

MINUTES OF A MEETING OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF
KENILWORTH HELD AT THE VILLAGE HALL, 419 RICHMOND ROAD, AT 7:30 P.M. ON
MONDAY, MARCH 14, 2005.

The regular meeting of the President and Board of Trustees of the Village of Kenilworth, Illinois was held at 7:30 P.M. on Monday, March 14, 2005. Village Manager Max Slankard called the roll as follows:

Present:	L. Hamilton Kerr, III	Village President
	John McGinnis	Village Trustee
	Craig Miller	Village Trustee
	Randal Nelson	Village Trustee
	Richard Schumacher	Village Trustee
	James D. Wilson	Village Trustee
(arrived at 7:35 p.m.)	Hester McCarthy	Village Trustee
Other Village	Max Slankard	Village Manager
Officials Present:	John Petersen	Police Chief
	Peter Dyson	Treasurer
	Iggy Fiorentino	Public Works Superintendent
Others Present:	Don Deloach	337 Abbotsford Road
	Jackie Bossu	614 Earlston Road
	Cristy Laier	306 Oxford Road
	Mike Kelly	651 Brier Street
	T. Tolbert Chisum	631 Park Drive
	Kate Dold White	721 Maclean Avenue
	Robert Hastings	366 Sterling Road
	Bill Folland	304 Melrose Avenue

The minutes of the February 14th, 2005 meeting were placed before the Board. Trustee Schumacher made a motion to approve the minutes as presented. Trustee Nelson seconded the motion which, upon voice vote, was unanimously approved.

The next item on the agenda was the appointment of an Acting Village Clerk to fill the vacancy in office until the newly elected Clerk takes office in May. The President advised that he had reached out to various residents including Bill Sethness and Chris Bird. They were unable to serve, and he asked Bill Folland to serve. Mr. Folland has agreed to serve. Trustee Nelson made a motion to approve Resolution R2005-02 appointing Bill Folland Acting Village Clerk. Trustee McGinnis seconded the motion and a roll call vote was taken as follows:

Yea: McGinnis, Miller, Nelson, Schumacher, Wilson, McCarthy

Nay: None

Absent: None

Abstain: None

President Kerr declared the motion carried 6 to 0 and Resolution R2005-02 appointing Bill Folland Acting Village Clerk was approved, whereupon Deputy Clerk Max Slankard administered the oath of office to Mr. Folland.

Next, President Kerr presented the Affordable Housing Plan as drafted and recommended by the Plan Commission. President Kerr asked if there were any comments. Trustee Schumacher asked Attorney

Adams what her opinion was of the letter included in the Board's packet from an attorney in Glencoe challenging the constitutionality of the law. Ms. Adams stated it was, in her opinion, premature to challenge the law at this time. Trustee McGinnis made a motion to approve Resolution R2005-03, approving the Affordable Housing Plan for the Village of Kenilworth. Trustee Wilson seconded the motion, and a roll call vote was taken as follows:

Yea: McGinnis, Miller, Nelson, Schumacher, Wilson, McCarthy

Nay: None

Absent: None

Abstain: None

President Kerr declared Resolution R2005-03 passed 6 to 0 and the Affordable Housing Plan was approved.

Next, Trustee Wilson for the Building, Planning and Zoning Committee advised that residents may have noticed Teska Associates out in Kenilworth shooting building heights of houses with lasers as part of their engineering field survey. The Committee expects to receive Teska's initial verbal report at a meeting to be held at 6 p.m. on March 16th. He encouraged everyone to attend. He next reported that the Building Review Commission has not met recently, as there is not much development activity at the moment. He reported that 11 building permits were issued in the month of February, for a total cost of improvements of \$473,440. Trustee Nelson asked if that figure is down. The Village Manager replied that it was low for the month on average, although he noted that the fiscal year-to-date value of improvements has exceeded budgeted levels.

Next, Trustee McCarthy reported on the activities of the Ad Hoc Committee. She announced that tomorrow night's meeting (March 15th) has been cancelled. She reported that the Committee had an education session this past week on design review, which included a presentation by local architect Chip Hackley. Given the number of other meetings the Ad Hoc Committee has had, she felt the Committee needed more time between meetings to study this issue. The Committee has covered dimensional standards and construction standards, and is close to finalizing its discussions on tree preservation. They have embarked on a discussion of design review, which will be followed by consideration of zoning incentives and historic preservation. She presented the Committee's recommendations on construction management. She reported that they had two meetings at which Susan Criezis attended as well as Chief Petersen regarding construction management. Their recommendation includes specific recommendations on measures to be put into ordinance form. Trustee McCarthy moved that the Ad Hoc Committee recommendations be formalized into ordinance form. Trustee Nelson asked if the recommendations needed to go the Building, Planning and Zoning Committee before they could be voted into ordinance form. Trustee Miller said there have to be public hearings. Attorney Adams said she is not sure these particular changes would require a formal public hearing, as they do not amend the Zoning Ordinance.

President Kerr suggested sending the suggestions back to the Ad Hoc Committee for more details, as he was not sure it provided specific enough direction. Trustee McCarthy advised that could be done. Trustee Wilson said the Building, Planning and Zoning Committee will be very busy with other matters, and the more specificity in the recommendation the better. Trustee McCarthy said she is not sure the Ad Hoc Committee really needs to see the suggestions again. Trustee Miller suggested that he and Trustee McCarthy and Manager Slankard meet and flesh out the suggestions. The President concurred with that suggestion.

Lastly, Trustee McCarthy reported that the Council of Garden Clubs has no meeting this month.

Trustee Nelson for the Police and Fire Committee reported that the Department received 636 calls for service in the month of February. Two Part I crimes and one Part II crime were reported. He then presented the Police Department Annual Report. He proceeded to review the call breakdown for the year. There were 2,245 special attention calls. Chief John Petersen advised that, for a department of eleven patrol officers, 7,080 calls is a lot. Trustee Nelson next reported on the collection of data in response to state requirements relating to racial profiling. He asked Chief Petersen to review the report. Chief Petersen advised that all communities were required to collect traffic data to determine racial profiling for the last year. The Kenilworth Police have fully complied with Act. Each Trustee received a final draft of a joint report to be released which was compiled by the New Trier Township communities working together. The Chief felt that the report was positive. Trustee Nelson asked how we compare to neighboring communities. Chief Petersen said the five New Trier township communities are very similar. The benchmark ratio is 10%. Kenilworth is below that figure. 80% of our stops were warnings or in regards to vehicle safety issues. The data breaks out the reasons for all traffic stops. Our data varies a little bit from the other communities, but is not inconsistent. He noted that one difficulty for Kenilworth is the small number of stops, and the difficulty of establishing trends that are statistically significant. He advised that the New Trier Chiefs would be meeting together with the Pioneer Press to present their respective reports.

Trustee Nelson asked how long the data collection requirement will continue. Chief Petersen replied for 4 years at the onset, but in other areas of the country where it has been initiated, it does not go away. Trustee Miller asked if the data is being collected and reported in a consistent manner amongst all communities. Chief Petersen replied that Northwestern University had set the parameters. President Kerr commended Chief Petersen, saying he has done a marvelous job preparing for this for the last 12 months. Trustee McCarthy also thanked Chief Petersen and said the report was very well presented. Trustee Schumacher said from a finance standpoint, arrests, citations and parking tickets are down which seems strange. Chief Petersen cited a variety of factors including that Tom Pozniak, who wrote a lot of tickets, is now a dispatcher and no longer writing tickets; the escalating fine structure implemented by the Village seems to have stopped many New Trier students from illegally parking so not as many tickets are being written; and the success of the warning ticket program. Lastly, Trustee Nelson congratulated Officers Brunell and Bennett for completing 21 years of service.

Trustee Miller for the Finance Committee went over the warrants for February in the amount of \$146,911.01. Trustee Nelson asked for an explanation of the Kathy Cummings bill. Trustee Wilson said it was for two houses, and was being paid by funds held in escrow. Trustee Miller moved that the warrants be approved. Trustee Nelson seconded the motion and a roll call vote was taken as follows:

Yea: McGinnis, Miller, Nelson, Schumacher, Wilson, McCarthy

Nay: None

Absent: None

Abstain: None

President Kerr declared that warrants in the amount of \$146,911.01 were approved 6-0.

Trustee Miller presented the draft FY 06 budget. The Finance Committee has met twice so far on the budget. He reiterated that it is a first draft, and should not be construed as the final budget. He then briefly reviewed the budget. The revenue shortfall for the estimated actual is up a bit because of a decrease in property tax receipts due to a decline in growth. There is currently a \$58,000 deficit on a \$3.15 million budget. Part of that is a lack of picking up a growth factor in tax collections. The 06 budget takes the CPI times the current property taxes, and it should be a good, conservative number. Other taxes receipts, including utility taxes and state based revenues, are generally flat to slightly down. The Finance Committee recommends increasing vehicle sticker fees from \$30 to \$35. They also recommend

increasing building permit fees from 1.75 % of the improvement value to 2.25%. Service fees are up a little. The charge from the Perrin Brothers fee is up, although they continue to be cheaper than any alternatives. The Committee proposes an increase of \$30 per year in the refuse charges, which would be \$10 per trimester. On employee salaries, he commented that last year we did 3.5%, but did not know if we could do that again. Contractual service is being reduced and the Committee has revisited discussions about the building department. The draft does not eliminate Inspector Larry Murrin, but the Committee must discuss the service charges of Criezis Associates and others. Mr. Miller felt there should be a win/win situation. The Committee will hold another meeting in early April. The Committee also needs to further discuss waste removal. With regard to the fire contract, the Village has had several discussions with Winnetka. We have a good relationship with them and they are willing to work with us to flatten future increases. Trustee Miller suggested another meeting on April 7th. Trustee Schumacher asked if the budget includes fine adjustments. Trustee Miller said it did. Trustee Nelson said a lot of adjustments in fines can and will be done administratively. Trustee Miller advised that fines may move up, but won't return to the previous level. Trustee Miller said the Village is solvent and he expects less than a \$40,000 deficit.

Trustee Schumacher for the Water and Electricity Committee said water production is 17% below last year. It might just be because the plant is more efficient. He reported no serious problems in the distribution system.

Trustee McGinnis for the Public Works Committee noted that Perrin's waste removal contract was scheduled to end in April. Mr. Perrin has proposed a large first year increase on a multi-year contract, but has offered no rates on the second through fourth years. The Village Manager has advised that further negotiations with Mr. Perrin are necessary. Consequently, Trustee McGinnis made a motion to extend the Perrin hauling contract for 90 days. Trustee Wilson seconded the motion. Trustee Nelson asked if an adjustment will be needed during the interim. President Kerr said the new contract will take that gap into consideration. Trustee McGinnis said you heard Trustee Miller make comment on the budget situation, and any improvement of Cumberland Avenue will be affected by that. Trustee Schumacher asked by when the Board would have to make a decision. Mr. Slankard replied very soon.

Treasurer Dyson reported that the auditors, Selden, Fox and Associates, had come out to examine the Village's utility billing system, and conducted a detailed analysis of September 04 for revenues. Accounts Receivable for September came out okay to the penny, so if production is down 17%, the meters are down 17%. Trustee McGinnis asked about system loss during distribution. The Village Manager advised that there is a formula for water loss in the distribution system, and the Village makes a report to the State on that annually. Every distribution system has unaccounted for loss, because as pipes age they do leak. The Village's loss percentage is within regulatory parameters. Trustee Schumacher said this also speaks to the need for water meters. He asked if the Village is receiving applications for the accountant position. The Village Manager replied that we were. Trustee Schumacher said that the position has been dialed back. Treasurer Dyson said yes, but we can use Selden Fox for ancillary items.

Next, Attorney Adams said Board members should save the date of Friday, May 6th. There will be a half day seminar put on by Holland & Knight to review the basics of local government and issues such as the Open Meetings Act and the Freedom of Information Act. She advised that Board members would probably be interested in attending, and she would like to invite the candidates too. President Kerr strongly recommended the seminar and said it is a good time for it. President Kerr said he viewed the seminar as unique and recommends that all the Board members attend.

The Village Manager advised that the League of Women's Voters would be hosting a candidate's forum for the candidates in the local elections on March 16th at the Sears School. The League has requested that the Village advertise this on Channel 10. He advised that the League prides itself on being neutral and

non-partisan, and is a worthy community group. However, the Board's policy has been that only approved groups may advertise on Channel 10. He asked the Board for authorization to allow the League to advertise. Trustee McGinnis made a motion to authorize their use on a one-time basis. Trustee Wilson seconded the motion which, upon voice vote, was unanimously approved.

President Kerr advised that there was a need for an Executive Session to discuss the compensation of specific employees.

Trustee Miller made a motion to adjourn into Executive Session at 8:45 p.m. Trustee Wilson seconded the motion, and the following roll call vote was taken:

Yea: Miller, Wilson, McGinnis, Nelson, Schumacher and McCarthy

Nay: None

Absent: None

Abstain: None

President Kerr declared the motion carried and the Board convened into closed session.

Upon motion by Trustee Nelson, which was seconded by Trustee Schumacher, the Board reconvened into open session at 9:15 p.m.

There being no further business, Trustee Miller made a motion to adjourn, which was seconded by Trustee Nelson and unanimously approved.

Respectfully submitted,

Max Slankard
Village Manager