

**MINUTES OF A SPECIAL MEETING AND PUBLIC FORUM OF THE COMMUNITY AFFAIRS  
COMMITTEE OF THE VILLAGE OF KENILWORTH HELD AT THE KENILWORTH  
ASSEMBLY HALL  
410 KENILWORTH AVENUE  
AT 7:30 P.M. ON TUESDAY, MAY 27, 2008**

A special meeting and public forum of the Community Affairs Committee of the Village of Kenilworth was held at 7:30 p.m. on Tuesday, May 27, 2008. The meeting was called to order at 7:33 p.m., the Committee was introduced, and the following persons were present.

Present:	Cristy Laier	Chairperson
	Katie White	Trustee
	Tom Terrill	Trustee
Others Present:	Brad Burke	Village Manager
	Jim Hughes	538 Kenilworth Avenue
	Grace Terrill	122 Woodstock Avenue
	Louanne Holland	342 Sterling Road
	Gwen Sommers Yant	706 Cummings Avenue
	Wiley Caldwell	125 Woodstock Avenue
	Bill Holland	342 Sterling Road
	Tom Prince	303 Richmond Road
	Eleanor Prince	303 Richmond Road
	Louise Mills	211 Essex Road
	Jim Hughes	538 Kenilworth Avenue
	Jackie Bossu	614 Earlston Road
	Rachel Noel	141 Kenilworth Avenue
	J. Lees	417 Ridge Road
	John Roberts	521 Kenilworth Avenue
	Kathy Barnett	626 Wayland Avenue
	Rona Nordstrom	212 Raleigh Road
	Richard Nordstrom	212 Raleigh Road
	Ted Heldring	328 Leicester Road
	Bob Dwyer	320 Oxford Road
	Jo Ellen Luscombe	527 Warwick Road
	Sheila Mitchell	728 Maclean Avenue
	Carol M. Schulz	84 Robsart Road
	Bonnie Simonds	130 Winnetka Avenue
	Rob Mathias	414 Essex Road
	Susan Rohrman	520 Brier Street
	Patrick Garvey	539 Melrose Avenue
	Greg Kirsch	534 Melrose Avenue
	Stephen Bossu	614 Earlston Road
	Anne Albrecht	707 Cummings Avenue
	Bill & Blair Lawlor	243 Warwick Road
	Andy Pappas	630 Melrose Avenue
	Bill & Carol Hyatt	150 Melrose Avenue
	Nefrette Halim	533 Roslyn Road
	Antoinette Vigilante	140 Kenilworth Avenue
	Kelli Kobor	620 Abbotsford Road
	Marilyn Valko	611 Park Drive

D. J. Cosgrove	400 Woodstock Avenue
John Cosgrove	375 Sterling Road
Joe Seminetta	405 Sheridan Road
P. Arbor	140 Kenilworth Avenue
Jim Pollock	145 Woodstock Avenue
Avani Mehta	206 Cumberland Avenue
Valerie Foradas	424 Warwick Road
Randy Barba	240 Woodstock Avenue
Kristin Casas	234 Warwick Road
Arlene Haynes	427 Sheridan Road
Gerald Rogers	511 Greenwood Avenue
Elicia Tippens	532 Kenilworth Avenue
Albert Tippens	532 Kenilworth Avenue
Anne Bird	536 Exmoor Road
Dick Schumacher	616 Abbotsford Road
Vicky Bosler	562 Earlston Road
S. Kuska	Tribune
Manon & Bob Seebeck	523 Sheridan Road
Scotty Baxter	546 Sterling Road
John Barriger	155 Melrose Avenue
Geriet Bowen	721 Maclean Avenue
Roy & Sheila Leonard	412 Cumnor Road
Evie Barriger	155 Melrose Avenue
Kelly Chestnut	133 Kenilworth Avenue
Jane Morgan	711 Park Drive
Robert Foley	240 Kenilworth
Debbie Zelton	609 Brier Street
Katy Sutter	333 Richmond Road
Robert & Patty Smietana	336 Warwick Road

Chairperson Laier announced the meeting was being videotaped and noted anyone wishing to not have their comments recorded may make such a request prior to speaking.

Chairperson Laier welcomed everyone to the Public Forum regarding the National Register Historic District nomination and provided an overview of the narrative of the nomination. Chairperson Laier noted tonight's forum would include a presentation by the Village's consultants responsible for preparing the nomination; a question and answer period regarding the nomination document; followed by other questions from the public.

Chairperson Laier introduced the staff of the Illinois Historic Preservation Agency in attendance. Attendees from the Illinois Historic Preservation Agency included Anne Haaker, Andrew Heckenkamp and an intern. Chairperson Laier also introduced Ted Hild and provided a brief overview of his biography.

Ted Hild gave a presentation which explained what the National Register is and what being listed on the National Register of Historic Places means. He discussed the 1966 National Preservation Act and noted the responsibility for administering this act lies with the U.S. Department of the Interior and is operated by the National Park Service. Mr. Hild said it is the role of each state to administer the National Register processes.

Mr. Hild enumerated the steps in the National Register nomination process. Step 1 is to submit the draft to the State. Step 2 is for the Illinois Historic Sites Advisory Council (IHSAC) to consider the nomination. Mr. Hild explained the IHSAC is an advisory body comprised of 15 members each representing a variety of backgrounds. Mr. Hild said Step 3 is a review by the State Historic Preservation Officer if a recommendation on the nomination is made by the IHSAC. Then the nomination is recommended to the Department of the Interior – Keeper of the National Register. The Keeper of the National Register will review the nomination and make a decision regarding listing on the National Register. Mr. Hild noted the Keeper of the National Register will disagree with State's recommendations only about once in every 500 nominations reviewed; however, the Keeper may send nominations back for clarification.

Mr. Hild reported on the timeframe. He said IHSAC meets quarterly. Andrew Heckenkamp with the Illinois Historic Preservation Agency sets deadlines, and likes to see a completed nomination about 90 days prior to being reviewed by the IHSAC at their quarterly meeting. Within two weeks after the IHSAC meeting, the State Historic Preservation Officer sends the nomination to the Keeper of the Register who will not act on the nomination for 45 days. If all the timeframes are met, the Village would be in good shape to have their current timeline met and for the proposed district to be listed on the National Register by the first week in November.

Ted Hild said much of the National Register program involves the relationship between government agencies and went on to explain government review procedures.

Mr. Hild next discussed income tax benefits. He said there is a 20% investment tax credit for commercial properties which in Illinois amounts to \$2 billion in tax credits annually. There is a property tax assessment freeze if the property is owner occupied. He explained the freeze program in which the assessment is frozen for 8 years and then stepped up over the following 4 year period.

Mr. Hild said another great benefit of listing on the National Register is completely emotional, and that is knowing you live in a special place. He said a National Register listing can be a wonderful tool for economic development.

Mr. Hild explained the process of preparing a National Register Historic District nomination and noted the first step is evaluating an area to determine important structures, bridges, statues, etc that may be eligible for listing. Mr. Hild explained the criteria used to evaluate an area including whether or not structures could be associated with important events or persons and architectural significance. Mr. Hild noted another step in the process of preparing a nomination is cataloging the features found in the area of the proposed historic district. Mr. Hild noted there are 40,000 Illinois properties in the National Register that are located in a district and stated it is a conventional way of honoring a group of resources.

Mr. Hild went on to discuss Kenilworth period of significance as 1890 to 1958, and said it is strongly encouraged for districts to be at least 50 years old. Mr. Hild expressed his opinion being nominated was a very logical thing for the Village of Kenilworth.

Mr. Hild also gave a history of the Sears family and the Village of Kenilworth and proceeded to review historical highlights found in the draft nomination including the early founding of the Village; planning of the community; and historical development patterns. Finally Mr. Hild said he hoped everyone got a chance to review the nomination form.

Susan Benjamin took the floor and proceeded to provide a presentation on the uniqueness of Kenilworth and the wonderful architecture found in the Village. Ms. Benjamin's presentation included a stylistic review of the various types of architecture found in the community.

Ted Hild gave a summary of the National Register survey data. He said the survey resulted in 719 buildings contributing to the character of the Village, and 151 not contributing. Mr. Hild noted a structure was identified as contributing if it meets the spatial, temporal, and cultural definitions of the proposed district. He reviewed the contributing and non-contributing criteria, and cited examples of both. He concluded by saying if a building is rated as non-contributing, the property would not receive benefits or reviews as if it were not included within the proposed district.

The meeting was opened up to questions for the consultants.

Jean Lees of 417 Ridge Road said she had lived on the Gold Coast prior to her move to Kenilworth, and noted at her previous residence, there were 4 or 5 architectural tours each year downtown. She asked what sort of additional foot traffic and/or tourism would result from this nomination. She asked if the Village will be listed on various historical websites, which may attract people from outside the community.

Ted Hild expressed his opinion he did not think anything would substantially change with being listed on the National Register of Historic Places. Member Terrill noted there have been house walks in the Village for a long while.

One resident asked if there are responsibilities for a resident who owns a contributing house. Mr. Hild expressed his opinion there may be a moral responsibility to honor and take care of the landmark, but there are no legal requirements.

Kristin Casas of 234 Warwick Road asked if a home currently identified as contributing to the district is altered can its status on the district listing be changed. Susan Benjamin responded that an owner can do whatever he wants to a property with no restriction. She said it has been very rare for a property to be de-listed. Ms. Benjamin said being identified as contributing does open the door to some tax opportunities. Non-contributing buildings will not be reviewed for any state or federal funding.

Anne Haaker of the State Historic Preservation Agency said if a contributing or non-contributing property is in a district, the decision has already been made and the designation will not change. Ms. Haaker further explained that the IHPA only reviews properties when state or federally funded projects are in play.

Kelli Kober of 620 Abbotsford Road asked for an explanation of why Sears School is considered non-contributing. Ted Hild said there is a lack of integrity and explained the structure has been altered too much. Mr. Hild proceeded to explain parts of the building have been demolished and added to over time.

Chairperson Laier provided an explanation of the tax assessment freeze program through a brief PowerPoint presentation.

Ms. Kober expressed her opinion this is something the entire Village should be able to vote on and noted many residents may be upset by the local government stepping into property rights.

One resident said this whole thing started with the first survey which allowed two people in each house to respond to a single survey. The resident expressed his opinion it is 200 people speaking for 2,000 people. He said 80% of the survey respondents is not 80% of the population.

Chairperson Laier mentioned the Comprehensive Plan and its reference to preserving the character of the community.

Susan Benjamin said the National Register is a form of recognition for what a great place Kenilworth is and explained listing on the National Register is simply an honor recognizing this special place. Ms. Benjamin noted being listed is not a gray cloud.

Chairperson Laier noted no private information is made available about individual homeowners.

Kelli Kobor asked if this constitutes the public forum required as part of the nomination process. Chairperson Laier said this does constitute the forum for the nomination process.

Another resident asked if the properties would be listed on the Federal Register. Ted Hild replied that there are no specific addresses given for listing on the National Register. This nomination is intended to be open and accessible to the public, but the information available is not intrusive on the privacy of individuals.

Rachel Noel of 141 Kenilworth Avenue asked how the consultants came up with the determinations of house style and type. Susan Benjamin replied that it is sometimes tough to do and noted one uses accumulated knowledge and a lot of thinking and reading.

A resident asked if, once the draft is submitted to the IHPA, can changes be made. Andrew Heckenkamp replied that the Illinois Historic Preservation Agency will review and may suggest changes, and the consultants could make changes to the nomination as it proceeds through the review process.

John Roberts of 521 Kenilworth Avenue asked how many districts there are. Ted Hild replied about 150 in Illinois.

A discussion of Sears School and the impact of school properties being included in National Register Historic Districts followed.

Anne Haaker, Deputy Director of the Illinois Historic Preservation Agency, said if a property gets state or federal funds and is contributing to the district, or meets the eligibility criteria, it would be reviewed. Ms. Haaker stated she did not know if someone could consider such a review negative.

Jean Lees asked how it would work if Sears School wanted to do a project. Anne Haaker said if the school were a contributing structure, it would get reviewed but the project would not get stopped. They would try to find a compromise. Ms. Lees asked if the review has teeth. Ms. Haaker replied yes, but no project has ever been stopped in Illinois.

Ted Hild explained the review process attempts to mitigate the adverse effect of the project.

Chairperson Laier said the school has been found to be non-contributing and discussed the unlikely potential for stated funding by saying since there have been no state school construction funds for a few years, and when there are funds, Sears School may not qualify.

Gwen Sommers Yant of 706 Cummings Avenue asked if the school uses its own money to purchase a contributing house, does the State review it. Anne Haaker said there is no state or federal agency for reviewing the purchasing or demolition of a contributing structure when they are not funding anything.

Trustee Bossu said the school would only be reviewed if state or federal funding is requested and if it is a contributing property. Anne Haaker concurred with this statement.

Kelli Kobor discussed the Village Hall as a potential contributing structure. She asked what will be done when the Village Hall reaches an age where it is old enough to be considered contributing.

Trustee Bossu asked if it were likely that a municipal building get state funding for a rehabilitation project.

Jean Lees asked if properties can be added to the Register later after they turn 50. Chairperson Laier said yes, but all properties listed must go through the nomination process.

Kelly Chestnut of 133 Kenilworth Avenue asked if it was possible for the State to change the status of the school from non-contributing to contributing. Andrew Heckenkamp said he had driven by the school and agreed with Ted Hild's and Susan Benjamin's assessment that the structure should be rated as non-contributing.

Elicia Tippens of 532 Kenilworth Avenue thanked everyone for their time.

A resident said if the designation is purely honorary, why couldn't it be voted on in a referendum. Chairperson Laier said it could be, but explained the Village Board has determined National Register process of public input includes many important features and the nomination should move forward. Trustee Laier explained the National Register process is binding versus non-binding, and all property owners are allowed to vote in the National Register process. There is a lengthy period of time, 30 days, given for consideration of the district. The process is separated from partisan politics. Chairperson Laier also said there is no precedence for use of a referendum for the Comprehensive Plan or other Village Board decisions, and there is complete and correct information given at the time public input is sought.

Member White expressed concern that there was no difference between being listed and being eligible to be listed.

Anne Haaker said eligible means out there on a limbo list. If properties in a district are listed as eligible, property owners cannot take advantage of tax incentives. Member White asked if the tax incentives could impact Kenilworth's downtown, and if so, would they make a big difference.

Chairperson Laier said a property is not considered on the National Register if it is only listed as eligible.

A discussion of a resident's local Historic District experience on the east coast followed. Chairperson Laier pointed out the difference between a National Register District which is not restrictive, and a local district, which often is restrictive.

Chairperson Laier said this Village Board has no intention of pursuing a local historic district, and noted she expected the Village Board will commit to this intention via a resolution at the next Village Board meeting.

Member White expressed her opinion she did not know why it has to be an either/or proposition. Member White suggested the Village could allow the referendum to be held and then take the action to submit the nomination documents, which would include the National Register process voting as well. All residents would get the benefit of participation in both processes.

Kelly Chestnut said we are really losing site of the issue. People are pitted against each other, and noted this is more than just an award. Ms. Chestnut expressed her opinion it is not fair for the Village Board to decide this without giving out all of the information or allowing residents to vote on the matter. Everyone should have a voice in the matter.

Bill Holland of 342 Sterling Road said one way to keep down dissension in the community is to avoid extending the discussion for another 6 or 7 months. Mr. Holland referred to the letter from NSBAR and suggested by delaying the process, more political dissension would be felt in the community.

A resident expressed that is an extremely cynical view that the referendum process would only create more angst in the community. He did not know why the democratic process would not be allowed and expressed his opinion we should not be affected by that silly little organization.

Bill Holland said the Village is spending money to refute the NSBAR organization. He felt it would be disenfranchising for property owners if the Village didn't go with the National Register process.

Patty Smietana of 336 Warwick Road expressed it appears to her the National Register does not really do much of anything, and she asked what this is costing the Village to go through this process. Chairperson Laier said it is \$15,000 for consulting services. The legal costs are unknown at this time.

Rachel Noel asked how we tell non-American citizens our concern regarding disenfranchisement when they will not be allowed to provide input in a referendum even though they own property.

Chairperson Laier explained the intent of the nomination and ultimate designation is to bring honor, teach about Village history, encourage builders to renovate, and it is nice to know more about the community. She thanked everyone for coming.

The public forum adjourned at 10:42 p.m.

Respectfully submitted,

Bradly Burke