

**Board of Trustees Meeting  
Village of Kenilworth, Illinois  
January 14, 2008**

The regular meeting of the Board of Trustees of the Village of Kenilworth, Illinois in the Village Hall was called to order by Village President T. Tolbert Chisum at 7:34 pm on January 14, 2008. Village Clerk Robert A. Hastings called the roll, as follows:

<b>Present:</b>	T. Tolbert Chisum	President
	Jacquelynn Bossu	Trustee
	James Hughes	Trustee
	Cristy Laier	Trustee
	Robert Smietana	Trustee
	Thomas Terrill	Trustee
	Katherine Dold White	Trustee

**Absent:** None

**A quorum was present.**

**Others Recorded as in Attendance:**

<i>Village Officials and Staff</i>	Bradly J. Burke Barbara Adams Richard Cooper John Petersen Susan Criezis	Manager, Deputy Clerk Legal Counsel Treasurer Chief of Police Director of Community Development
<i>Signed in using Village Addresses</i>	Lili Duquette Margaret Hastings Steve Hoopes Kelli Kobor Rachel Noel John Roberts Grace Terrill Gwen Sommers Yant	322 Kenilworth Avenue 366 Sterling Road 538 Exmoor Road 620 Abbotsford Road 141 Kenilworth Avenue 521 Kenilworth Avenue 122 Woodstock Avenue 706 Cummings Avenue
<i>Signed in as Non-residents</i>	John Houseal	Houseal Lavigne Assoc LLC, Naperville

**Approval of Minutes**

Approval of the *Minutes of the Board of Trustees Meeting of December 10, 2007* was requested by President Chisum. There being no comments, Trustee Smietana moved to *Approve the Minutes of the Board of Trustees Meeting of December 10, 2007*, seconded by Trustee Hughes, and the ***Minutes of the Board of Trustees Meeting of December 10, 2007 were Approved by Voice Vote Without Dissent.***

**Action Items**

a. Consideration of an *Ordinance Adopting a Comprehensive Plan for the Village of Kenilworth*. Plan Commission Chair Trustee Smietana described the extensive efforts of the Plan Commission, which began work in April, 2006 and has held over twenty meetings, plus open houses to receive public input on the development of a Comprehensive Plan for the Village of Kenilworth. A first draft was reviewed in February, 2007 and a revised version presented to the Village Board in October, 2007 to secure approval to hold public hearings. Final revisions based on public and Plan Commission member input during the public hearing process were then made to prepare the

version being considered by the Village Board for approval. Chair Smietana, and subsequently President Chisum and the full board, complimented the Plan Commission, members of the Village staff Manager Burke and Susan Criezis, and consultant John Houseal on their thorough work in drafting the Comprehensive Plan. In addition to Chair Trustee Smietana and ex officio President Chisum, Plan Commission members are Elizabeth Bannon, Frank Cavalier, Dirk Degenaars, Timothy Dugan, Thomas Feeney, Susan Hoopes, James Junewicz, Henry Mawicke, and, Gwen Sommers Yant.

There followed an extensive discussion of possible clarifications to be made in the final draft for approval of the Comprehensive Plan. Chair Smietana, Consultant Houseal and others explained the reasoning behind various items, including the wording of the building height restriction, the screening requirement along Green Bay Road, and the need for further committee work to specify how the Plan would be implemented in practice. Changes agreed to include addition of the Ad Hoc Committee's contribution to the planning process, noting there are individuals who assist in maintaining public areas in addition to the Garden Clubs, and the suggestion the Plan be reviewed every two to three years. The approved changes will appear in the published Comprehensive Plan.

Following the discussion Trustee Smietana moved *Approval of Ordinance No. 991 Adopting a Comprehensive Plan for the Village of Kenilworth as Amended*, Trustee Terrill seconded, and a roll call vote was taken.

For:	Smietana, Terrill, Bossu, Hughes, Laier, White
Opposed:	None
Abstain:	None

Clerk Hastings announced the ***Vote to Approve Ordinance No. 991 Adopting a Comprehensive Plan as Amended for the Village of Kenilworth was six for and none opposed.*** President Chisum declared the motion passed.

Trustee Smietana noted the Plan Commission will meet on February 4 and discuss implementation of the Comprehensive Plan.

***b. Consideration of a Resolution Authorizing Execution of a Contract for the Trimming and Removal of Parkway Trees.***

Manager Burke provided background on the bidding process, which was similar to the prior year, for the Fiscal Year 2007-2008 annual parkway tree trimming activities. Bidders were requested to provide an hourly rate based upon a pruning crew consisting of 5 experienced climbers and 1 ground man, plus one chipping crew man and a chipper. The cost of all crews, cleanup, dumping, equipment, tools, and other requirements were to be included in the hourly rate. At the Wednesday, January 9, 2008 bid opening three bids were received, with Sawvell Tree Service, Inc. of Mundelein, Illinois the low bidder at \$38.50 per hour. Reference checks were favorable, so approval of Sawvell's bid was requested.

In response to questions, Manager Burke said Sawvell's low bid appears to be based on their plan to bring in larger crews and complete the work in a shorter period of time. The Sawvell hourly rate is similar to that of Nels Johnson last year. There will be some follow-up work to the storm damage in 2007, but the overall plan is to cover trimming of Village trees on a 4-5 year cycle. While the bid is in hourly rate terms, the total expenditure in FY08 is to be limited to the Village's budget for such work of \$20,000. Also, the work is to be done in compliance with good practice for avoiding Dutch Elm beetle and Emerald Ash Borer spread. Counsel Adams added her expectation state law provides guidance on these requirements.

Trustee Hughes moved *Approval of Resolution R2008-01 Authorizing Execution of a Contract with low bidder Sawvell Tree Service, Inc. of Mundelein, Illinois for the Trimming and Removal of Parkway Trees*, seconded by Trustee Smietana, and a roll call vote was taken.

For: Hughes, Smietana, Bossu, Laier, Terrill, White  
Opposed: None  
Abstain: None

Clerk Hastings announced the ***Vote to Approve Resolution R2008-01 Authorizing Execution of a Contract with Low Bidder Sawvell Tree Service, Inc. of Mundelein, Illinois for the Trimming and Removal of Parkway Trees was six for and none opposed.*** President Chisum declared the motion passed.

c. Consideration of a *Resolution Relating to the Village of Kenilworth 457 Deferred Compensation Plan, Appointing VantageTrust Company as Successor Trustee.*

Manager Burke explained the Village of Kenilworth offers a 457(b) deferred compensation plan, commonly referred to as ICMA-RC, to all of its employees. Participation is voluntary and the Village does not match or otherwise contribute. Employees who wish to participate choose their desired amount of pre-tax payroll deduction each pay period. Some but not all Village employees participate.

The Village recently received notice the trustee of the Plan Trust is no longer serving as of December 31, 2007, so the Village needs to appoint a successor trustee. The trustee provides services such as contribution and distribution processing, investment direction, tax reporting, and preparation and distribution of participant account statements. VantageTrust is recommended as the successor Trustee, it would continue to provide the same services, and there would be no fees associated with the transition.

Trustee Hughes moved *Approval of Resolution R2008-02 Appointing VantageTrust Company as Successor Trustee of the Village of Kenilworth's 457 Deferred Compensation Plan*, Trustee Smietana seconded, and a roll call vote was taken.

For: Hughes, Smietana, Bossu, Laier, Terrill, White  
Opposed: None  
Abstain: None

Clerk Hastings announced the ***vote to Approve Resolution R2008-02 Appointing VantageTrust Company as Successor Trustee of the Village of Kenilworth's 457 Deferred Compensation Plan was six for and none opposed.*** President Chisum declared the motion passed.

d. Consideration of a *Resolution Establishing a Revenue/Expenditure Study Committee and Appointing Its Members.*

President Chisum said he had given further consideration to the Finance Committee's request to establish a Blue Ribbon Committee (BRC) on finance issues and its membership since it last was discussed at the December 10, 2008 Village Board meeting. He proposed the name Revenue/Expenditure Study Committee, to reflect the intended charge to "develop recommendations for Village Board consideration pertaining to potential alternate and additional revenue sources or other opportunities for enhancing revenue and addressing expenditure pressures to achieve a balanced budget and meet the Village's capital improvement needs." A sheet describing the proposed Study Committee which was used in discussion with potential members was distributed. President Chisum said he has increased the original proposal for a committee of four residents to seven, and it is his intent Steve Hoopes would serve as Chair. The

term of office would be to September 1, 2008, with a report to be presented at the September 8, 2008 Board meeting.

President Chisum summarized the biographies of the seven residents he proposes for appointment to the proposed Revenue/Expenditure Study Committee, who are as follows:

- Steve Hoopes, Chair, 538 Exmoor Road
- Lois Colberg, 353 Sterling Road
- Dirk Deganaars, 723 Cummings Avenue
- Lili Duquette, 322 Kenilworth Avenue
- Scot Lien, 315 Ridge Road
- Tom Prince, 303 Richmond Road
- Denise Seminetta, 405 Sheridan Road

In response to questions from various trustees regarding the Study Committee, President Chisum stated the charge was intended as a “loose fitting cape” to permit the committee flexibility in how it approached the subject, three of the seven proposed members were chosen from a list submitted by Trustee Terrill, and the meeting times are flexible, so he expects the Study Committee can achieve what is desired.

Trustee Terrill, Chair of the Finance Committee, said when he first raised the idea of a Blue Ribbon Committee (BRC) back in the August, 2007 meeting, and again in the September meeting, he was asking for independent assistance in looking at the FY09 budget, as well as a potential deficit in the upcoming years in the draft Long Range Plan of over \$2 million. Trustee Terrill said the Finance Committee had voted to request the immediate formation of a BRC, and he also had suggested to the Village President a roster of potential residents to serve on the BRC. Trustee Terrill said he thought the Trustees had taken an “advisory vote” to get started with a BRC reporting to the Finance Committee. Trustee Terrill added he felt strongly the BRC should act in an advisory capacity to the Finance Committee, so he could not support the current proposal. President Chisum responded he was not aware of any committee that reported to another committee. Treasurer Cooper added the Study Committee probably could have only a small impact near term via expense reduction.

After further discussion of President Chisum’s proposal, Trustee White *Moved a Resolution to Establish a Revenue/Expenditure Study Committee and Appoint the Seven Members as Proposed*, seconded by Trustee Smietana, and a roll call vote was taken.

For:	White, Smietana
Opposed:	Bossu, Hughes, Laier, Terrill
Abstain:	None

Clerk Hastings announced the ***Vote on the Resolution to Establish a Revenue/Expenditure Study Committee and Appoint the Seven Members as Proposed was two for and four opposed.*** President Chisum declared the motion failed.

In further discussion, Trustee Laier said she thought the original idea was to have an independent committee like the Blue Ribbon Home Rule Committee reporting to the Finance Committee. Manager Burke said he was unclear if the reference to an “independent committee” meant an advisory body operating outside of the Village’s processes and state law pertaining to public bodies. Manager Burke expressed his opinion any committee created by the Village Board needed to be properly constituted and follow the Open Meetings Act and any other statutory requirements. A discussion of how the Study Committee could and should function continued, covering topics such as its focus and composition, perceptions of the most pressing financial issues to be addressed, potential sensitivity of the discussions, and need for Village staff support. Counsel Adams said she expected the Study Committee would have to follow the open meetings

requirements, and if it is desired to put a referendum question on the ballot there is a 60-70 day statutory minimum lead time.

President Chisum proposed he meet with Manager Burke and Trustee Terrill to work out a plan for proceeding. Counsel Adams noted if it was desired to bring the matter up at a later meeting a proper procedure would be for one of those opposed to the preceding motion to move to reconsider and table the matter. After clarification the proposed Resolution could be reactivated in a subsequent Board meeting by majority vote of the Trustees and amended if desired, Trustee Laier *Moved to Reconsider and Table the Resolution to Establish a Revenue/Expenditure Study Committee and Appoint its Members as Proposed*, seconded by Trustee Hughes. A voice vote was taken and the ***Motion to Reconsider and Table the Resolution to Establish a Revenue/Expenditure Study Committee and Appoint its Members as Proposed was approved by voice vote without dissent.***

e. *Review and Authorize Payment of \$351,655.86 in December, 2008 Accounts Payable.*

Trustee Terrill stated he had looked at and recommended approval of the various December bills. Larger items are Illinois Risk Management Association \$109,716 for liability, worker's compensation and property insurance; Chicago Communications Services, LLC \$60,196.74, mainly for purchase of the new 911 system (approved by the 911 Board); Currie Motors \$21,767.00 for the Public works pick-up truck; McCann Industries, Inc. \$16,483.47 for a pavement breaker and backhoe repairs; and \$32,306.50 for escrow refunds. It was also noted December wire transfer payments of \$123,571.34 and \$207,983.75 were made to The Bank of New York for the first year interest only on the 2007 General Refunding Bond, and interest and principal on the 2006B water bond, respectively.

Trustee Terrill moved to *Authorize Payment of \$351,655.86 in December, 2007 Accounts Payable*, Trustee Hughes seconded, and a roll call vote was taken.

For:	Terrill, Hughes, Bossu, Laier, Smietana, White
Opposed:	None
Abstain:	None

Clerk Hastings announced the ***Vote to Authorize Payment of \$351,655.86 in December, 2007 Accounts Payable was six for, none opposed.*** President Chisum declared the motion passed.

Also noted was a larger proportion of Village cash was maintained at North Shore Bank the past month to take advantage of its interest rate, which was higher than IPTIP's money market rate. Also clarified was that the Sewer Fund balance shown as restricted is a designated fund, whereas the Water Operating Fund balance is a separate "enterprise" fund.

### **Committee Reports**

**Streets, Drainage and Public Works** – James Hughes, Chair

Trustee Hughes indicated there were no significant new developments to report.

**Police and Fire** - Katie Dold White, Chair (Newsletter)

Trustee White reviewed in detail Chief Petersen's report covering December, 2007 police activity. There were 556 calls for service, with 1 Part I offense, a theft valued at under \$300, and 9 Part II offenses. The Part II offenses included 1 deceptive practices, 1 disorderly conduct, 1 narcotics arrest, 2 obstructing a police officer, and 4 illegal possession or use of alcohol. Officers also made 2 arrests for driving under the influence and 3 arrests for other traffic misdemeanors. In addition, the police also responded to 23 fire and ambulance calls, 11 burglar alarms, 9 construction complaints, 2 domestic troubles, 9 animal complaints and aided outside agencies on 5 occasions.

Patrol officers investigated 13 suspicious persons/circumstances incidents and responded to 9 traffic crashes, none involving injuries.

In December Lt. Philip Brunell received an Award of Excellence from the North Regional Major crimes Task force (NORTAF) for his dedicated service. NORTAF is comprised of an elite group of highly trained criminal investigators and forensic specialists drawn from 13 member agencies (Evanston, Glencoe, Glenview, Kenilworth, Lincolnwood, Morton Grove, Nilis, Northbrook, Northfield, Skokie, Wheeling, Wilmette and Winnetka). Lt. Brunell was an original member of the Task Force, having joined when it was formed in 1997. He has served as a forensic specialist, investigator, and most recently task force supervisor in charge of personnel, equipment and budget preparation. His participation includes 54 task activations, mostly homicide investigations, and has brought honor and recognition to the Village of Kenilworth and its police department, as well as himself. The Trustees concurred in recognizing Lt. Brunell's service.

Chapter 27A of the Village Code requires residents to secure a permit for any building with a burglar or fire alarm. There is an initial installation fee of \$50 and an annual renewal fee of \$25. Reminders were mailed in mid December, and Village residents should be renewing their permits at this time. Permits not renewed within 60 days are subject to a new installation fee and a higher renewal fee.

Trustee White added additional positive notes about the helpfulness of police officers were received the past month, and the Newsletter has been mailed.

**Finance** – Thomas Terrill, Chair

Trustee Terrill passed out copies of a report on the North Shore housing market for information.

**Community Affairs** – Cristy Laier, Chair

Trustee Laier said Community Affairs will host a meeting at the Kenilworth Assembly Hall on January 23 to inform residents about the process of preparing a National Register District Nomination for the Village. Consultants Ted Hild and Susan Benjamin will provide background on the process, and questions will be taken from the audience.

**Building, Planning and Zoning** – Jackie Bossu, Chair

Trustee Bossu reported 14 building permits were issued in December, with a total cost of improvements of \$2,302,363.00 and fees of \$69,616.00. The number of permits issued matched the previous month, and the 204 total permits issued fiscal year to date is higher than in any of the preceding 4 years.

**Water and Electricity** – Robert Smietana, Chair (Plan Commission)

Trustee Smietana reported finished water pumped into the distribution system in December was 10.828 million gallons, or an average of 349,000 gallons per day. The daily average is up from 312,000 gallons in December of 2007. He noted the December, 2006 highest daily pumpage of 839,000 gallons resulted from trying to make ice for skating.

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**Village President** – T. Tolbert Chisum

President Chisum affirmed the newsletter had been distributed, and complimented those involved in providing material and editing. Also noted were the complimentary letters received regarding police activities, and a professional arrest he had personally observed.

**Village Treasurer** – Richard Cooper

The preliminary actuarial report on the Police Pension Fund has been received, with the final version expected in two weeks, reported Treasurer Cooper. The report will be reviewed by the Pension Fund Board and a summary presented to the Village Board.

**Village Legal Counsel** – Barbara A. Adams  
Counsel Adams said she had nothing more to add.

**Village Manager** – Bradly Burke

Manager Burke thanked Trustee Laier for her preparation of the comprehensive Newsletter article on the National Register Historic District activity. He noted the Christmas eve holiday was appreciated by Village staff. After consultation with and approval by the Village executive Team and President, he proposes to shift the former Veteran's Day paid holiday to Christmas Eve for the future. Trustee Terrill moved to *Approve the 2008 Holiday Schedule*, seconded by Trustee Laier. A voice vote was taken, and the ***Motion to Approved the 2008 Holiday Schedule was approved by voice vote without dissent.***

Trustee Terrill expressed concern about the letter received from resident Ned Leuchtner, which he felt had a negative tone and contained inaccuracies, and complimented Manager Burke on his response. President Chisum indicated he was extremely disappointed in the letter and would personally express his concern to Mr. Leuchtner.

Manager Burke referred to the letter from Pace included in the Board packet concerning possible impacts on service due to lack of funding. Until it is clear what action the State Legislature will take, there is no need for any response at this time. It also was noted copies were included in the packet of a letter from AT&T addressed to Clerk Hastings stating AT&T would begin offering their next generation video product in Kenilworth.

Manager Burke said he was pleased to report the hiring of a replacement intern from Northern Illinois University. The intern lives in DeKalb and will commute to Kenilworth to work on Monday, Thursday and Friday. His \$15 per hour wage compares to an annualized salary of \$18,000. It is slightly higher than the average intern wage in this area of \$12-13 to recognize the commuting time and expense.

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There being no further business, Trustee Hughes moved to adjourn the meeting, Trustee White seconded, and the meeting was concluded by voice vote at 10:27 pm.

Respectfully submitted,

Robert A. Hastings  
Clerk

Bradly J. Burke  
Deputy Clerk

**BOARD COMMITTEE COMPOSITION**

BUILDING, PLANNING & ZONING: Trustee Jacquelynn Bossu, Chair; Trustees Hughes & Smietana

COMMUNITY AFFAIRS: Trustee Cristy Laier, Chair; Trustees Terrill & White

FINANCE: Trustee Thomas Terrill, Chair; Trustees Laier & White

POLICE & FIRE: Trustee Katherine White, Chair; Trustees Smietana & Terrill

STREETS, DRAINAGE & PUBLIC WORKS: Trustee James Hughes, Chair; Trustees Bossu & Laier

WATER & ELECTRICITY: Trustee Robert Smietana, Chair; Trustees Bossu & Hughes