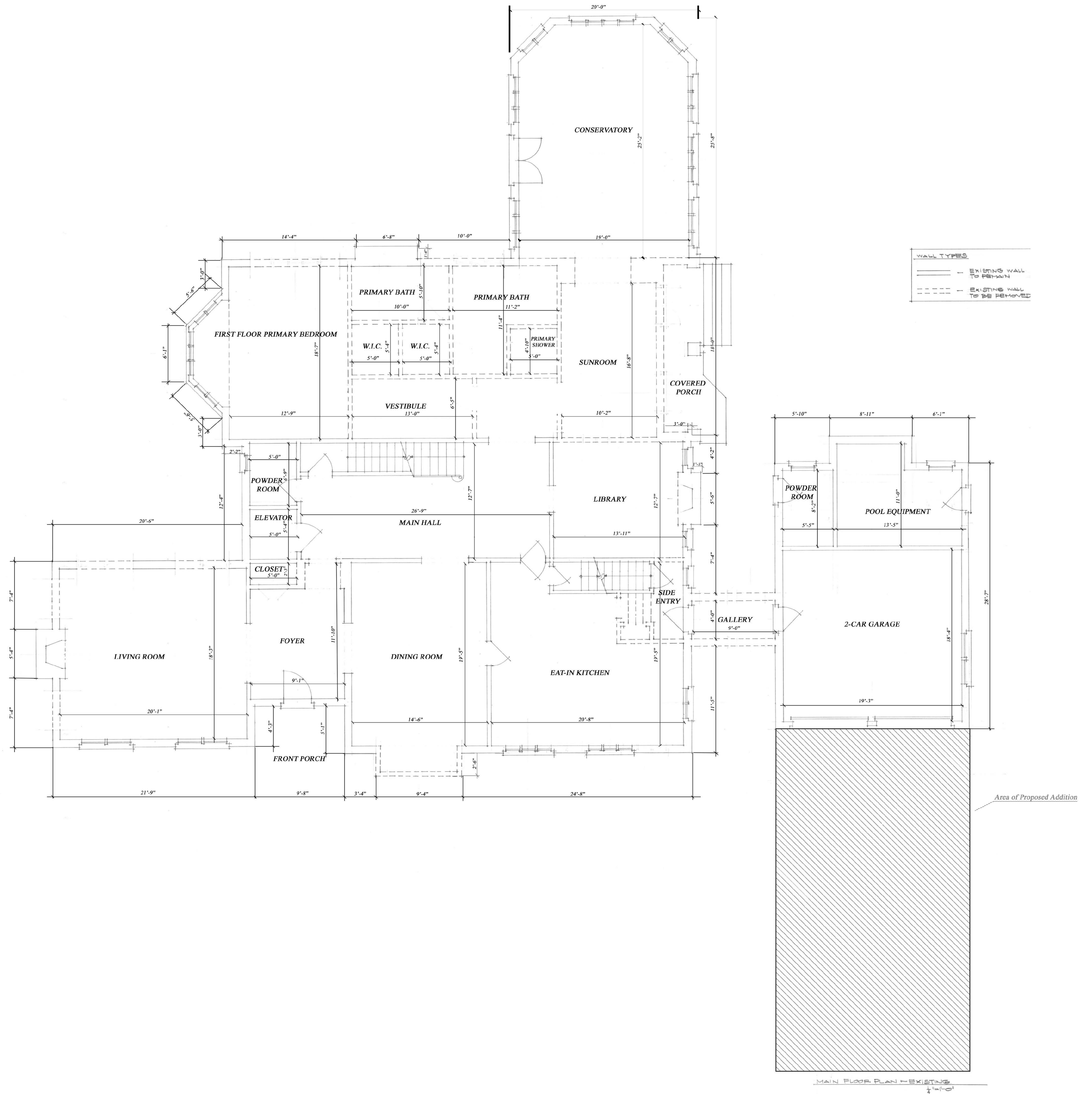


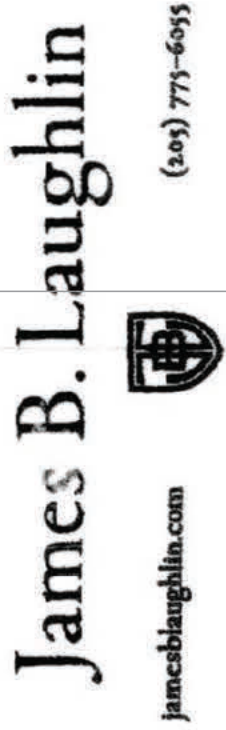
EXISTING EAST ELEVATION 1/8"=1'-0"



EXISTING SOUTH ELEVATION $\frac{1}{8}"=1'-0"$

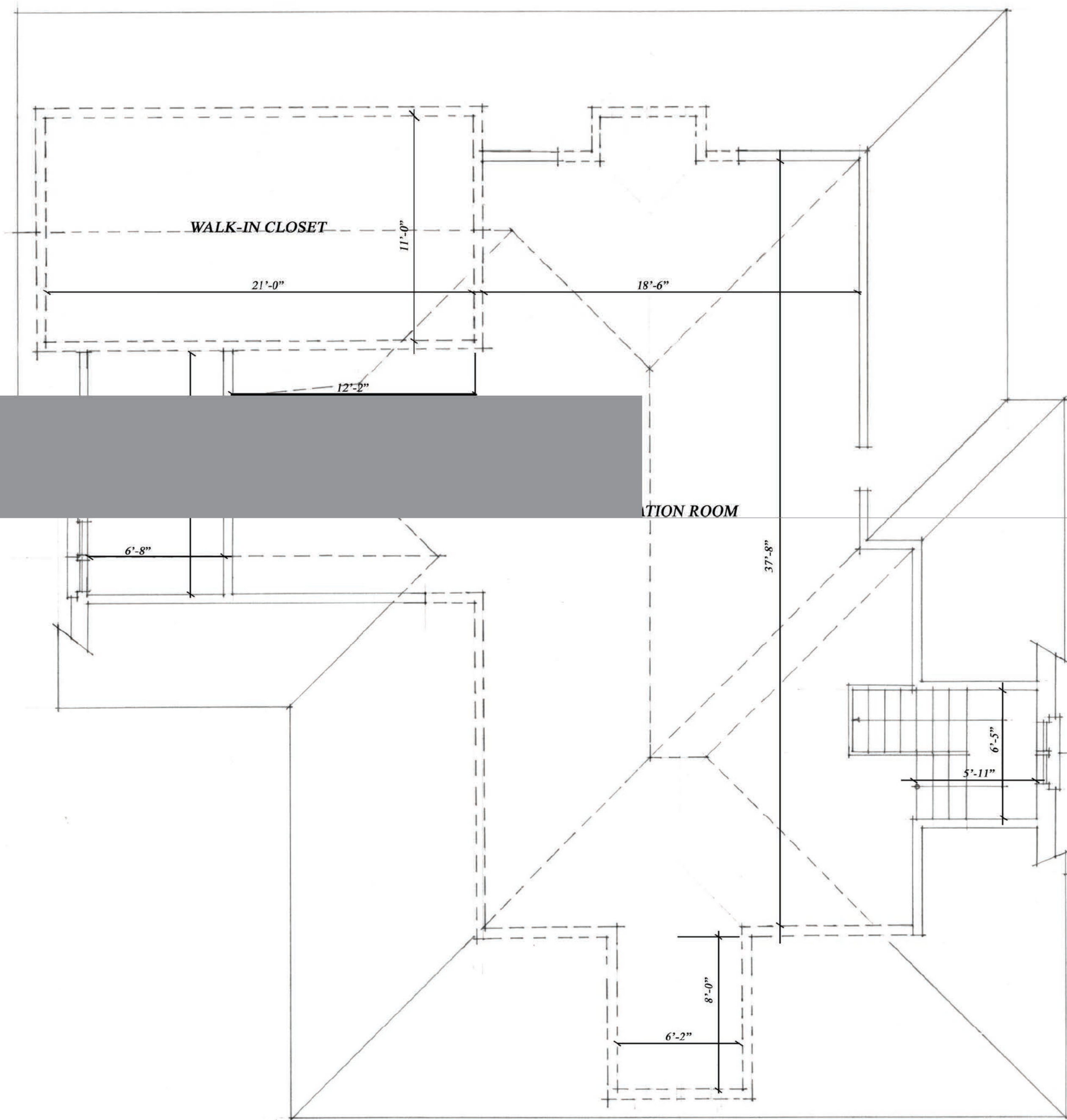




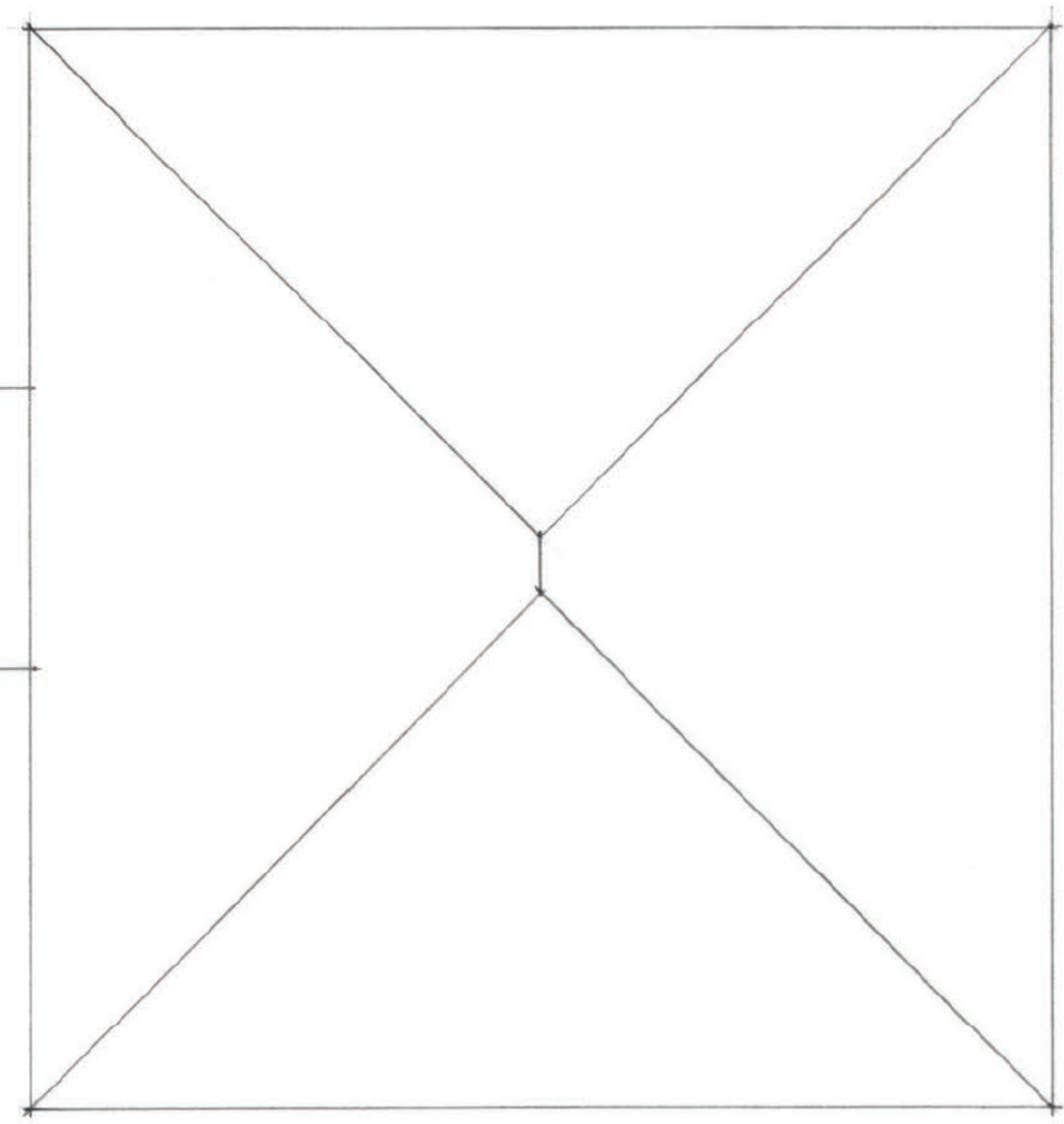


INNOVATIONS
FOR ALEX AND
PENCE KASLER
70 BIRCH ST.
ANNETKA, IL
6093

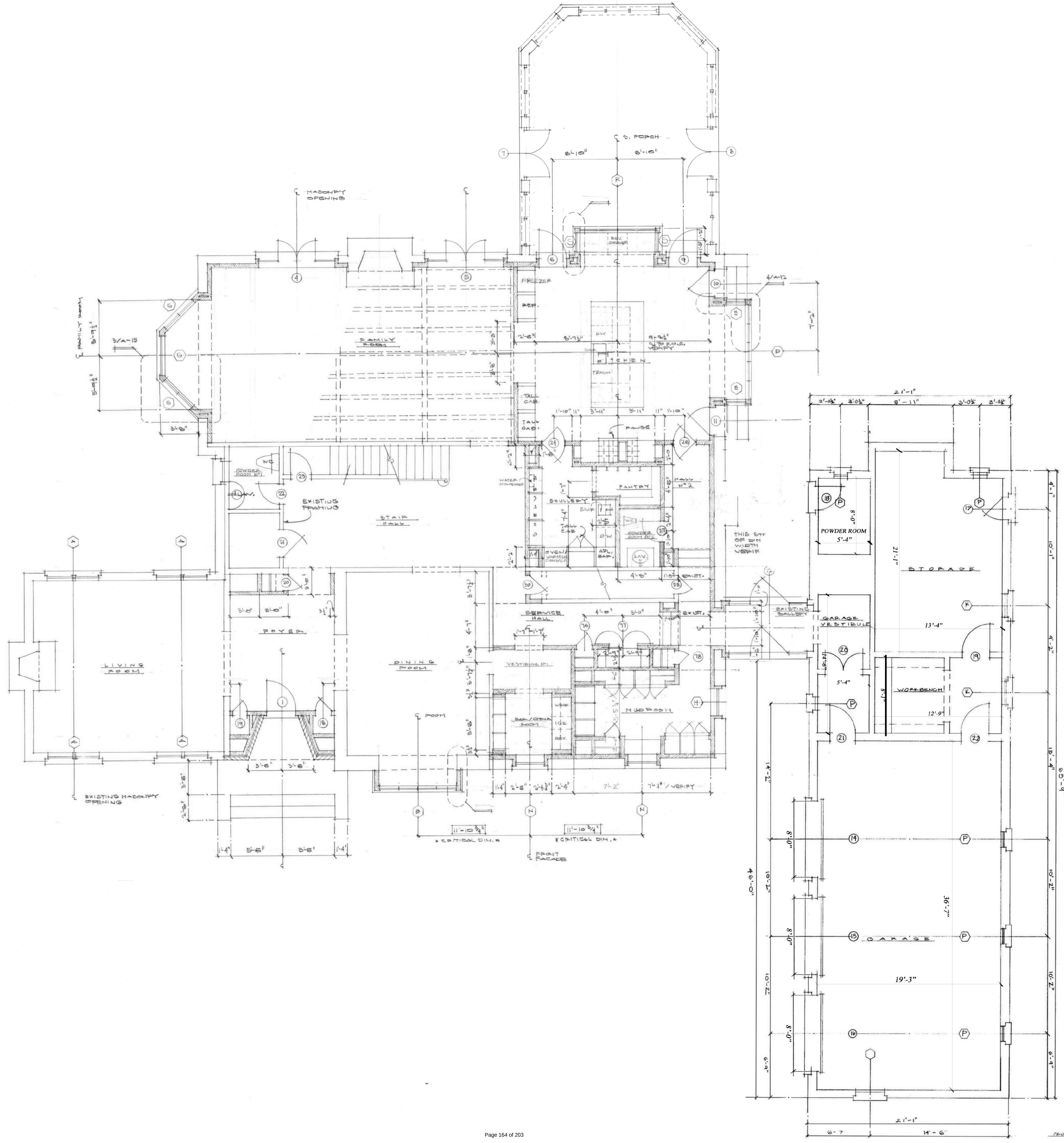
PLAN - EXISTING,



WALL TYPES	
—	EXISTING WALL TO REMAIN
- - - -	EXISTING WALL TO BE REMOVED



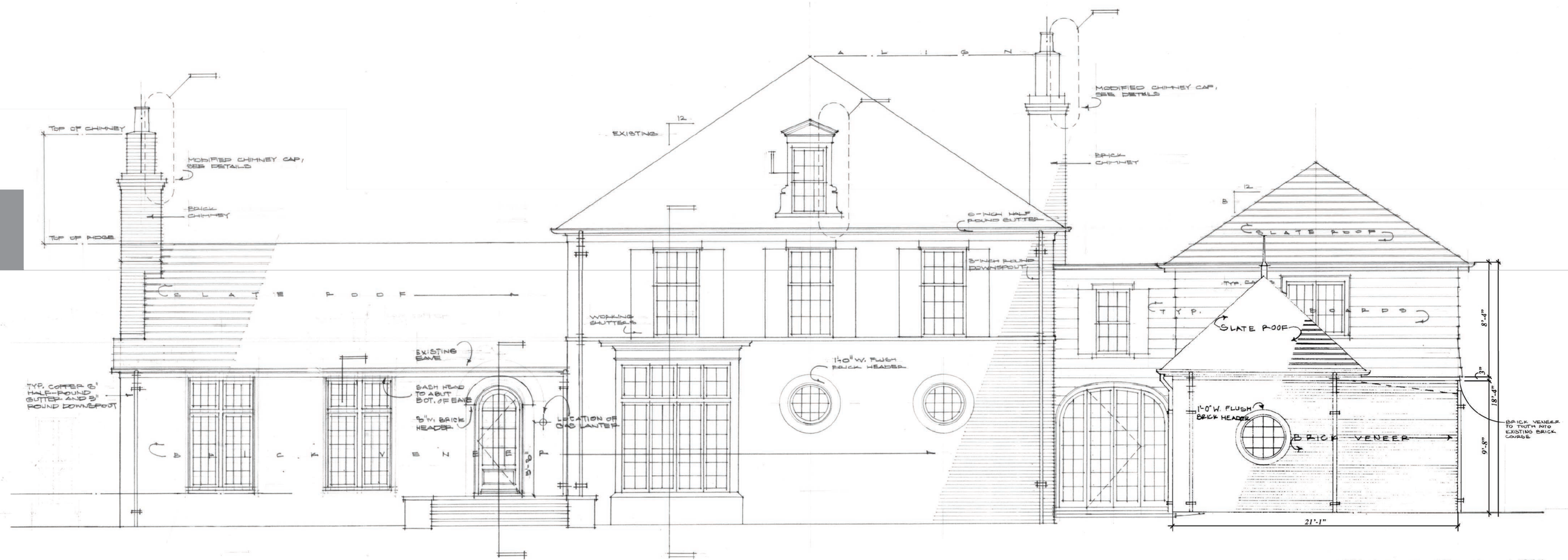
ATTIC FLOOR PLAN - EXISTING
NO ALTERATIONS
1/5/0"



James B. Laughlin
jbl@jblarch.com
(408) 773-4635

RENOVATIONS FOR
ALEX AND SPENCER
KAEHLER
270 BIRCH ST.
WINNETKA, IL
60093

MAIN FLOOR
PLAN



EXTERIOR-PROPOSED EAST ELEVATION 48'-10"

James B. Laughlin
jamesb.laughlin.com
(603) 775-6515

RENOVATIONS
FOR ALEX AND
SPENCER KABER
270 BIRCH ST.
WINNETKA, IL
60093

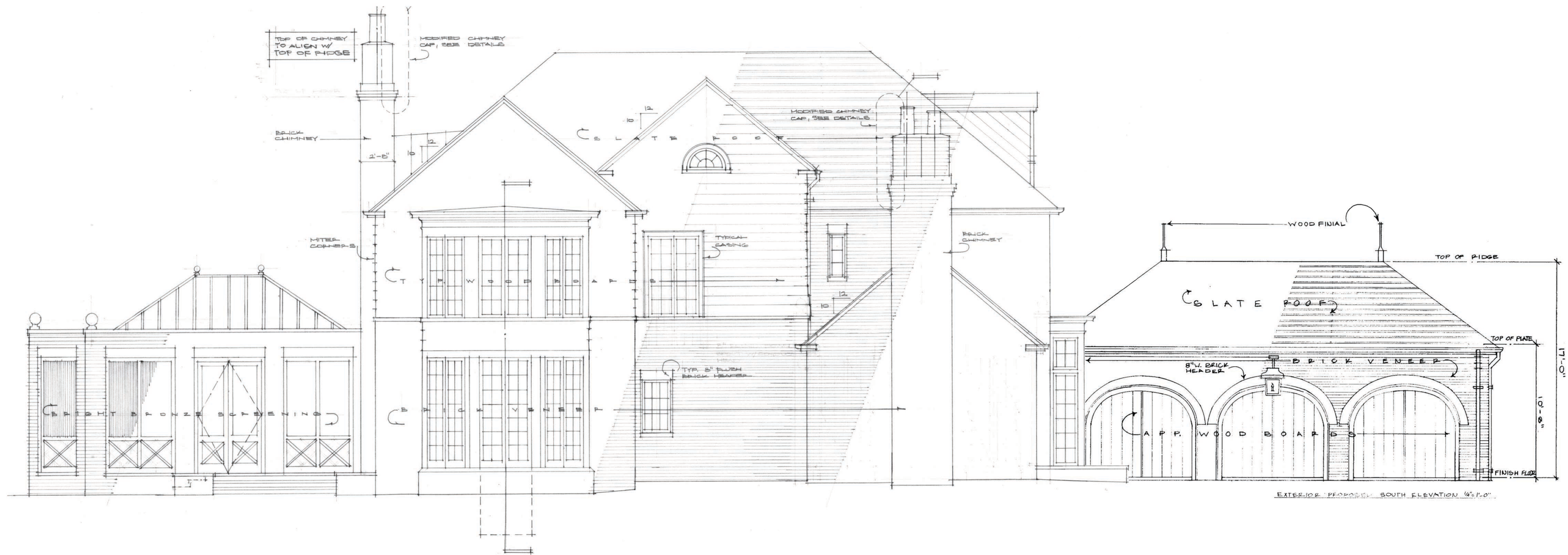
EXTERIOR
ELEVATION



James B. Laughlin
jamesb.laughlin.com (603) 775-6655

RENOVATIONS
FOR ALEX AND
SPENCER KABER
270 BIRCH ST.
WINNETKA, IL
60093

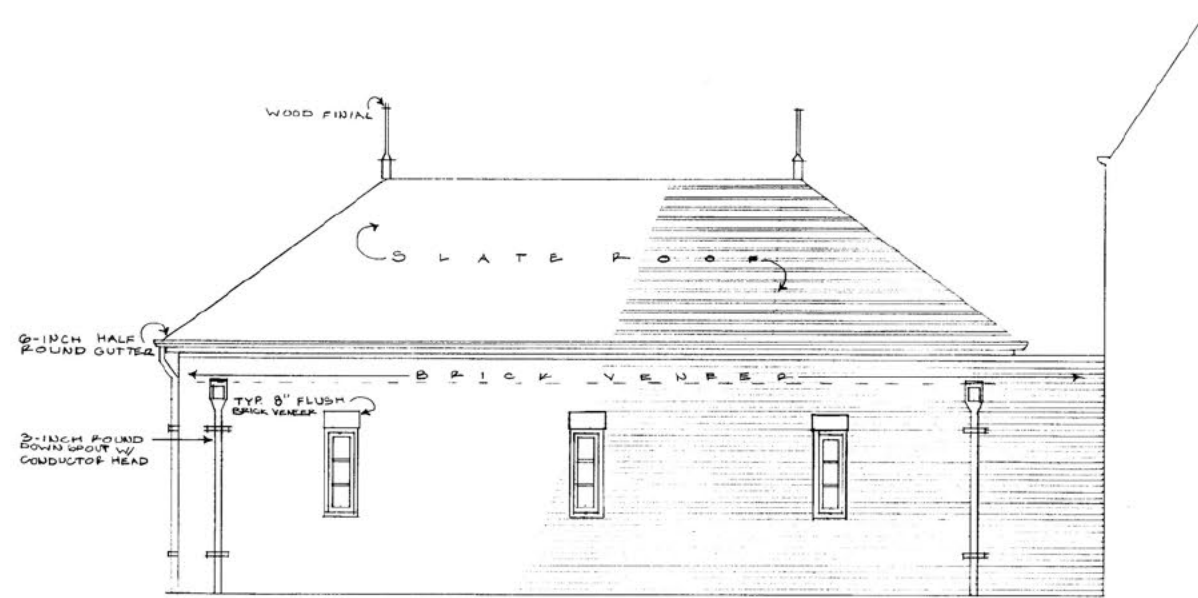
EXTERIOR
ELEVATION



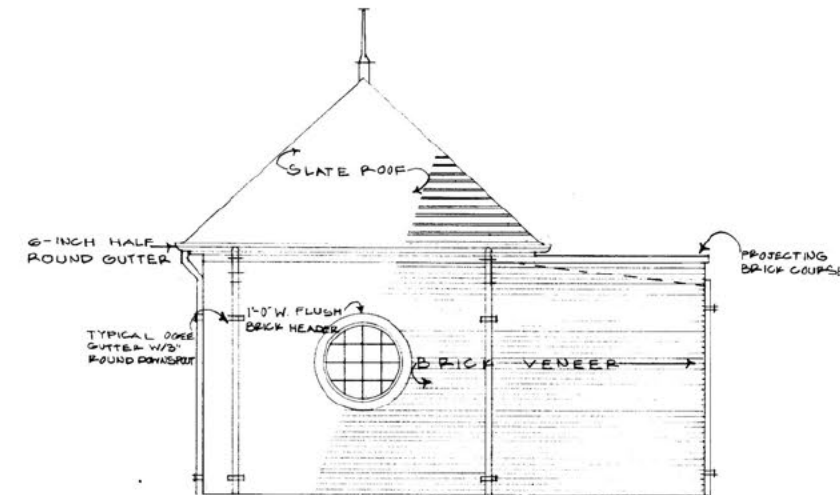
James B. Laughlin
 jamesb.laughlin.com
 (605) 775-6055

RENOVATIONS
 FOR ALEX AND
 SPENCER REHLER
 210 BIRCH ST.
 WINNEBAGO, IL
 60093

EXTERIOR
 ELEVATIONS

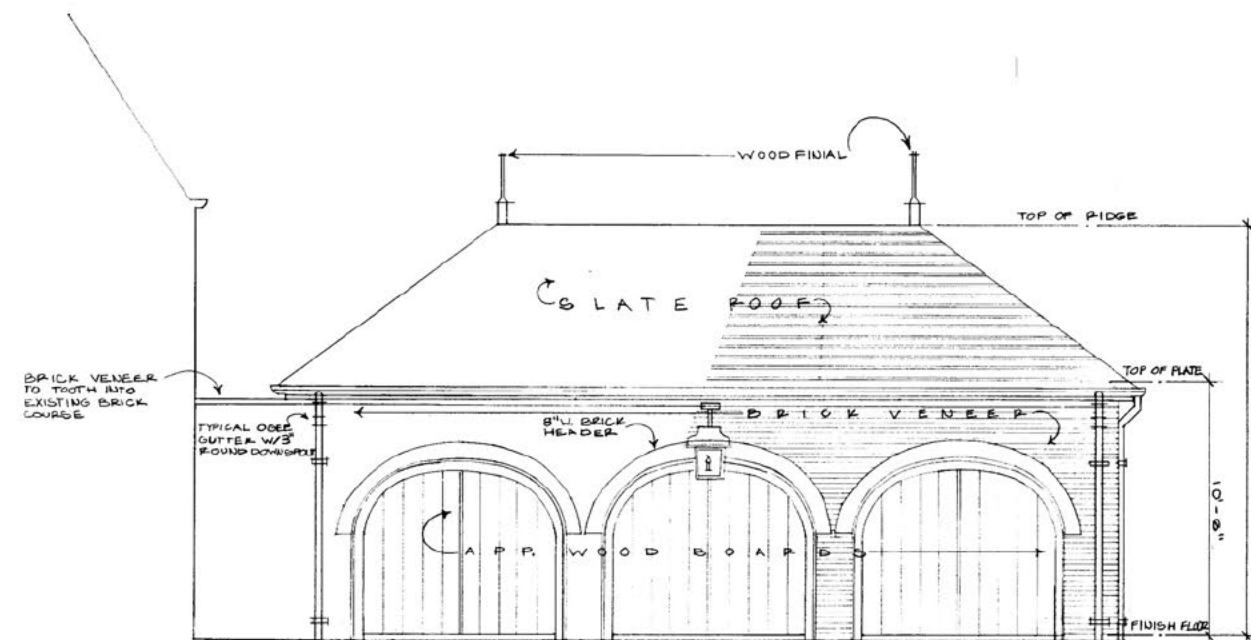


ELEVATION AT REAR 1/8"=1'-0"

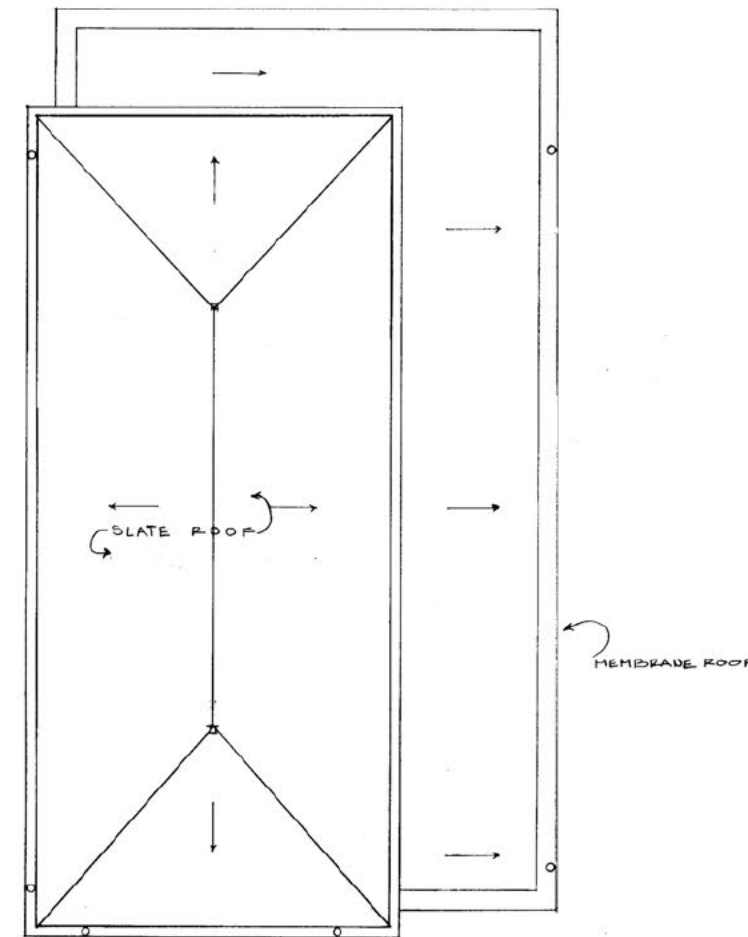


ELEVATION AT STREET 1/8"=1'-0"

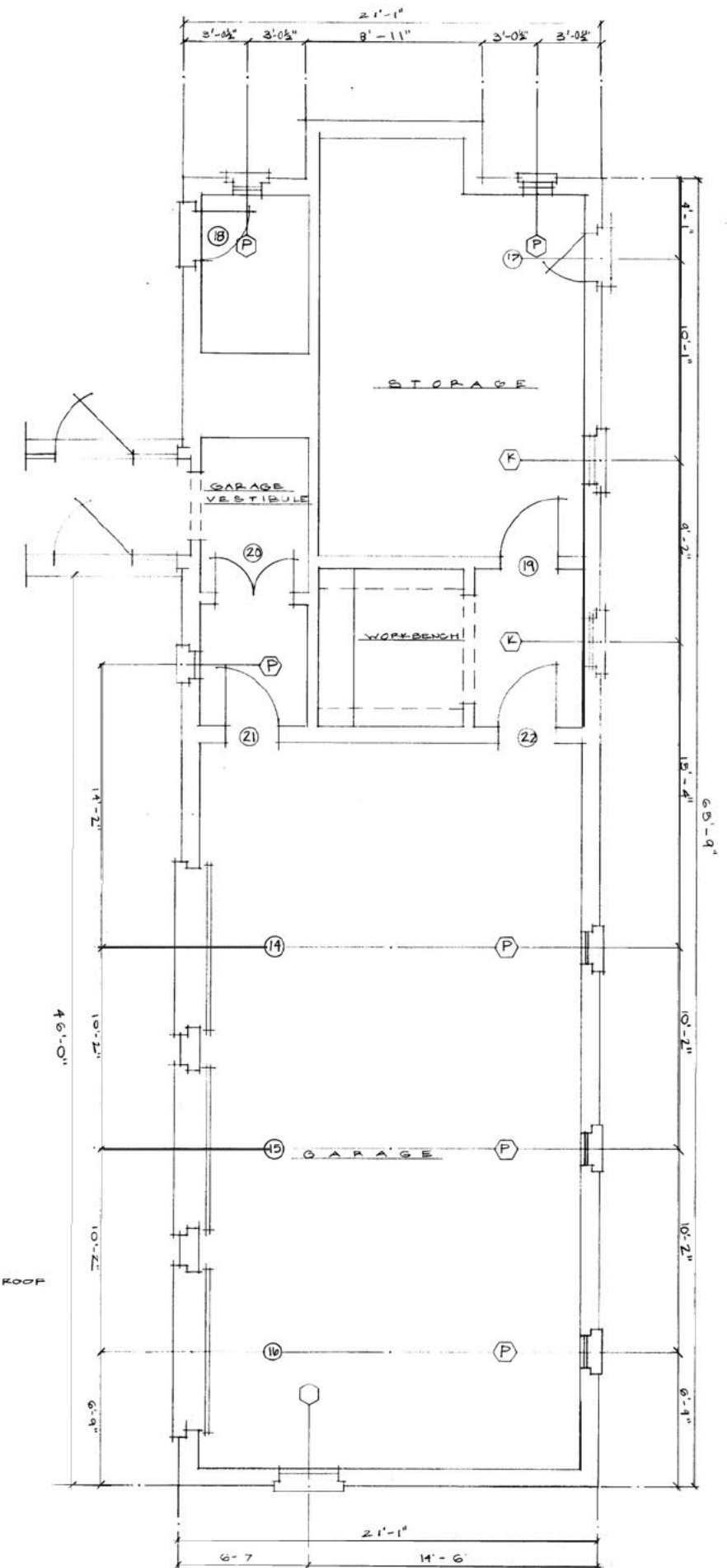
Note - the proposed garage addition is 46'-0" x 21'-1"; drawings scale 1/8"=1'-0"



ELEVATION AT MOTORCOURT 1/8"=1'-0"



ROOF PLAN 1/8"=1'-0"



1.FLOOR PLAN 1/8"=1'-0"

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Winnetka, Illinois ("*Village*");

WHEREAS, Spencer and Alexandra Kaehler (collectively, "*Applicant*") are the record title owners of the parcel of real property commonly known as 270 Birch Street in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("*Subject Property*"); and

WHEREAS, the Subject Property is approximately 0.87 acres in area and located within the R-2 Single Family Residential District of the Village ("*R-2 District*") and is improved with a single-family residence ("*Residence*"); and

WHEREAS, the Applicant desires to construct a one-story attached garage addition on the front elevation of the Residence ("*Proposed Addition*"); and

WHEREAS, to construct the Proposed Addition on the Subject Property, the Applicant filed an application for a variation from Section 17.30.050 to allow a front yard setback of 16.25 feet from the east property line along Birch Street ("*Variation*"); and

WHEREAS, Ordinance No. M-__-2024, adopted by the Village Council on December __, 2024 ("*Ordinance*"), grants the Variation; and

WHEREAS, Section 8 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant has filed, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Applicant does hereby agree and covenant as follows:

1. The Applicant hereby unconditionally agrees to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of the Variation for the Subject Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.

4. The Applicant hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the Variation for the Subject Property.

5. The Applicant hereby agrees to pay all expenses incurred by the Village in defending itself with regard to any and all of the claims mentioned in this Unconditional Agreement and Consent. These expenses will include all out-of-pocket expenses, such as attorneys' and experts' fees, and will also include the reasonable value of any services rendered by any employees of the Village.

Dated: _____, 2024

ATTEST: **SPENCER KAEHLER**

By: _____

ATTEST: **ALEXANDREA KAEHLER**

By: _____



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: NOVEMBER 13, 2024
SUBJECT: 270 BIRCH STREET – VARIATION (CASE NO. 24-16-V2)

INTRODUCTION

On November 18, 2024, the Zoning Board of Appeals (ZBA) is scheduled to commence a public hearing on an application submitted by Spencer and Alexandra Kaehler (collectively, the “Applicant”) as the owners of the property located at 270 Birch Street (the “Subject Property”). The Applicant requests approval of the following zoning variation to allow construction of an addition to the existing residence on the Subject Property:

1. **Front Yard Setback** of 16.25 feet from the east property line along Birch Street, whereas a minimum of 50 feet is required, a variation of 33.75 feet (67.5%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The residence currently provides a front yard setback of 49.55 feet].

A mail notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on October 31, 2024. As of the date of this memo, staff has received one written comment from the public regarding this application. This comment is provided in **Attachment D**.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant a variation to reduce a front yard setback for a principal building by more than 50% of the required setback.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.87 acres in size, is located on the west side of Birch Street, between Mt. Pleasant Street and Sunset Road, and contains an existing two-story residence with an attached garage (see Figure 1). The property is zoned R-2 Single Family Residential, and it is surrounded by the same (see Figure 2).

The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

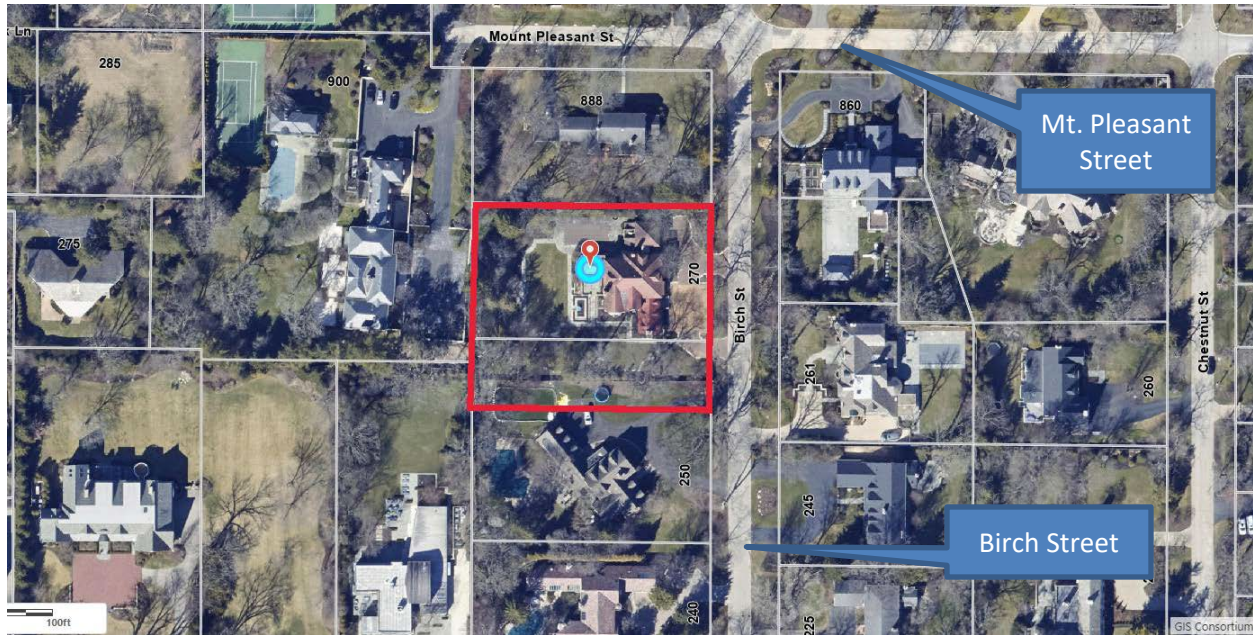


Figure 1 – Aerial Map



Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was constructed in 1929 with the following subsequent building permits issued in:

1. 1972 to remodel the kitchen and install a new bathroom;
2. 1984 to remodel a bedroom and bathroom;
3. 1997 to remodel four bathrooms;
4. 2004 to construct a one-story addition consisting of a conservatory and pool changing room;
5. 2005 to construct an in-ground pool and spa;
6. 2019 to convert a living room into a first floor bedroom suite;
7. 2020 to construct a living room and foyer addition;

8. 2021 to install an elevator;
9. January 2024 for interior remodeling (currently under construction); and
10. October 2024 to construct a pergola and terrace (currently under construction).

Other minor permits have also been issued over the last several years. The Applicant acquired the property in July 2023. There is one previous zoning case on file for the Subject Property. In June 1979, ZBA Case No. 1226 was denied by the ZBA to allow conversion of a dog run into a tool shed that was located within the minimum required front yard setback of 50 feet.

Figures 3 through 5 below and on the following page are current photos of the site.



Figure 3 – Subject Property (Front/East Elevation – Birch Street)



General
Location of
Proposed
Addition

Figure 4 - Subject Property (Front/East Elevation – Northeast)



General
Location of
Proposed
Addition

Figure 5 – Subject Property (North Side Elevation)

The variation is being requested in order to construct a one-story attached garage addition on the front elevation of the existing residence. There is an existing two-car attached garage that would be converted into storage space and an entrance vestibule. The proposed garage would accommodate three vehicles; and would be side-loaded, meaning the garage doors would not face the street. The addition would measure 21.08 feet by 37.43 feet (789 square feet) With the exception of the front yard setback, the proposed addition complies with the zoning regulations.

LOT D

EXISTING 2-STORY BRICK & FRAME RESIDENCE
EXISTING T/F ELEV. = 627.98

PROPOSED GARAGE ADDITION (Yellow Shaded Area)

PROPOSED DRIVEWAY ADDITION (Blue Shaded Area)

CONCRETE FOUNDATION (ADDITION)
T/F ELEV. = 627.46

12.0' SIDE YARD SETBACK (Red Dashed Line)

BIRCH STREET
ASPHALT PAVEMENT 164.97' (164.94')

Dimensions and Setbacks:
 - North: S 89° 29' 43" E 230.82' (230.92')
 - East: 164.97' (164.94')
 - South: S 89° 28' 49" E 230.55' (230.76')
 - West: S 0° 01' 01" E 164.92'

Other Features:
 - In-ground Pool
 - Stone Patio
 - Brick Wall
 - Stone Wall
 - Wood Fence
 - Stepping Stones
 - Pond
 - Concrete Foundation (Addition)
 - Driveway
 - Garage
 - Various setbacks and dimensions are provided throughout the plan.

Page 5

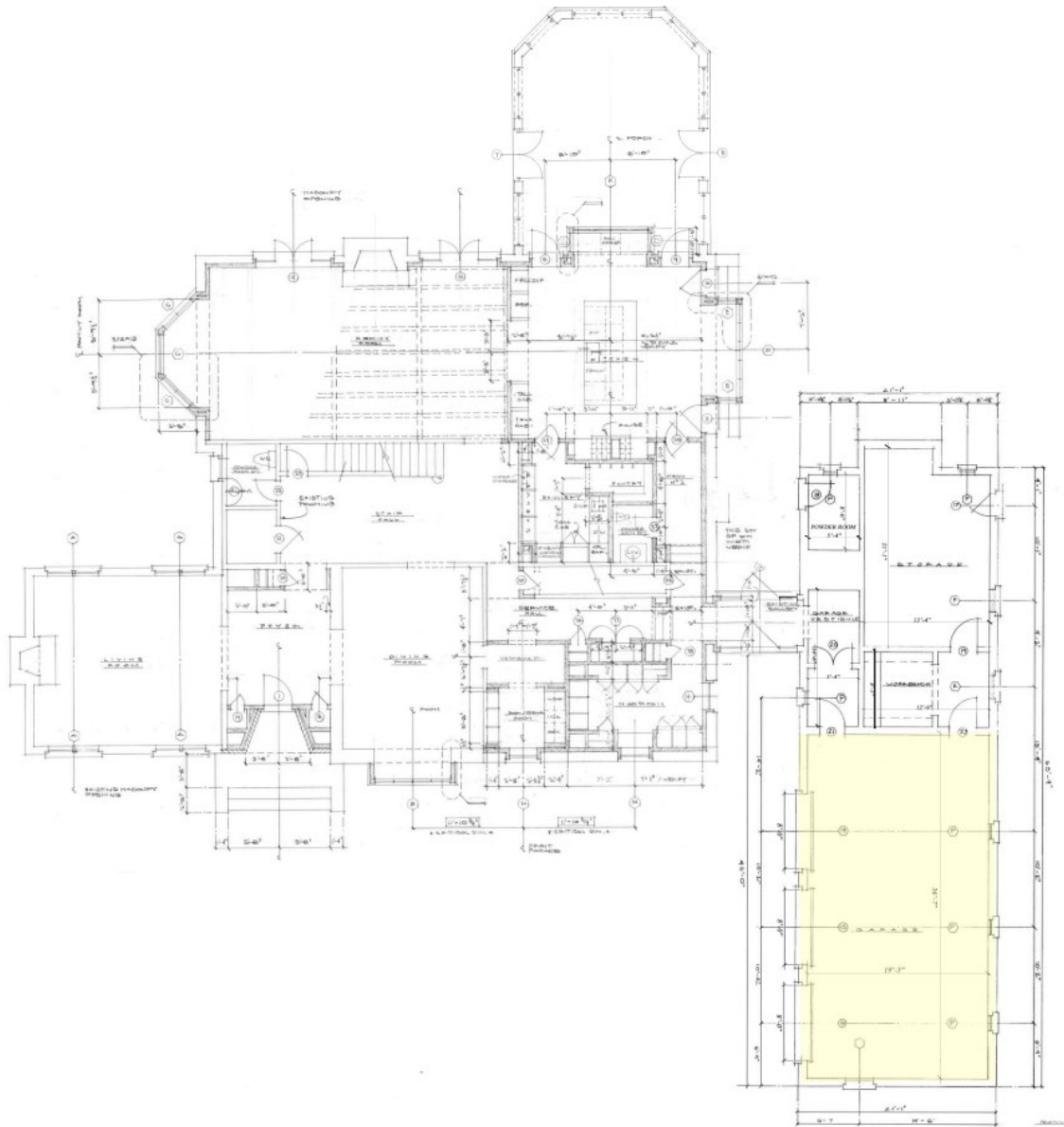


Figure 7 – Proposed First Floor Plan

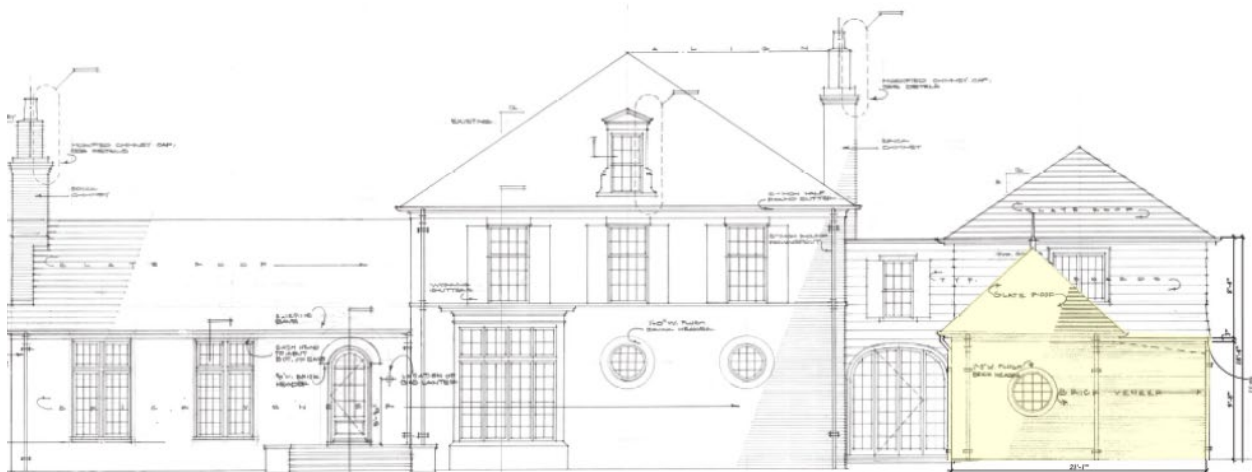


Figure 8 – Proposed Front (East) Elevation



Figure 9 – Proposed North Side Elevation

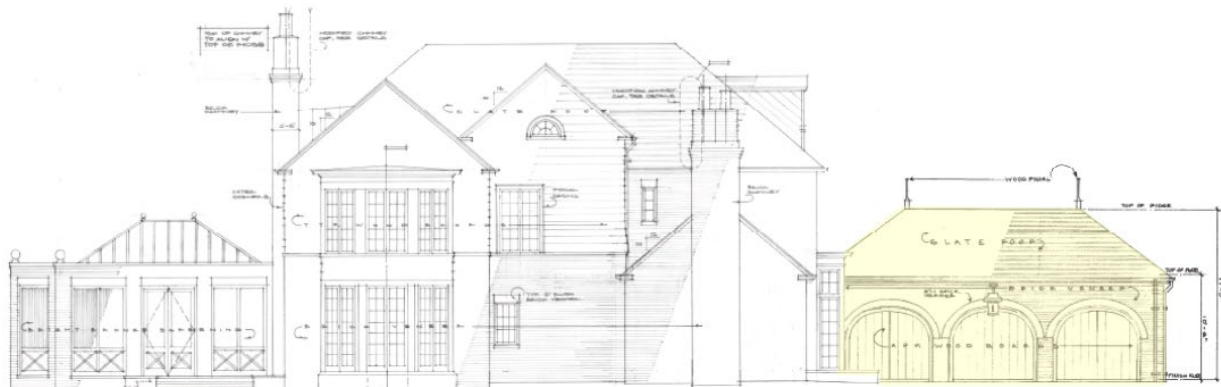


Figure 10 – Proposed South Side Elevation

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (**Attachment B**). Based on the proposed plan it appears additional stormwater detention would not be required. However, a final determination will be made by Village Engineering staff upon submittal of the permits necessary for the proposed improvements, which are required to comply with the Village stormwater regulations. Figure 11 on the following page represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year floodplain, the orange represents the 500-year floodplain. A portion of the Subject Property along the north property line, west of the existing residence, is located within the 100-year floodplain; however, the residence itself is not. Any improvements within the 100-year floodplain are subject to the Village's Flood Hazard Protection Ordinance and the Metropolitan Water Reclamation District (MWRD) Water Management Ordinance (WMO). The proposed addition is located east of the existing residence, away from the 100-year floodplain.



Figure 11 – GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached Zoning Matrix highlights the existing lot and the proposed improvement's compliance with the R-2 zoning district (**Attachment A**). One variation is being requested to allow the proposed attached garage addition to provide a front yard setback of 16.25 feet from the east property line along Birch Street, whereas a minimum of 50 feet is required, a variation of 33.75 feet (67.5%). The existing residence is legally nonconforming with respect to the front yard setback as it currently provides a front yard setback of 49.55 feet, encroaching the minimum required setback of 50 feet by 0.45 feet.

FINDINGS

Section 17.60.040 of the Zoning Ordinance lists eight variation standards that the Board must find a variation application meets. The Applicant has supplied as part of their application materials a narrative addressing how this proposal meets these standards.

After hearing from the Applicant, and the public, the Board may decide to act on one of two options:

1. Continue the public hearing to a specific date to provide the Applicant and/or staff with additional time to address questions and comments from the Board; or
2. Consider a motion recommending approval or denial of the variation. If the ZBA is prepared to make a recommendation to the Village Council regarding the requested relief, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the following variation granting:

1. Front Yard Setback of 16.25 feet from the easterly property line along Birch Street, whereas a minimum of 50 feet is required, a variation of 33.75 feet (67.5%) [Section 17.30.050 – Front and Corner Yard Setbacks].

The Zoning Board of Appeals finds, based on evidence in the record or a public document, that the variation requested is **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required

pursuant to Section 17.60.050 of this Code **have been met [have not been met]** in connection with this variation application **[subject to the following conditions...]**

The eight standards to consider when granting a variation are as follows:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone.
2. The plight of the owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants.
3. The variation, if granted, will not alter the essential character of the locality.
4. An adequate supply of light and air to the adjacent property will not be impaired.
5. The hazard from fire and other damages to the property will not be increased.
6. The taxable value of the land and buildings throughout the Village will not diminish.
7. The congestion in the public street will not increase.
8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not otherwise be impaired.

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Stormwater Matrix

Attachment C: Application Materials

Attachment D: Public Correspondence

ATTACHMENT A

ZONING MATRIX

ADDRESS: 270 Birch Street

CASE NO: 24-16-V2

ZONING: R-2

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	24,000 SF	38,048 SF	N/A	N/A	OK
Min. Average Lot Width	100 FT	164.77 FT	N/A	N/A	OK
Min. Lot Depth	200 FT	230.92 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	9,512 SF (1)	5,044.36 SF	5,833.38 SF	789.02 SF	OK
Max. Gross Floor Area	10,566.04 SF (1)	7,837.69 SF	8,626.71 SF	789.02 SF	OK
Max. Impermeable Lot Coverage	19,024 SF (1)	13,489 SF	13,955.07 SF	466.07 SF	OK
Min. Front Yard (Birch/East)	50 FT	49.55 FT	16.25 FT	-33.3 FT	33.75 FEET (67.5%) VARIATION
Min. Side Yard (North)	12 FT	10.29 FT	10.29 FT (3)	0 FT	EXISTING NONCONFORMING
Min. Total Side Yards	49.43 FT	57.44 FT	57.44 FT	0 FT	OK
Min. Rear Yard (West)	25 FT	+95 FT	+95 FT	0 FT	OK

NOTES:

(1) Based on lot area of 38,048 s.f.

(2) Variation amount is the difference between proposed and requirement.

(3) Proposed garage addition would provide a north side yard setback of 12.29 feet.

ATTACHMENT B

Stormwater Volume Requirements for Development Sites

In addition to meeting the following storm water volume detention requirements, development sites must meet all other Village storm water management requirements such as drainage and grading, storm water release rates, storage system design requirements, etc. An exception is for lots along the lakefront that directly discharge into Lake Michigan; those lots are not required to provide stormwater volume detention on-site. They are required to meet all other Village stormwater system design requirements.

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<i>Applies to 270 Birch Street</i> <i>Based upon preliminary review of information to date, it appears that 270 Birch Street <u>would not</u> have to provide additional storm water detention volume. However, a final determination will not occur until engineering plans are submitted with a building permit application.</i>
E. Improvements to existing lots, who currently exceed maximum impermeable lot coverage (e.g., School sites, single family and multi-family sites)	The amount of additional required storm water detention volume is based upon: a) The amount of the impermeable lot coverage (ILC) currently in excess of the maximum permitted amount of ILC allowed by zoning that will be removed and replaced, and/or b) The amount of ILC in addition to what currently exists on the lot.	

Stormwater Volume Requirements for Development Sites

	The amount of required detention volume is then determined using the run-off coefficient for 100-year storm event.	
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VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 24-16-V2

Property InformationSite Address: 270 BIRCH STREET, WINNETKA, IL 60093Owner InformationName: SPENCER ALEX KAEHLERPrimary Contact: ALEX KAEHLERAddress: [REDACTED]Phone No. [REDACTED]City, State, ZIP: WINNETKA, IL 60093Email: [REDACTED]

Date property acquired by owner: _____

Architect InformationAttorney InformationPrimary Contact: JAMES LAUGHLIN

Primary Contact: _____

Address: 2829 2ND AVENUE B.

Address: _____

City, State, ZIP: BIRMINGHAM, AL 35233

City, State, Zip: _____

Phone No. (205) 807-7814

Phone No. _____

Email: JIMMY@JAMESLAUGHLIN.COM

Email: _____

Nature of any restrictions on property: EXISTING NONCONFORMING
BUILDING CODES, DEPTH OF PROPERTY, SEE ATTACHED

Brief explanation of variation(s) requested (attach separate sheet providing additional details): _____

* SEE ATTACHED SHEET FOR DETAILS *Property Owner Signature: [REDACTED]Date: 7/9/24



James B. Laughlin

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allow by regulations in that district;

The proposal herein is a result of the hardships listed below (2). A garage located in the rear quarter of the lot would be closer to the adjacent residence than those forward of the house which would not satisfy items number 3-8.

2. The plight of the owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants

Due to the large area of the parcel, the existing residence engages the front yard setback and spans nearly the entire width of the property offering no workable solutions. This hardship applies to the subject property where adjacent parcels of a similar lot size are further set back leading to more opportunities. Our proposal is a solution with this hardship considered which further allows the applicant to preserve the integrity of the historic home. Any solutions to this hardship would involve demolition of part of the pre-war dwelling.

3. The variation, if granted, will not alter the essential character of the locality;

The current residence is a pre-war dwelling that contributes to the neighborhood fabric. It was also in derelict condition to the extent that it could be demolished. The new owner elected to restore the existing home to its original condition, with historically informed improvements. The proposal exceeds the expectation of the local character. The same investment and attention to historically informed details would be taken into account with the execution of this addition. Further, continuing the pre-war style helps maintain neighborhood character compared to many new construction dwellings and additions.

4. An adequate supply of light and air to adjacent property will not be impaired;

The proposal herein does not impair an adequate supply of air and light to all adjacent parcels. The proposed addition is out of view from the dwelling to the left (north). It is entirely forward of the dwelling to the right (south).

5. The hazard from fire and other damages to the property will not be increased;

"The hazard from fire and other damages to the property will not be increased;" If anything, the proposed addition will further minimize this risk as the garage door faces opposite of the adjacent parcel and all modern fire retardant systems will be implemented.

6. The taxable value of the land and buildings throughout the Village will not diminish;

The taxable value will not be diminished, but improved. Some of the current renovations are less in keeping with the architectural qualities of the dwelling. Our revert approach in what we have proposed in terms of scale, materials, and siting would contribute to the village.

7. The congestion in the public street will not increase; and

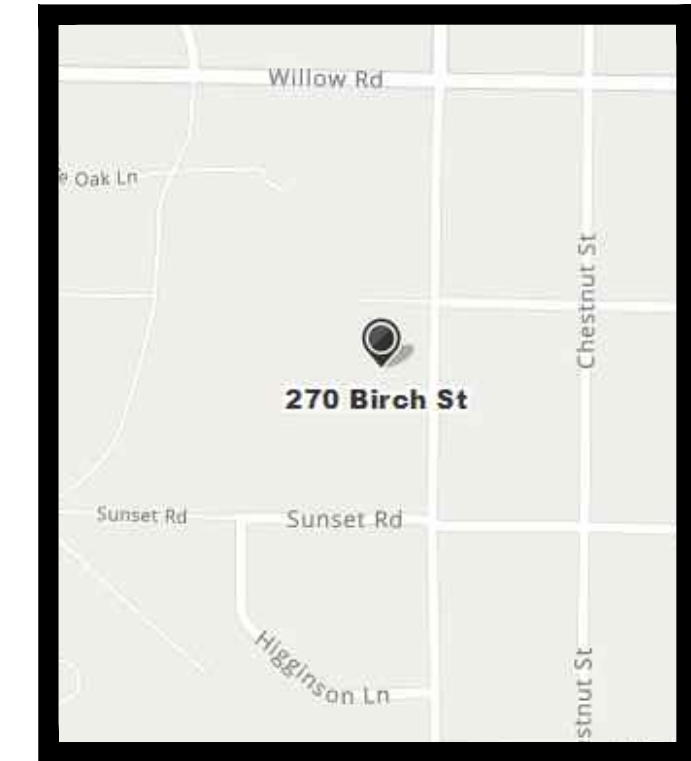
"The congestion in the public street will not increase;" ... further the vehicular access to our proposal is inward facing whereas the current, non-conforming garage door faces the street. This ergonomically and visually will ensure this condition is met.

8. The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be otherwise impaired.

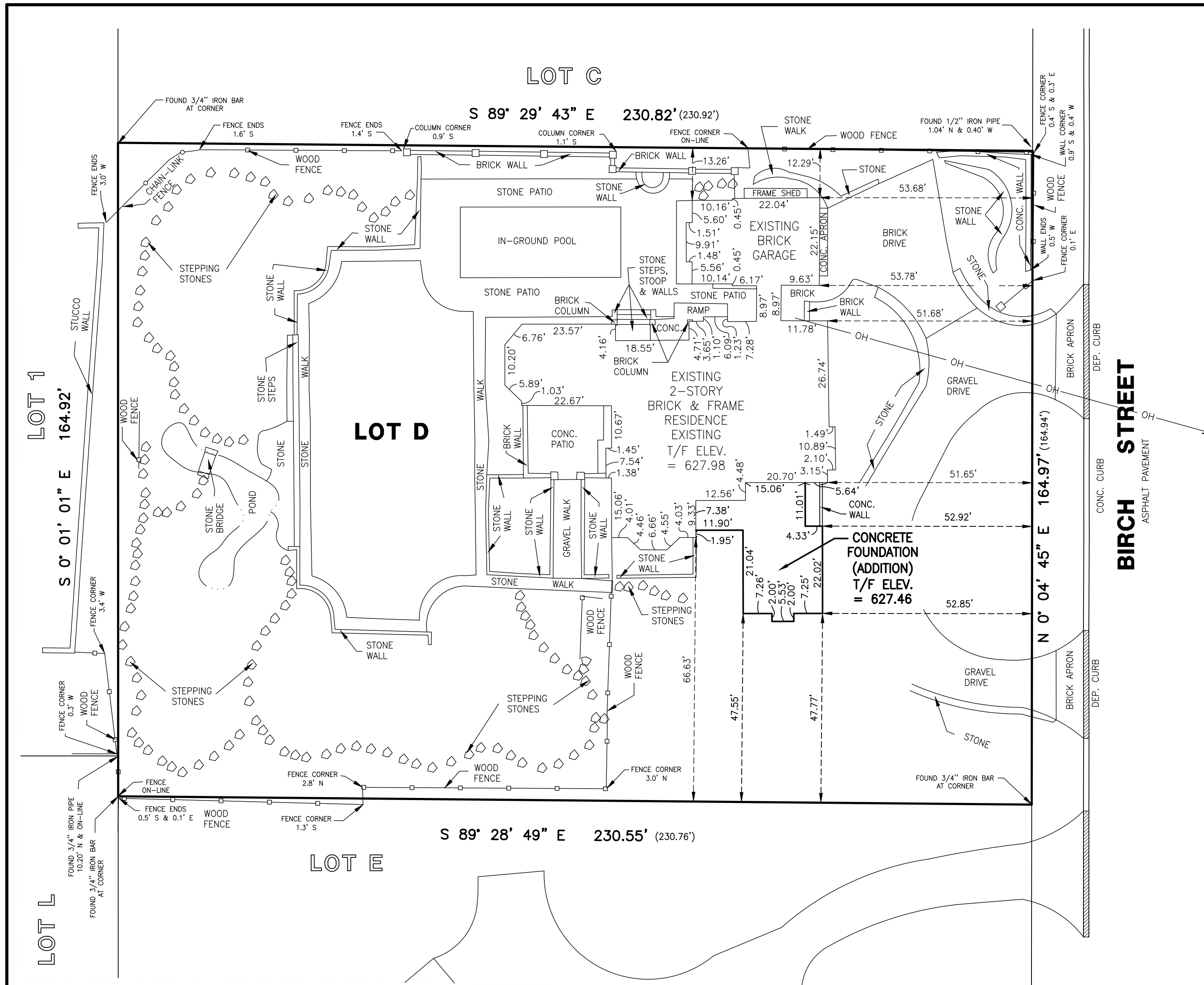
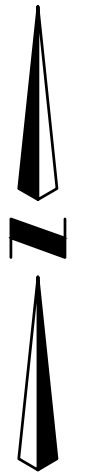
"The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be otherwise impaired." The proposal will further minimize the number of vehicles visible to the public way and the scale of the proposed addition will visually fall back out of view and seamlessly be integrated to the neighborhood fabric.

PLAT OF SURVEY

LOT D IN OWNER'S CONSOLIDATION OF LOTS 10 THROUGH 72 IN OAK GROVE ADDITION TO WINNETKA INCLUDED WITH VACATED WINDES AND OSGOOD STREETS, A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



LOCATION MAP
NOT TO SCALE



SURVEYORS NOTES:

- THIS SURVEY IS SUBJECT TO MATTERS OF TITLE WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT.
- SURVEY FOR THE PURPOSE OF DEPICTING ADDITION.
- BUILDING TIES SHOWN HEREON ARE MEASURED TO THE OUTSIDE FACE OF FINISHED CONCRETE FOUNDATION.
- () DENOTES RECORD DIMENSION.
- BEARINGS HEREON SHOWN ARE ON AN ASSUMED BASIS.
- ORIGINAL CLIENT- DONALD ASHER
- ORIGINAL FIELD WORK COMPLETED- 08-14-20

GENERAL NOTES:

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF.
- NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.
- ONLY THOSE BUILDING LINE SETBACKS AND EASEMENTS WHICH ARE SHOWN ON THE RECORDED PLAT OF SUBDIVISION ARE SHOWN HEREON. THERE MAY BE ADDITIONAL TERMS, POWERS, PROVISIONS AND LIMITATIONS CONTAINED IN AN ABSTRACT DEED, LOCAL ORDINANCES, DEEDS, TRUSTS, COVENANTS OR OTHER INSTRUMENTS OF RECORD.
- COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.

LEGEND

- POWER POLE
— OH — OVERHEAD LINES

AREA

38,048 Sq. Ft. OR 0.87 ACRES (MORE OR LESS)

STATE OF ILLINOIS } SS
COUNTY OF LAKE }

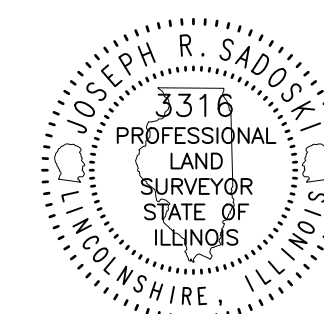
WE, GREENGARD INC., DO HEREBY STATE THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 18TH DAY OF FEBRUARY, A.D., 2021.

GREENGARD, INC.
111 BARCLAY BOULEVARD, SUITE 310
LINCOLNSHIRE, ILLINOIS 60069

Joseph R Sadoski
JOSEPH R. SADOSKI
ILLINOIS

PROFESSIONAL LAND SURVEYOR NO. 3316
MY RENEWABLE LICENSE EXPIRES 11-30-22.



GREENGARD, INC.
Engineers • Surveyors • Planners
111 Barclay Blvd., Suite 310, Lincolnshire, Illinois 60069-3615
PHONE: 847-634-3883 FAX: 847-634-0687
E-MAIL: 231@GREENGARDINC.COM
ILL. REGISTRATION NO. 184-000995

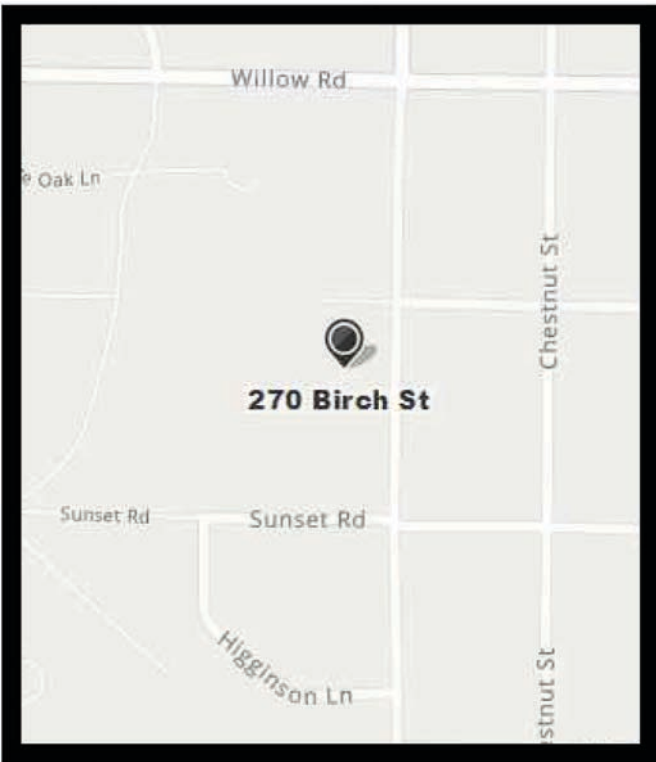
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270 BIRCH STREET - WINNETKA, ILLINOIS

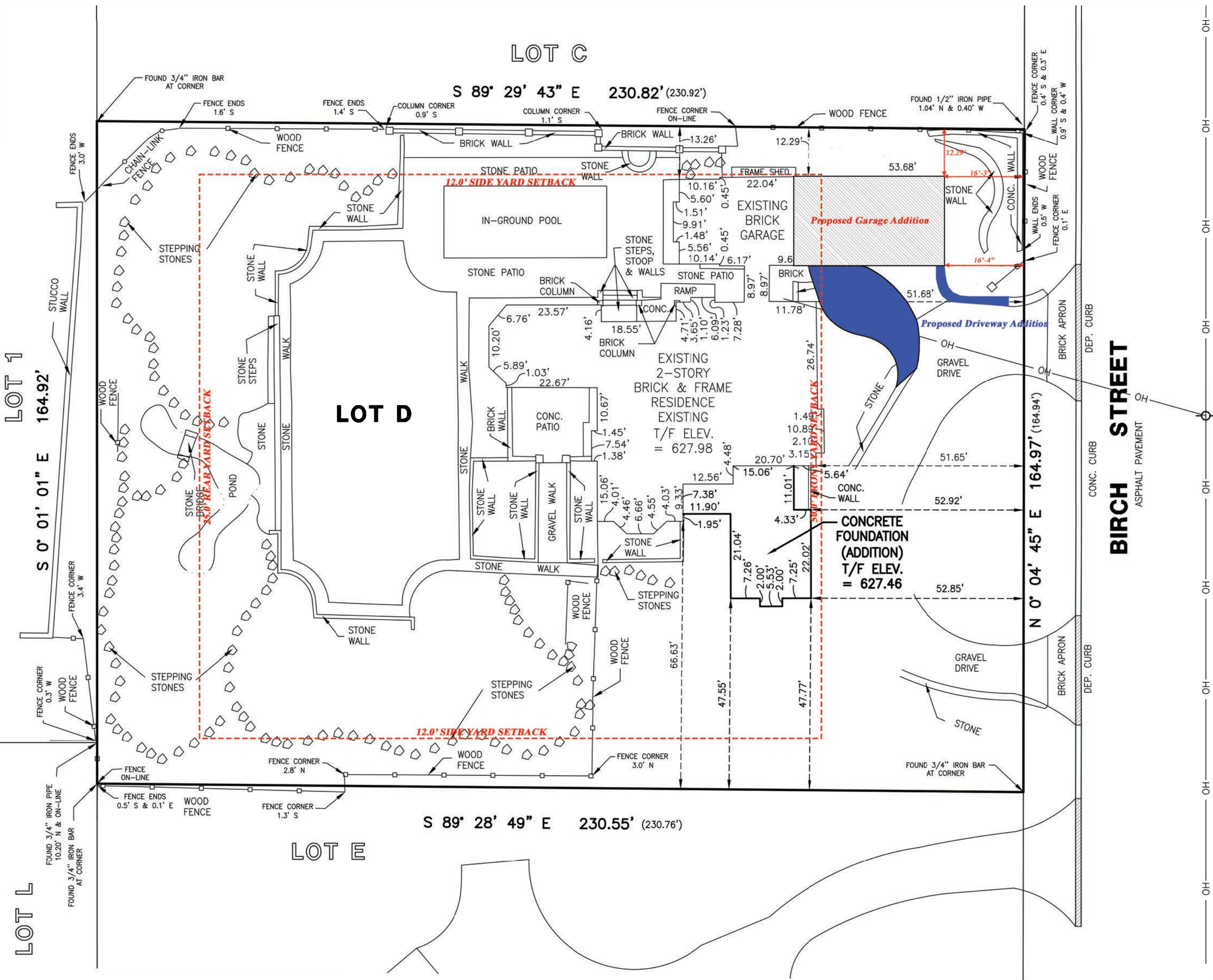
PLAT OF SURVEY

PLAT OF SURVEY

LOT D IN OWNER'S CONSOLIDATION OF LOTS 10 THROUGH 72 IN OAK GROVE ADDITION TO WINNETKA INCLUDED WITH VACATED WINDES AND OSGOOD STREETS, A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



LOCATION MAP
NOT TO SCALE



SURVEYORS NOTES:

- THIS SURVEY IS SUBJECT TO MATTERS OF TITLE WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT.
- SURVEY FOR THE PURPOSE OF DEPICTING ADDITION.
- BUILDING TIES SHOWN HEREON ARE MEASURED TO THE OUTSIDE FACE OF FINISHED CONCRETE FOUNDATION.
- () DENOTES RECORD DIMENSION.
- BEARINGS HEREON SHOWN ARE ON AN ASSUMED BASIS.
- ORIGINAL CLIENT- DONALD ASHER
- ORIGINAL FIELD WORK COMPLETED- 08-14-20

GENERAL NOTES:

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF.
- NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.
- ONLY THOSE BUILDING LINE SETBACKS AND EASEMENTS WHICH ARE SHOWN ON THE RECORDED PLAT OF SUBDIVISION ARE SHOWN HEREON. THERE MAY BE ADDITIONAL TERMS, POWERS, PROVISIONS AND LIMITATIONS CONTAINED IN AN ABSTRACT DEED, LOCAL ORDINANCES, DEEDS, TRUSTS, COVENANTS OR OTHER INSTRUMENTS OF RECORD.
- COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.

LEGEND

- POWER POLE
— OH — OVERHEAD LINES

AREA

38,048 Sq. Ft. OR 0.87 ACRES (MORE OR LESS)

STATE OF ILLINOIS }
COUNTY OF LAKE } SS

WE, GREENGARD INC., DO HEREBY STATE THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 18TH DAY OF FEBRUARY, A.D., 2021

GREENGARD, INC.
111 BARCLAY BOULEVARD, SUITE 310
LINCOLNSHIRE, ILLINOIS 60069

JOSEPH R. SADOSKI
ILLINOIS
PROFESSIONAL LAND SURVEYOR NO. 3316
MY RENEWABLE LICENSE EXPIRES 11-30-22.



GREENGARD, INC.
Engineers • Surveyors • Planners
111 Barclay Blvd., Suite 310, Lincolnshire, Illinois 60069-3615
PHONE: 847-634-3883 FAX: 847-634-0687
E-MAIL: 231@GREENGARDINC.COM
Page 187 of 203 ILL. REGISTRATION NO. 184-000995

SCALE: 1"=20'
DRAWING No. 66161
SHEET 1 OF 1

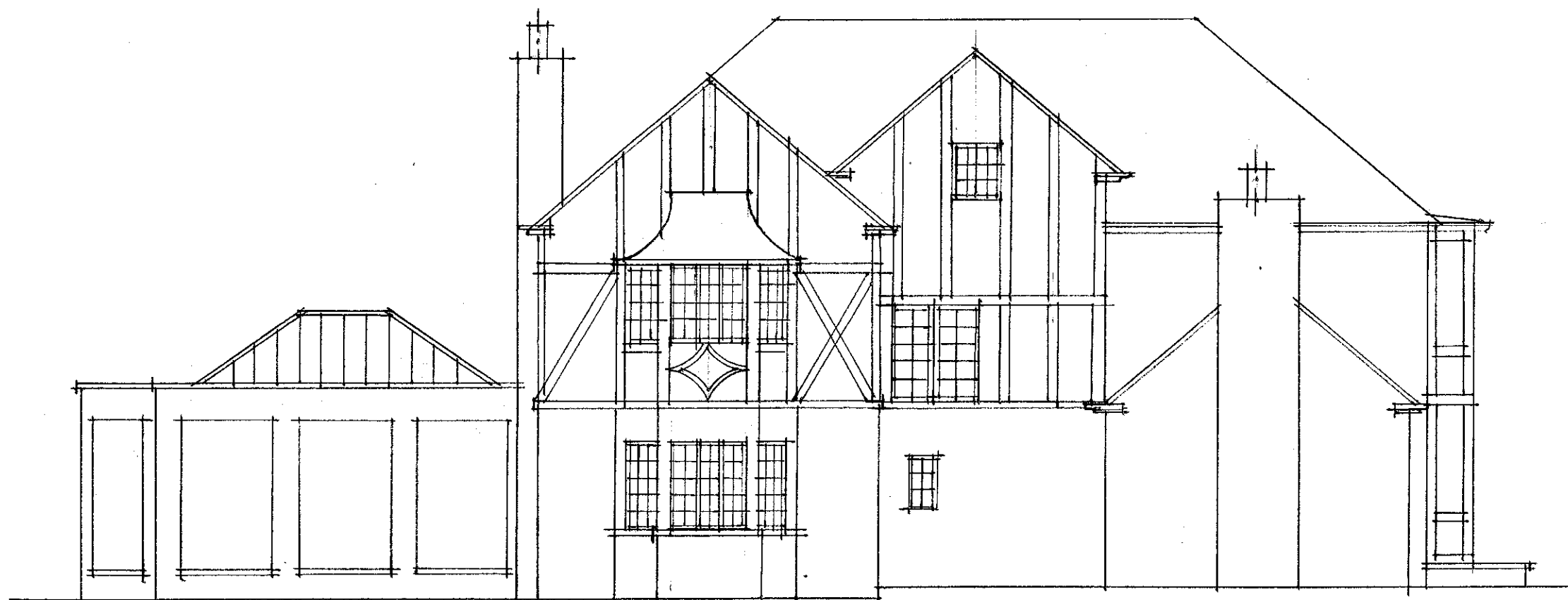
270 BIRCH STREET - WINNETKA, ILLINOIS

PLAT OF SURVEY

DESIGNED BY: AN	DATE: 08-17-20
CHECKED BY: JRS	DATE: 08-19-20
APPROVED BY:	DATE:
JS 02-17-21	FOUNDATION LOCATION ADDITION
DRAWN BY:	REVISIONS

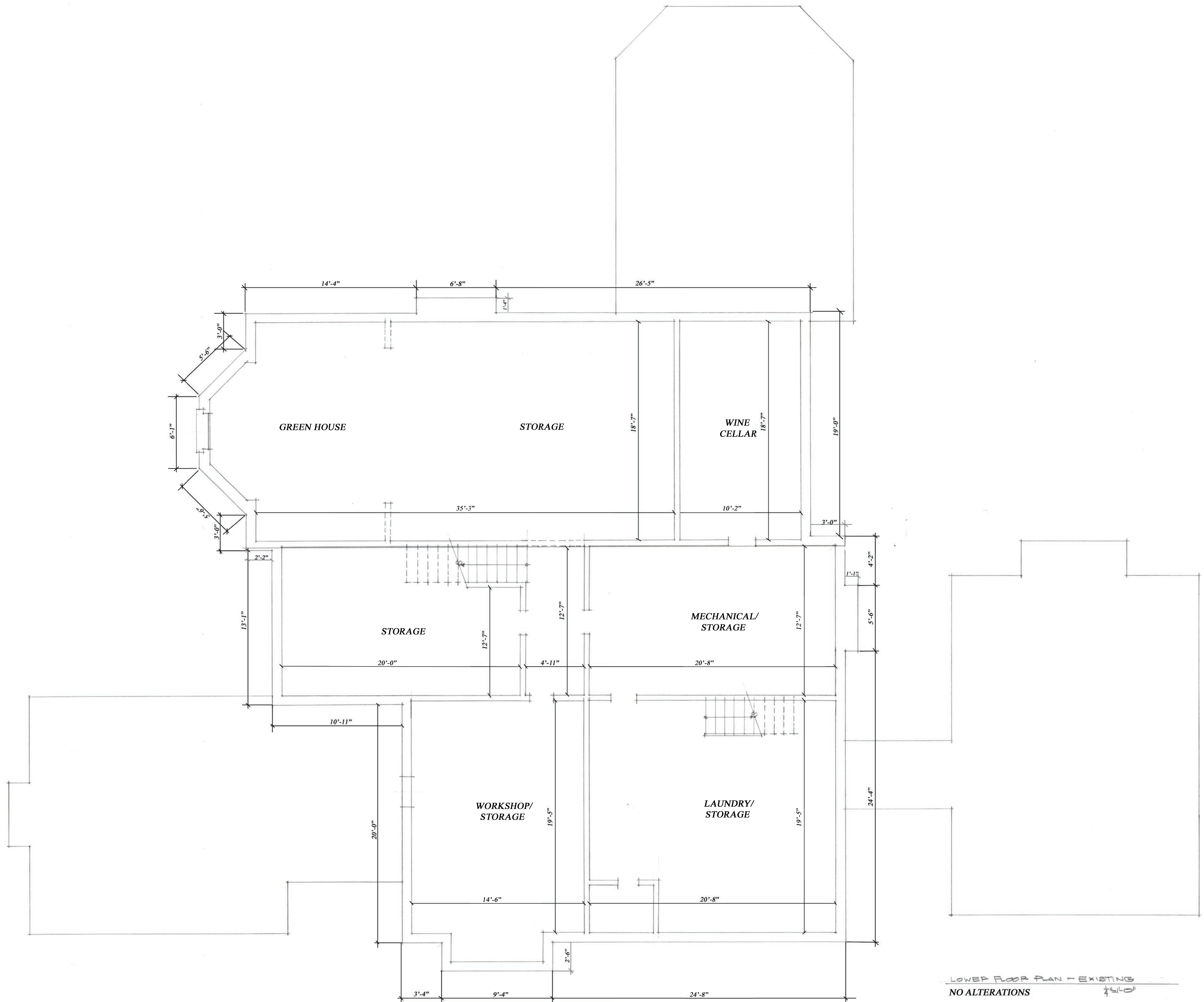


EXISTING EAST ELEVATION 1/8"=1'-0"



EXISTING SOUTH ELEVATION 1/8"=1'-0"





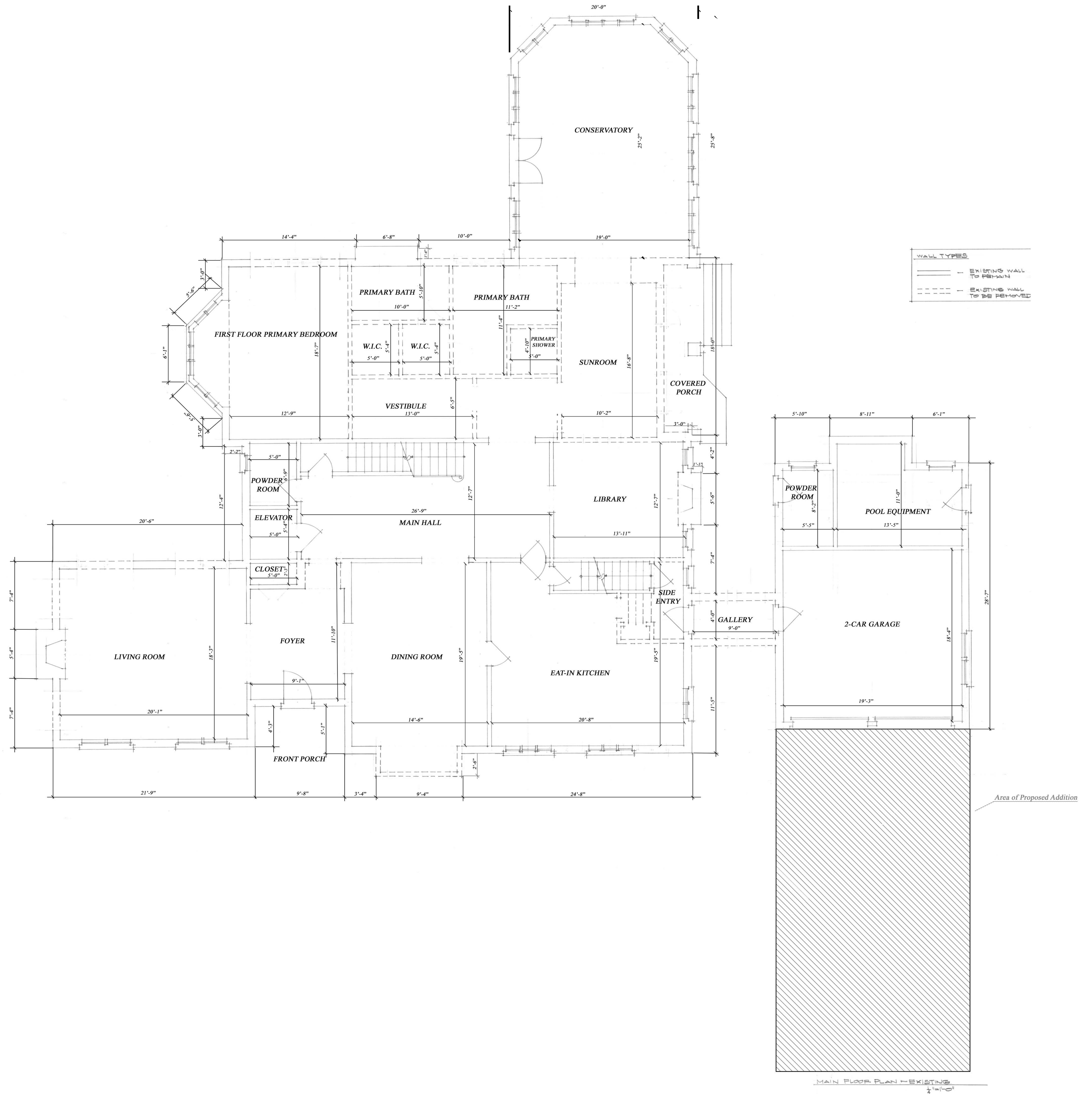
James B. Laughlin
jamesb Laughlin.com
(603) 771-6655

RENOVATIONS
FOR ALEX AND
SPENCER KAEHLER
270 BIRCH ST.
WINNETKA, IL
60093

LOWER FLOOR
PLAN - EXISTING,
DEMOLITION
PLAN

MARCH 8, 2024

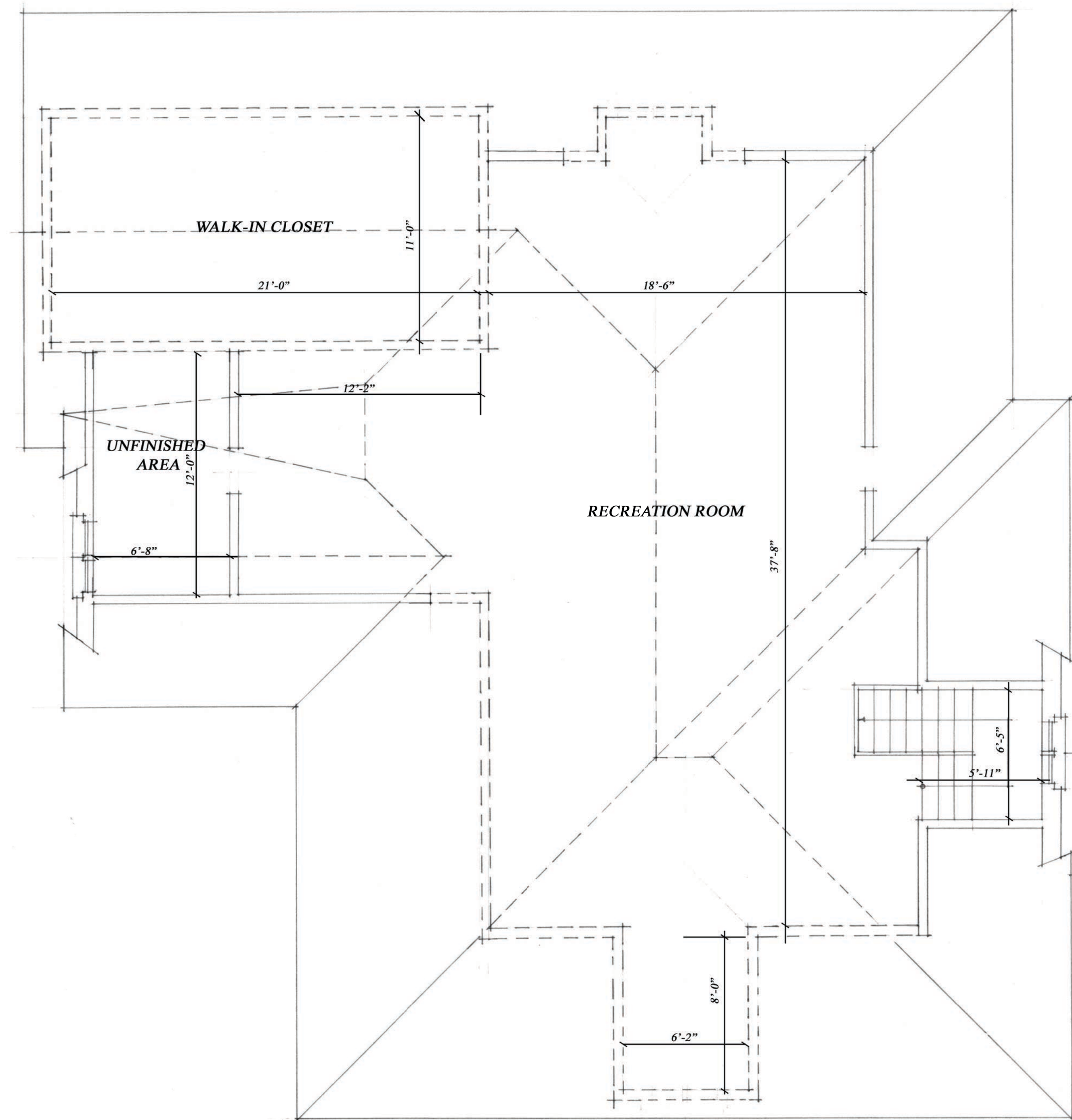
A-1



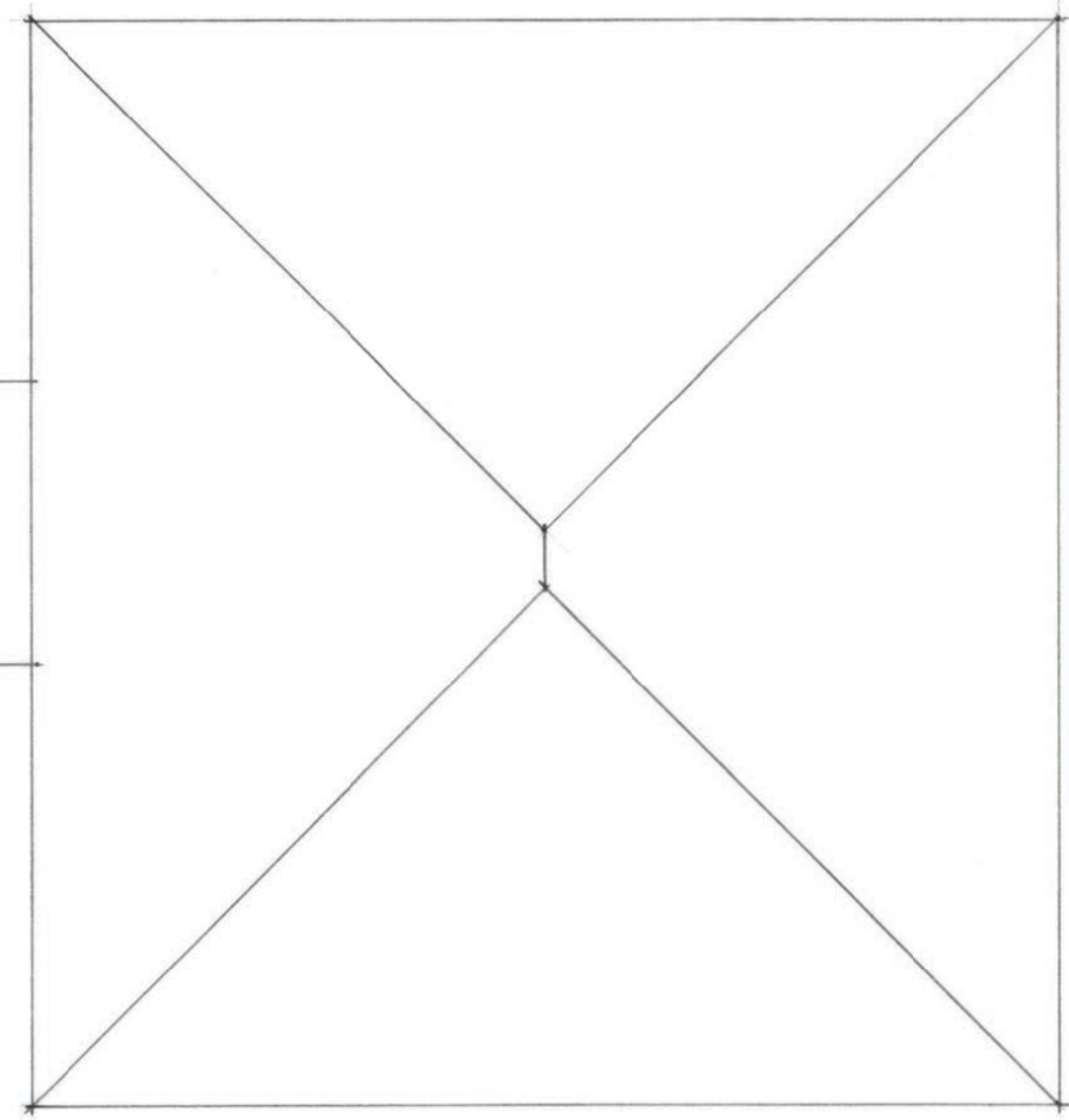


NOVATIONS
ALEX AND
ENCEP KASHLEP
O BIRCH ST,
UNETHA, IL
0093

PEP FLOOR
AN-EXISTING,



WALL TYPES	
—	EXISTING WALL TO REMAIN
- - - -	EXISTING WALL TO BE REMOVED



ATTIC FLOOR PLAN - EXISTING
NO ALTERATIONS

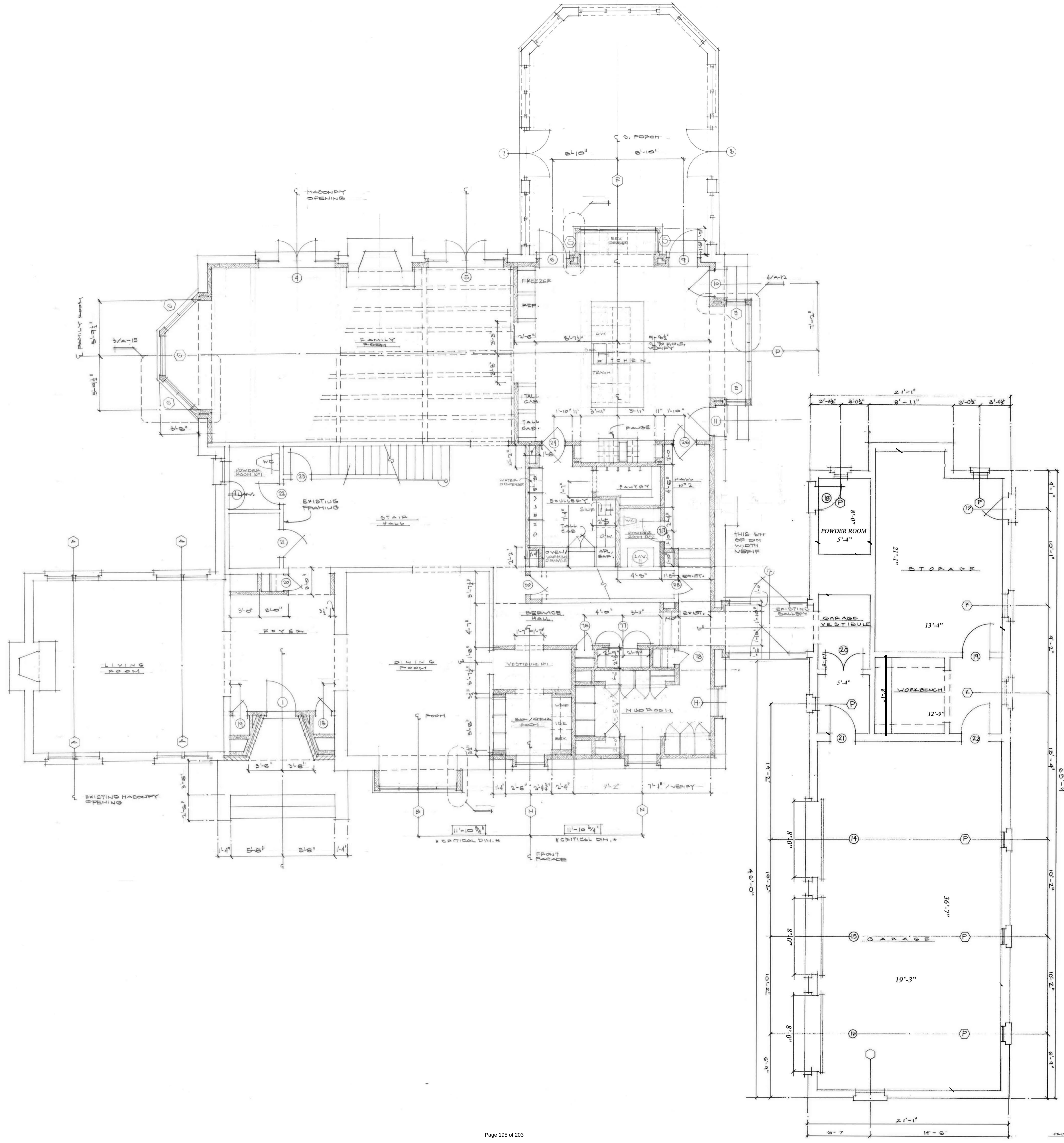
James B. Laughlin
jamesb@laughlin.com
(603) 775-6655

RENOVATIONS FOR ALEX AND SPENCER FAEHLER
270 BIRCH ST.
WINNETKA, IL
60093

ATTIC FLOOR PLAN - EXISTING, DEMOLITION PLAN

MARCH 8, 2024

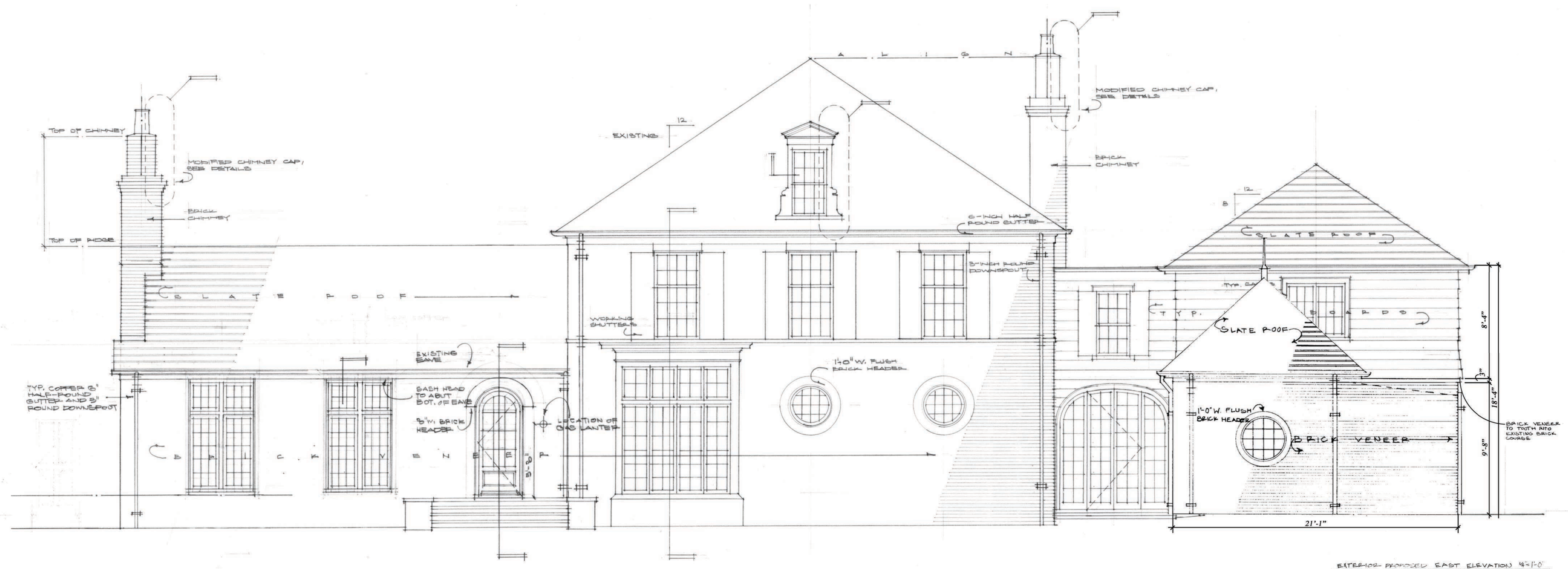
A-4



James B. Laughlin
jbl@jbl.com
(408) 773-4035

RENOVATIONS FOR
ALEX AND SPENCER
KAEHLER
270 BIRCH ST.
WINNETKA, IL
60093

MAIN FLOOR
PLAN

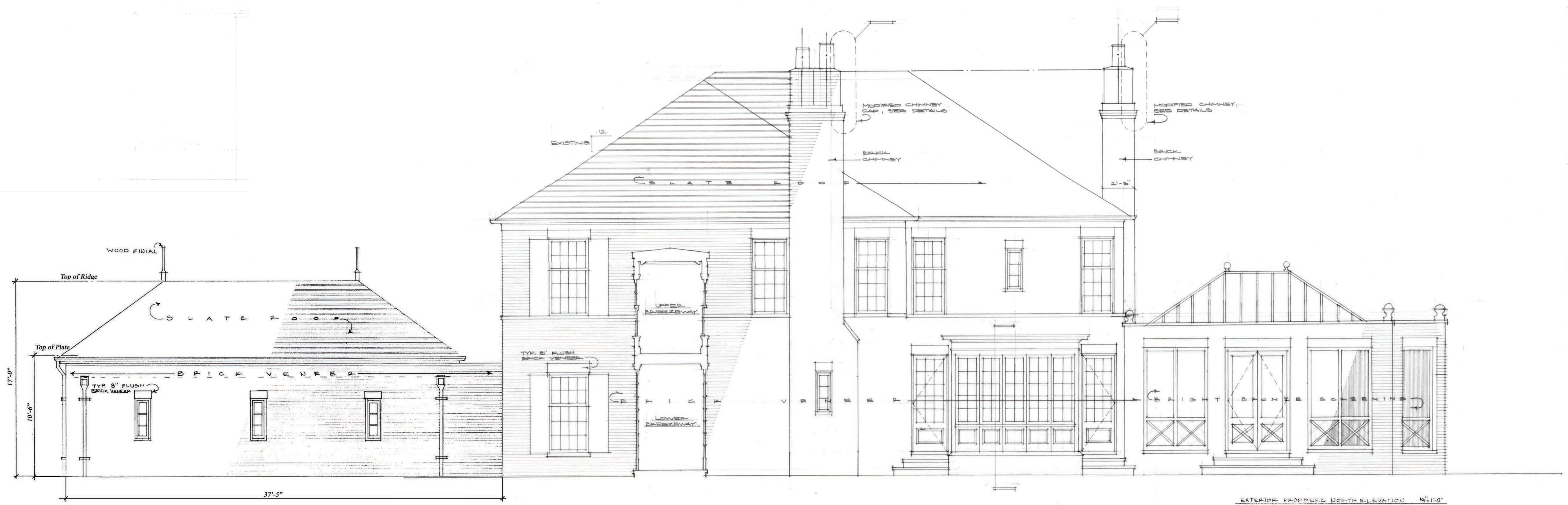


EXTERIOR- PROPOSED EAST ELEVATION 48'-10"

James B. Laughlin
 jamesb.laughlin.com
 (608) 775-6655

RENOVATIONS
 FOR ALEX AND
 SPENCER KUBER
 270 BIRCH ST.
 WINNEBAGO, IL
 60093

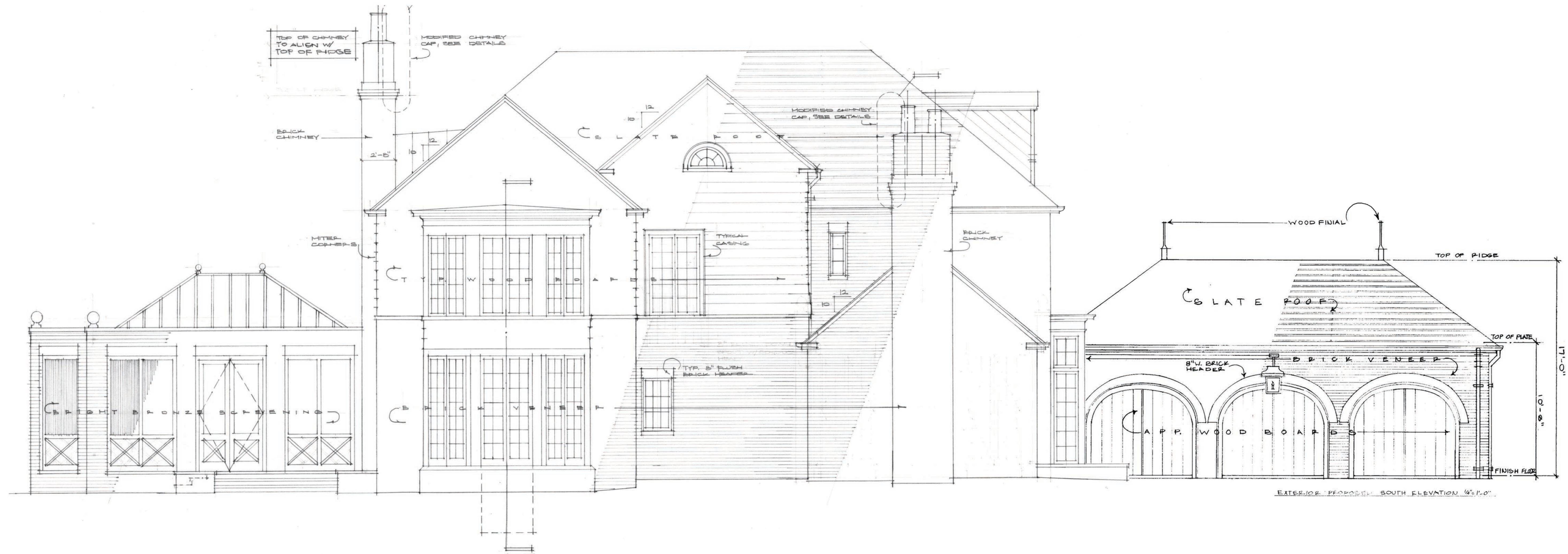
EXTERIOR
 ELEVATION



James B. Laughlin
jamesb.laughlin.com (603) 775-6655

RENOVATIONS
FOR ALEX AND
SPENCER KUBER
270 BIRCH ST.
WINNETKA, IL
60093

EXTERIOR
ELEVATION



James B. Laughlin

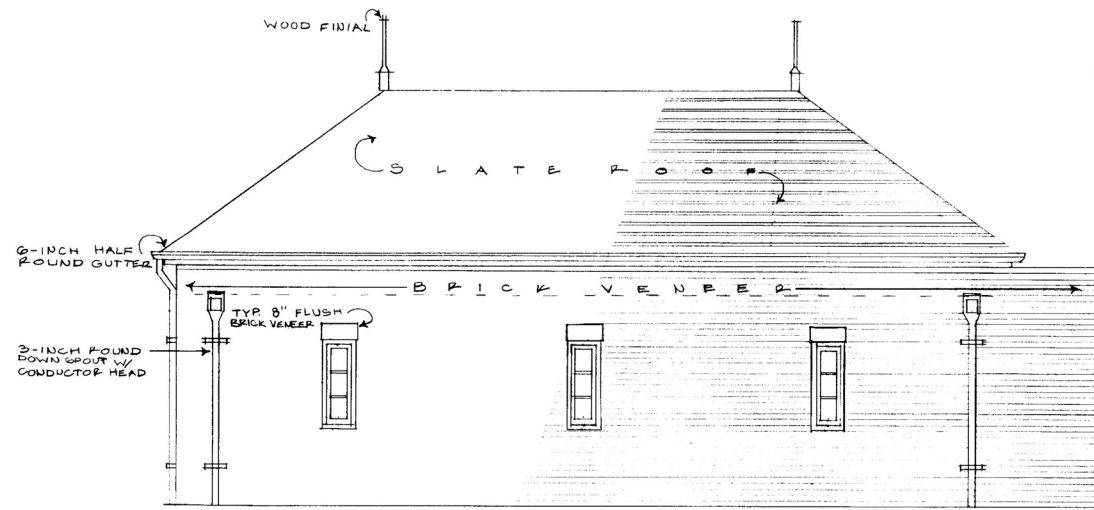
(605) 775-6055



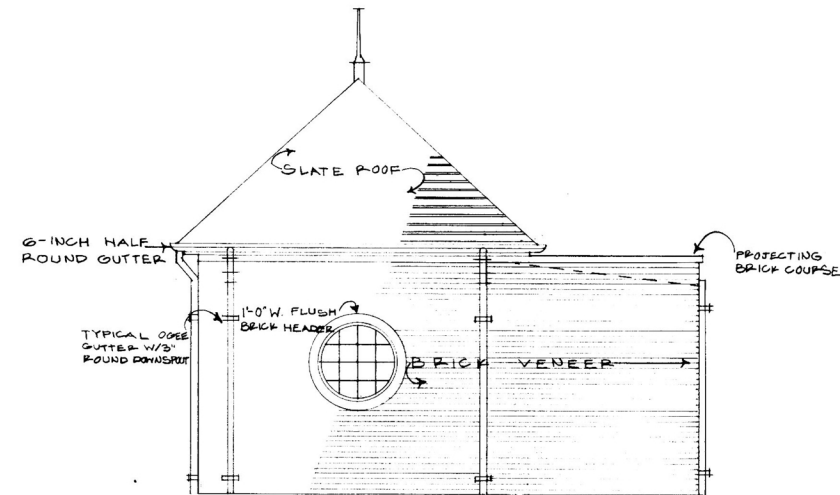
jamesbloughlin.com

RENOVATIONS
FOR ALEX AND
SPENCER REHLER
210 BIRCH ST.
WINNEBAGO, IL
60093

EXTERIOR
ELEVATIONS

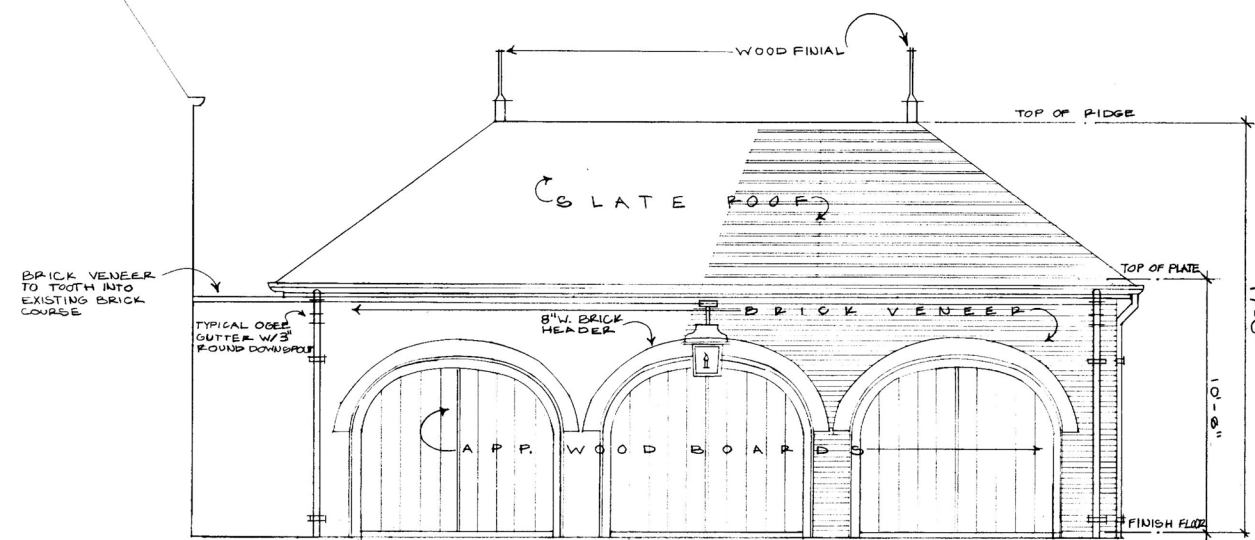


ELEVATION AT REAR 1/8"=1'-0"

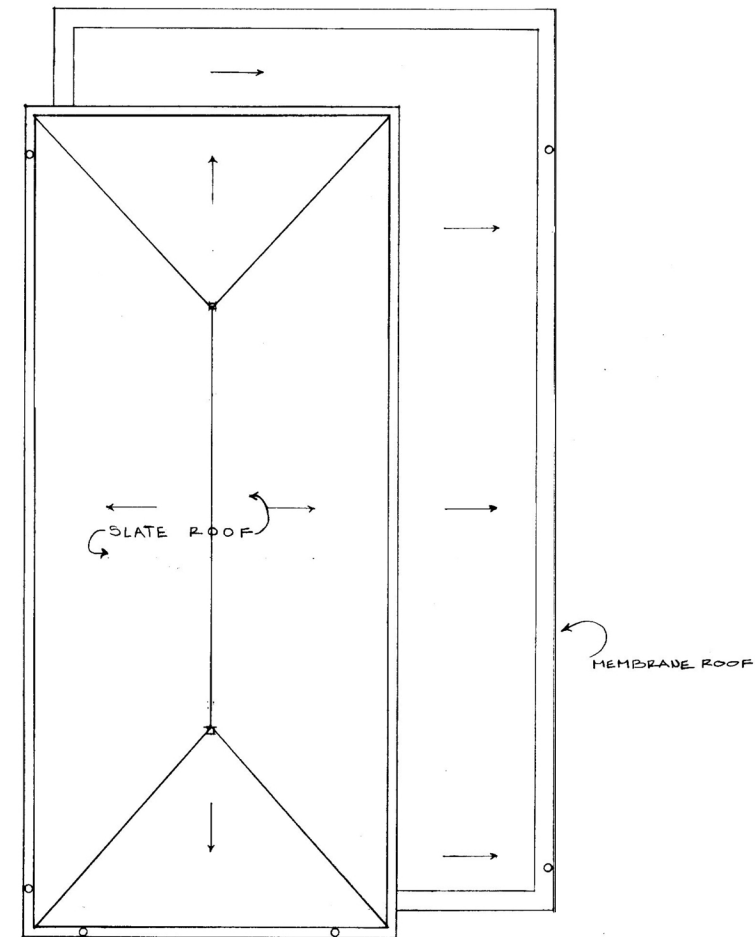


ELEVATION AT STREET 1/8"=1'-0"

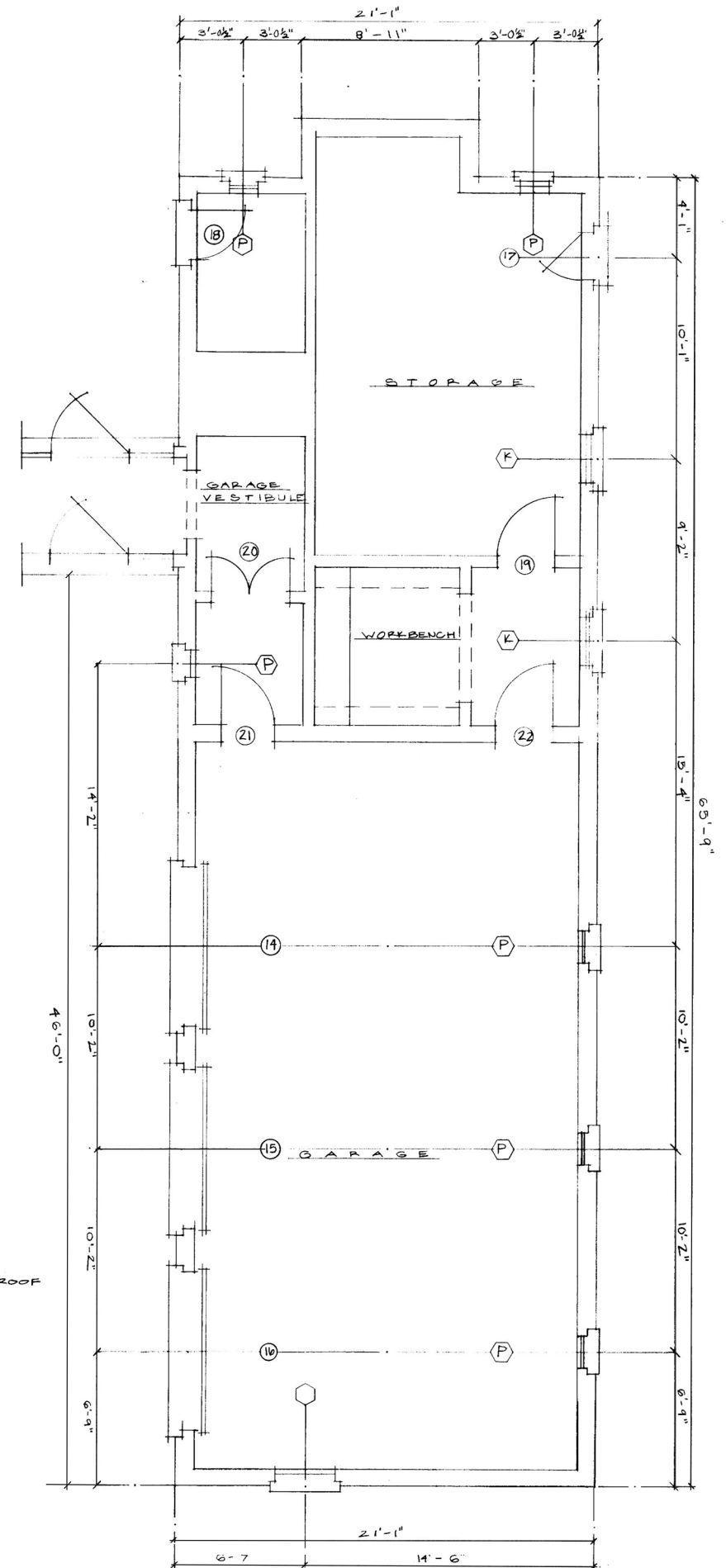
Note - the proposed garage addition is 46'-0" x 21'-1"; drawings scale 1/8"=1'-0"



ELEVATION AT MOTOR COURT 1/8"=1'-0"



ROOF PLAN 1/8"=1'-0"



1ST FLOOR PLAN 1/8"=1'-0"

ATTACHMENT D

From: [REDACTED]
To: [Planning](#)
Cc: [REDACTED]
Subject: Case No 24-16-V2 (270 Birch)
Date: Sunday, November 3, 2024 3:57:33 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We, T. Patrick and Cathlin Murphy, are the owners of 250 Birch St Winnetka, directly south of the Kaehler residence at 270 Birch. We strongly advocate for the city to approve the zoning variation request and allow an extended garage to encroach on the 50 foot setback.

The proposal is the most logical way to allow for more garage space for a family, with it connected off the existing mudroom/kitchen. Any other proposal either limits garage/storage space, breaks up the yard and/or creates a 2nd structure on the property. We are grateful this 100 year old has been lovingly restored, rather than razed. I would love to see the city continue to make decisions that favor those that look to preserve these home and make them functional for the next 100 years.

I don't plan to attend the hearing in person but am happy to speak further with anyone from the city,

Patick Murphy
[REDACTED]

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WINNETKA ZONING BOARD OF APPEALS SPECIAL MEETING MINUTES EXCERPT
NOVEMBER 18, 2024

Zoning Board Members Present:

Matt Bradley, Chairman
Mark Haller
Lynn Hanley
Kathryn Leister
Todd Vender

Zoning Board Members Absent:

Kate Casale MacNally
Kathryn Leister
Mike Nielsen

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Assistant Director of Community Development
Christopher Marx, Associate Planner

Special Minutes of the Zoning Board of Appeals
November 18, 2024

Call to Order & Roll Call:

Chairman Bradley called the meeting to order at 7:01 p.m. Roll call was taken of the Board Members present.

a. Case No. 24-16-V2: 270 Birch Street: An application seeking approval of a variation to allow construction of an addition to the existing residence at 270 Birch Street. The requested variation would permit the proposed addition to provide less than the minimum required front yard setback from the east property line along Birch Street. The Village Council has final jurisdiction on this request.

Ms. Klaassen identified the property's location, size and zoning classification as well as site photographs. She explained the variation being requested and referred to the proposed addition's illustrations. Ms. Klaassen then described the rooms contained in the proposed addition and garage space and referred to various elevation views. She stated one correspondence was received and following the applicant's presentation and public comment, the Board may consider a motion to recommend approval or denial of the request or continue the matter to a date certain with draft language included on page 89. She then asked if there were any questions. No questions were raised at this time.

Chairman Bradley asked for the applicant's presentation and swore in those speaking to this matter. James Laughlin, project architect, and Alex Kaehler, the applicant, introduced themselves to the Board. Ms. Kaehler informed the Board the older home was extensively renovated and in their attempts to make the garage more modern, they considered historically consistent options. She stated the proposal is aesthetically pleasing and would not block sight lines.

Mr. Laughlin stated his company did historic preservation type projects and they realized they would have to consider hardships relating to older homes. He stated the home is located right on the 50-foot front yard setback which represented limited options in terms of the garage. Mr. Laughlin stated the proposal represented the most architecturally appropriate approach without tearing down the home and would contribute to the neighborhood by not having front facing garage doors.

Mr. Vender questioned an area in an illustration. Ms. Klaassen responded it represented a vacated right-of-way that is now part of the lot. Ms. Kaehler informed the Board that neighbor provided a letter in support of the application. Ms. Hanley asked if other locations were considered. Ms. Kaehler informed the Board of the alternative locations which included a free-standing garage installation that would not require a variance. Mr. Laughlin noted that alternative would make the garage closer to two adjacent properties. Ms. Kaehler noted they

1 are not yet living in the home and have been renovating it for a year. She added they have photos of the home
2 prior to the renovation.
3

4 Chairman Bradley asked how much of the interior layout matched what would have been common in homes of
5 this time period. Mr. Laughlin and Ms. Kaehler explained the prior parlor type spaces and how the home's interior
6 was previously divided up to accommodate the needs of the previous elderly homeowner. Mr. Laughlin added they
7 planned to match the existing materials. The applicant also provided additional information relating to the size of
8 the three-car garage. Mr. Laughlin confirmed the proposal represented the most minimally invasive version of the
9 garage. Ms. Kaehler stated they could consider using a double door garage to minimize the garage size by 2 feet.
10

11 Chairman Bradley asked for public comment and swore in those speaking to this matter. Alexandra Nichols, 900
12 Mt. Pleasant, read her comments into the record relating to the length of time and amount of construction at the
13 applicant's property and asked for the Board not to approve the variation.
14

15 Ms. Kaehler responded the garage was considered as part of the initial project and that it was determined the
16 property was in the flood plain which meant they could not expand the home's footprint. She stated they secured
17 a LOMA for the property, which designated that the home was not in the flood plain, and she also explained how
18 construction traffic is being staged. A Board Member asked if the garage could be built as of right to the south to
19 alleviate the neighbors' concerns. Ms. Klaassen confirmed that is correct provided the applicant complied with
20 impermeable lot coverage limitations which would result in a driveway extending along the south property line.
21

22 Chairman Bradley called the matter in for discussion. Mr. Haller stated he is sympathetic to the neighbors'
23 concerns relating to the amount of construction. He stated with regard to the garage as positioned and how it
24 related to the rest of the construction, it seemed logical. Mr. Haller also indicated the garage could be a two-car
25 garage instead and the garage being installed in the rear would be more intrusive. He then stated he is also
26 concerned with setting a precedent. Ms. Hanley stated while she loved the design and the attempt to keep it
27 historically appropriate, the request did not fit within zoning and the encroachment would be very significant. She
28 also referred to standard nos. 1 and 3 not being met and referred to the existing homes' setback on the street in
29 the R-2 zoning district. Ms. Hanley then stated while the alternatives are not desirable, she is not in favor of the
30 significant encroachment.
31

32 Ms. Leister stated she is in favor of the request and referred to standard no. 1 as being reasonable with the
33 garage's alternate southwest location being inferior. She then stated the preservation of the older home
34 warranted the variation. Mr. Vender stated he is not as bothered by the encroachment and agreed there is a lot of
35 construction traffic. He stated the resulting garage would be befitting to the amount of work done on the home.
36 Mr. Vender stated a garage will ultimately be built on the property. Chairman Bradley agreed with Ms. Hanley's
37 comments relating to standard nos. 1 and 3 and made several points relating to reasonable return. He then stated
38 for this project, he questioned the reasonable return for this home without some relief being granted to quantify
39 having a garage of a size in keeping with the home's size. Chairman Bradley stated it is expected to have a garage
40 to accommodate at least two vehicles for a home this size and alternative locations would create issues. He then
41 stated he would be less troubled by encroachment in the front yard setback in this instance and would be in favor
42 of recommending approval. Mr. Haller referred to the alternative of tearing down the home and having a newly
43 constructed home and concluded he would be in favor of recommending approval.
44

45 Chairman Bradley then asked for a motion to recommend approval. A motion to recommend approval was made
46 by Mr. Haller and seconded by Ms. Leister. A vote was taken and the motion passed, 4 to 1:

47 AYES: Bradley, Haller, Leister, Vender

48 NAYS: Hanley
49

ATTACHMENT 3

ALEXANDRA C. NICHOLS



WINNETKA ZONING BOARD OF APPEALS PUBLIC HEARING

MONDAY, NOVEMBER 18, 2024

CASE NO. 24-16-V2

270 BIRCH STREET-RESIDENTIAL ADDITION

I am the owner of the property (900 Mount Pleasant Street) which runs the entire west side of this property. I have watched this construction project for more than 8 months. There have been many architects, contractors, construction workers, various pieces of heavy earth moving equipment and cement trucks over the months.

I am requesting that the Zoning Board of Appeals DOES NOT APPROVE the variation requested by Alexandra and Spencer Kaehler. The Kaehlers have had ample time to determine that the existing garage is not big enough for their SUV cars. That should have been one of the first considerations by the architects, contractors and owners when this project was started.

It would set a bad precedent for the Zoning Board of Appeals to approve this variation. The current owners should expand the existing garage to accommodate their vehicle needs. While this may be expensive and disturbing to the project, it is what should be done. A variation is not necessary.

[REDACTED]

Alexandra C. Nichols
900 Mount Pleasant Street
Winnetka, Illinois 60093

[REDACTED]