

**MINUTES  
of the  
REGULAR BOARD MEETING  
OF THE BOARD OF TRUSTEES  
VILLAGE OF NORTHFIELD  
Tuesday, January 19, 2010 - 7:00 p.m.**

The Board of Trustees of the Village of Northfield met in the Council Chambers of the Village Hall for the Regular Board meeting on Tuesday, January 19, 2010 at 7:00 p.m. The meeting was called to order by President Fred Gougler. The Village Clerk called the roll.

PRESENT:	President Trustees	Fred Gougler John Chapin, Jr. Joan Frazier Terry Gottlieb Brian Kozminski Fred Teichert George Warga
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ABSENT:

**APPROVAL OF CONSENT AGENDA ITEMS:**

Trustee Teichert made a motion, seconded by Trustee Frazier, to approve Consent Agenda items 1 through 6.

1. Approve the Minutes of the December 7, 2009 Village Board meeting.
2. Approve the Bills and Disbursements from 11/21/09 to 1/7/10 in the amount of \$957,451.97.
3. Approve an ordinance implementing an Indemnification Agreement with Cook County to permit work by Village crews on County rights of way.
- 4A. Approve a resolution reappointing Village Manager Stacy Alberts Sigman Village Clerk for 2010.
- 4B. Approve a resolution reappointing Finance Director Steve Noble Deputy Village Clerk for 2010.
- 4C. Approve a resolution reappointing Finance Director Steve Noble Treasurer for 2010.
- 5A. Approve an ordinance amending Chapter 2, Article IX, Provisions for Compliance with Freedom of Information Act (FOIA).
- 5B. Approve an ordinance amending Appendix C, Safety Codes, Sec. C-9, Art. IV re Engineered Wood Products.
6. Approve authorizing the Village President to execute an amendment to the Local Agency Agreement and the Construction Engineering Services Agreement for Federal Participation with IDOT for additional engineering services associated with the Central Avenue reconstruction project.

Trustee Chapin noted that he had a correction to the December 7, 2009 minutes; he noted that on Page 13 Trustee Charhut was not present. It should read Trustee Chapin.

Trustee Frazier also noted that on Page 11, third paragraph, she had suggested contacting Beth Coulson not Pam Zechman.

Upon the following roll call vote, the motion to approve the consent agenda with revisions to the minutes was approved.

AYES: Chapin                      NAYS: 0                      ABSTAIN: 0                      ABSENT: 0  
        Frazier  
        Gottlieb  
        Kozminski  
        Teichert  
        Warga

**CONSIDERATION OF AN ORDINANCE AMENDING THE VILLAGE CODE APPENDIX A,  
 ARTICLE XV, SEC. 15-2, M1, LIGHT MANUFACTURING DISTRICT, RE PERSONAL TRAINING  
 FACILITY**

Trustee Gottlieb made a motion, seconded by Trustee Warga to approve an ordinance amending the Village Code, Appendix A, Article XV, Sec. 15-2, to identify a Personal Training Facility as an allowable Special Use in the M-1 Manufacturing Zoning District and amendments to Sec. 45 permitted in Special Use tables and Sec. 20-10.

Community Development Director Anne Kane reported that the Plan and Zoning Commission conducted a public hearing to consider a text amendment to allow a Personal Fitness Facility identified as a special use in the M-1 District along Northfield Road. She noted that we have about 90,000 square feet of vacant offices and warehouses in that corridor and while this special use was submitted for a personal fitness facility, it opens up and broadens the market for potential reuse of space in this area. Following the public hearing at which there was no comment, the Plan and Zoning Commission forwarded their unanimous recommendation for the Board's consideration.

Trustee Frazier noted she is delighted to see this type of special use on Northfield Road.

Following discussion and upon the following roll call vote, the motion was approved.

AYES: Chapin                      NAYS: 0                      ABSTAIN: 0                      ABSENT: 0  
        Frazier  
        Gottlieb  
        Kozminski  
        Teichert  
        Warga

**CONSIDERATION OF A SPECIAL USE ORDINANCE TO ESTABLISH AND OPERATE A  
 MEDICAL OFFICE/PHYSICAL THERAPY FACILITY AT 300 HAPP ROAD, SUITE 107**

Trustee Frazier made a motion, seconded by Trustee Teichert to approve an ordinance granting a Special Use to establish and operate a medical office/chiropractic physical therapy facility with massage therapy located at 300 Happ Road, Suite 107.

Director Kane reported that the Plan and Zoning Commission conducted a public hearing on the petition to open a Chiropractic and Medical office in Suite 107. The space was previously occupied by Village Chiropractic until February 2009 when the tenants vacated. During the public hearing, Trustee Warga (liaison to the Commission) raised concerns with the Village's parking code requirements. While staff's report made a suggestion that employees could use the municipal parking lot if inadequate parking is on site, the Plan and Zoning Commission made that a stipulation of the recommendation. That was the only comment during the public hearing process. With that

added stipulation, the Plan and Zoning Commission reported a unanimous recommendation for approval.

Trustee Warga noted that the question he raised regarding use of the space is that the calculation of parking spaces are based on usage similar to a retail store. When you have treatment opatories meaning you could have a provider in each room, there is a space needed for each of those people. If you have 3 or 4 providers, that is seven cars. If there are people in the waiting room that is additional space needed but the calculation for the space is only 4 spaces. It does not add up. He felt that it understates what the usage of the parking is in the Village Center. When we look at the total spaces which is another item on the agenda tonight, we have to reconsider how we are allocating those spaces. The other issue is that the Plan and Zoning Commission noted they will approve it but they depend on the Village Board to change the Zoning requirements. Trustee Warga felt the Board needs to consider recalculation for usage of this sort.

Manager Sigman noted that she felt what the Plan and Zoning Commission is referring to is our Zoning Code has specific uses listed and the ratio of parking required for that use. She felt that the Plan Commission is assuming that is what the Village wants to provide and as long as someone is consistent with that they are comfortable. They felt the Board thinks there may be parking issues, we should go back and study the Zoning Code and have some direction to do so. She noted parking was studied when the Zoning Code was updated in 2003. She noted that staff could go back and do a special study if the Board wishes on the parking section and compare it with neighboring communities. She added that medical offices tend to be tricky because a straight square footage does not always equate for this type of business.

Trustee Warga added that the other part of the recommendation by the Plan and Zoning Commission was that the employees park in the public parking lot. He noted that he does not see that as a condition in the special use and asked if it was listed.

Director Kane responded that it was certainly intended to be included.

Manager Sigman noted that we want to encourage and perhaps make it standard protocol that employees that come in the morning and don't leave all day or just at lunch, have to park remotely to leave those spaces adjacent to the center available for the customers that are coming and going.

Trustee Warga noted that the parking is in the ordinance but what he would like to see is that there is some sort of penalty imposed because often employees don't use public parking.

Director Kane noted that there is always a penalty in that the special use can be taken away if they don't comply with the conditions. Second, she noted that staff has put the requirement on those tenants who need to come to us to request a special use. Of the other tenants who are occupying their space by right, we have not stipulated that their employees should use the municipal lot. However, knowing there is a concern not only with this special use but also with the next item on the agenda, staff plans to schedule a meeting so all the tenants can come to deal with the obvious concerns regarding where employees are parking, how spaces are being distributed. She noted she wants to be careful that we do not divvy up every space or designate them for a certain tenant or we are specifically undermining

a goal of our Village Center plan which encourages multi purpose trips. If you are going to the Village Center to grab a sandwich you might also buy an antique, some chocolates or a sweater. The solution may not be in designating two spaces for every tenant but maybe designating 15 minute parking spaces, and/or one hour parking spaces so that clients of this special use can park but employees will be forced to park in the municipal lot. She added that the penalty is in the ordinance.

Trustee Warga noted that the other agenda item has a financial number tied to it which is more significantly stated than this ordinance.

Trustee Teichert asked if Chief Lustig would like to comment on enforcement of the parking fine.

Manager Sigman clarified that the Village does not enforce parking on private property. We enforce the 15 minutes if it is in a public spot in the public right of way. The reality is that we would not know if a person works for the company or is coming to get service. Enforcement would have to be done by the individual owners of the business and the property management company. She noted that there is a business owner from the Village Center who lives in town and she is ruthless. She charges her employees and deducts the fine from their paycheck - \$50 – if she catches them parking in a spot other than one in the municipal lot. She knows what a big impact this has on her clients. The burden has to be on the tenants enforcing it on behalf of their patrons.

Director Kane responded that in terms of a more specific financial penalty, there is a certain pattern that staff has followed with regard to restaurants and, if the Board would like staff to use the same condition on this special use, they can make that change.

Trustee Warga indicated that he does not know what the answer is or that the issue can be resolved in one discussion. He noted he did not like what was proposed in a parking study which he felt was inadequate and done by the petitioner and is not very thorough. He felt the Board should look at the long term zoning and planning of the area with regard to parking and to make sure the landlord of the property is providing adequate parking for the Center.

Trustee Frazier asked if there would be two employees at this company.

Director Kane reported that there would be three providers and a receptionist.

Trustee Gottlieb noted that if the providers and staff park in the public area, in theory, they would be working on two people and in the worst case with two people waiting. He also noted that there was a similar business in the space last year. He asked if it was the same scope of business provided.

Manager Sigman responded there was a chiropractor there before – a single doctor but she also has a massage therapist and a receptionist.

Following discussion and upon the following roll call vote, the motion was approved.

AYES: Chapin  
Frazier  
Gottlieb  
Kozminski

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Teichert  
Warga

**CONSIDERATION OF A SPECIAL USE ORDINANCE TO ESTABLISH AND OPERATE A FAST FOOD SERVICE AND SIT-DOWN RESTAURANT LOCATED AT 300 HAPP, SUITES 108 AND 109**

Trustee Kozminski made a motion, seconded by Trustee Teichert to approve granting a Special Use ordinance to establish and operate a fast food service restaurant, U Dawg U, with sit-down and carryout service and seasonal outdoor dining, located in the Village Center at 300 Happ Road, Suites 108 and 109.

Director Kane stated the Plan and Zoning Commission conducted a public hearing on the request for a special use for a fast service restaurant with outdoor seating and carryout service for Suites 108 and 109 in the Village Center. The 2700 square foot space was previously occupied by Trout and Grouse until 2007 and has been vacant since. Since staff's initial meeting with the petitioner, staff made it clear to the petitioner the desire to find a balance between all the tenants within this inline retail center with concern noted for the need to mitigate odor, grease, garbage, pests, insects, and balancing the parking demand - all issues that a suburban community confronts when looking at changing a use from retail to restaurant with an inline retail space. She added that as Trustee Warga noted, there was a parking study provided and staff made a determination that they count parked cars, an analysis with site visit, just like a traffic engineer would send an intern out to do parking availability counts at the times of day when the restaurant would peak out at lunch and in the evening hours. At the public hearing there was a concern raised about the amount of outdoor seating that was provided and its configuration. A revised seating plan was attached to the Board's packets which illustrates a reduction to 16 seats and incorporates the planned landscape improvements that the property owners have presented but not yet implemented for the property. There were four letters of concern written by adjoining property owners within the Village Center condominium building and one follow up call where the person continued to express her concern about finding the right balance of tenants for the Center.

Trustee Chapin noted that he attended that meeting and the petitioner agreed to install some vapor walls in the discussion which was to use a cigar box technique. He asked whether that information is included in the special use ordinance.

Director Kane responded "yes." It was an additional condition.

Trustee Chapin asked Director Kane to point that out in the ordinance.

Director Kane noted that she did not see it but the Plan and Zoning Commission added the condition because the exhibit indicated that it was on the north wall and it was very clear in the motion. She noted she drafted the ordinance and must not have included it but assured the neighbor that he could come in and physically see the cigar box barrier being installed.

Trustee Kozminski amended his motion to include the vapor barrier (cigar box approach) requirement and it was seconded by Trustee Teichert.

Trustee Chapin noted that the term used was cigar box approach which means that the vapor barrier goes on all walls and ceiling.

Attorney Hill asked if that is represented in the construction details.

Director Kane responded that Exhibit A says that it will only go on the north demising wall. However, it needs to be on both demising walls and the entire ceiling of the full unit.

Trustee Teichert asked if the Fire Prevention Plan Review has the specifics that are being referenced in Number 10.

Director Kane noted that the Fire Prevention Officer indicated that in his estimation it was only necessary on the north demising wall because that is where the cooking and grease line is located. However, at the public hearing it was noted by one of the Plan Commission members that the south demising wall next to the chiropractor was not protected as well. The Plan and Zoning Commission brought up that the vapor wall specifications be included for the entire tenant space.

Trustee Chapin stated that the ordinance must have it included in the writing in order for it to be signed and approved. He noted that his second concern regarding this ordinance is parking. The petitioner expects the room to seat 64 people. Based on tenant letters and his personal experience in parking in that area, the parking is insufficient. He noted he felt they should require the removal of the islands and return them to parking spaces as part of our approval process. 64 seats additional that are not present now and the present parking are unsatisfactory notwithstanding the tenant made study of parking at 11:00 a.m. on a given morning.

Trustee Frazier asked if the Board is able to dictate the construction of the parking lot.

Manager Sigman responded that the Board can dictate it but the owner of the shopping center can choose not to honor it and not allow this use to go forward.

Attorney Hill responded that is how it would be done. He noted that if the Board wanted to make it a condition, they could do that and this special use could not go into the space unless the change was accomplished.

Trustee Warga noted that one other thing regarding the parking that he recalls at the Plan and Zoning Commission meeting was the handicapped spaces were to be looked at. There are two on either side of the one island. He also noted that there is the replacement of the chiropractor facility with another chiropractor and asked if the number of handicapped spaces was adequate for the chiropractor and the restaurant.

Director Kane responded that certainly the number of handicapped accessible parking spaces in the Village Center complies with the Illinois Accessibility code requirements. She noted in the outdoor seating plan there is an amendment and the Board will see the island Trustee Chapin is referencing and the two accessible parking spaces that happen to be in front of the chiropractor office and the U Dawg U space. Looking at the entire line of tenants, she noted that one of the spaces could be shifted toward Capriccios. She noted that she will be happy to look at that. The only other concern she would have is the accessibility ramp because there is a barrier curb along there. Certain provisions need to be made for the slope of that ramp. Finally, the landscape island is per our

parking lot landscaping code which the Board can grant variances to but it currently requires an island every 15 spaces.

Trustee Frazier wanted to confirm that the Architectural Commission would pass on the entire exterior of the restaurant.

Director Kane noted that the only exterior changes would be the sign and the furnishings of the outdoor seats.

Trustee Frazier also added that she has sympathy for Fresh Ideas noting that they will be in between Viccinos and U Dawg U. She noted she understands their concerns and asked if Director Kane can expand on the efficiency of the vapor walls in terms of how effective they will be especially in the summer months when the door is opening and closing and with people eating outside. What impact is that going to have on Fresh Ideas?

Director Kane responded that the petitioner has brought his mechanical representative tonight who can answer some of the more technical questions on that. And, as explained in the public hearing, Viccinos which was originally designed as Pierros, was the first to use the cigar box technology. The pizzeria ovens cooked the food in that space and it was never exhausted out of there. The odors that are created in Viccinos do not escape or get exhausted out like the U Dawg U restaurant will be implementing. Their representative can discuss more of the specifications on the venting system and where else that has been used. While he acknowledged that 100% of the odors cannot be eliminated from the tenant space, most of them will be pulled out with the prevailing wind and brought out toward Happ Road. Certainly, with doors opening in the back and the front, it is possible that some odors could go into the clothing store next door. She reported that there was a lot of concern at the Plan and Zoning Commission meeting about the outdoor dining and how that would be maintained. They were assured that it would be properly bussed and watched over so there was not baskets, french-fries and garbage littering the sidewalk. That information is in the minutes.

Trustee Warga asked if the fine of \$500 per incident per violation can be enforced by Northfield as a non home rule community.

Attorney Hill responded "yes."

Trustee Warga also asked whether under condition 7f – two refuse containers will be provided for the outdoor dining area and will be under compliance with the Village Center design guidelines. He asked if the Architectural Commission oversees the refuse containers.

Director Kane responded that the design guidelines have specific furnishings that are desired – the benches, garbage cans, etc.

Manager Sigman noted that it is what the Village has used as part of the Village Streetscape. Once the Village adopted a standard, we have encouraged that it be used throughout the area.

Trustee Warga noted that there is a refuse area in the back with a pen with a large dumpster which is supposed to be maintained a certain way. He reported that from his own personal examination of that sight, it is not. The doors are not enclosed and there is more garbage than there should be. He expressed that he is more concerned about the landlord than the tenant who has a

history of not moving swiftly on some things and that some pressure should be applied to the landlord. He wanted some language in the special use that would give the Village some power to make sure certain things get done.

Manager Sigman asked for an opinion by Attorney Hill noting that the ordinance only goes to the owner of the restaurant and not the landlord.

Trustee Warga asked if there is a way to condition the special use with the landlord being involved. He wants to be sure the maintenance of the back of the restaurant is tied into this special use.

Attorney Hill responded that he believes the maintenance of the refuse and trash area is sufficiently connected with this to make it a condition of the special use.

Trustee Gottlieb asked about having a performance bond and whether that is something we could do. He noted it takes the onus off the Village collecting a fine. We propose a reasonable bond with the idea that in a couple years it is reviewed. If they are in total compliance, then the bond could be refunded. Otherwise, every time there is a violation, it is up to the Village to collect it.

Attorney Hill responded that the Village has done that in a couple of situations. It can't be done in perpetuity but there can be a reasonable time limit on it.

Trustee Frazier asked if anyone has approached the owner about the Plan and Zoning Commission's idea about removing the islands.

Director Kane noted that was not a direction of the Plan and Zoning Commission; it is something that was brought up this evening.

Trustees Warga and Chapin noted that removing the islands was discussed at the Plan and Zoning Commission meeting.

Director Kane responded that she did not think the Commission put a condition on removing the islands.

Trustee Chapin noted that when it came time to vote, it was not part of the vote. However, one of the Commissioners said they wanted to see the islands removed. He added that he wants to see the islands removed put back in the ordinance.

Trustee Frazier asked is anyone has spoken with the owner.

Director Kane responded "no" but the property owners were present at the Plan and Zoning public hearing and they are present tonight.

President Gougler asked if there were any other questions related to the amended motion that addresses the vapor barrier.

Trustee Warga again noted that in looking at the parking and the study that was done, he felt it seems inadequate. He noted that we want to make sure this works within the vision plan that was created for the downtown area.

Director Kane noted that parking studies she has seen for similar uses by engineering firms do not go much beyond this. They pick small segments of time throughout the day and week. Her only concern is that the petitioner did not have summer hours. November might be the quietest time, she

noted, but would it be fair to hold the petitioner off for six months so they could resubmit a wider range of seasonal uses.

Trustee Warga noted that the parking lot is very unusual. He then stated that study is not inadequate per se he felt there could be better use of the lot.

Director Kane responded "absolutely." One of the things they would like to do with the tenant and the property owners present is work on improved signage so customers know that parking spaces are often available south of Capriccios.

Trustee Warga added that in order to hold the landlord to that he suggested adding language to the ordinance.

President Gougler asked if there was any public comment on the motion.

Resident Juli Blunt and owner of Fresh Ideas at the Village Center noted that she is all for having new businesses in Northfield but noted her concern is parking. She added that it is not just Northfield Center. She banks at Northview Bank and Trust and noted that half the time when she goes to the bank there is no parking in the area. She noted there is one big tenant space that is empty across the street and yet the parking lot is full all the time. She noted there are a lot of issues with employees parking in customer parking spots. She also reported that management of the shopping center where Happ Inn is has told customers that parking is available at the Village Center. She does not know the solution to the problem. She added that if her customers pull in and don't have a space to park they will go elsewhere. She again stated that she does not know what the solution is and that there has been discussion of the use of the municipal lot behind the Village Center. She reminded the Board that Dominick's employees use that lot, as well as Library employees, Village employees, hair salon studio employees use it, and the employees of the new work out studio going in will be using it. That parking lot cannot possibly accommodate everybody being asked to park there. She again stated that she does not have a solution but it is something that needs to be addressed. As far as the space next to her store being leased, she stated she is glad to have it leased but she has concerns about the odor which is already there because of the restaurants in the area and the garbage. She noted that there is a great maintenance guy that takes care of the property but questioned whether he would be able to keep up with it. What are the steps that should be put in place and documented on how we are going to keep that Center looking nice? It is doable; it just needs to be documented on how it will be done.

Trustee Frazier asked Ms. Blunt if she feels parking is an issue currently.

Ms. Blunt responded that it fluctuates. It can be an issue. She noted that Vicinos has three parking spaces. She asks her employees to park around the side of the building. She feels the property owners need to put in a letter to all the tenants that in order to accommodate all customers, we need to make sure all employees are parking in the designated parking area. She noted that she has worked in retail for 35 years and when she worked at a mall, there was designated parking for employees and it was policed.

Trustee Kozminski stated that what Ms. Blunt has said resonates in that it should not be the

Village legislating where people should park. Rather, it seems it is a private solution between the landlord and the tenants that must come up with their own rules of enforcement. He noted that he too has seen where a landlord had firm rules about where employees park and will even hire a towing company if people from across the street try to park in their lot. These are rules that are private that don't need to be legislated by the Village.

Ms. Blunt noted that there are other parking issues in the Village downtown area. She also asked if it is possible to add spaces.

Trustees Kozminski and Chapin noted that removing the islands would provide two or three more spaces.

Ms. Blunt also added that the handicapped spaces are used constantly.

Manager Sigman noted that the Village is looking at resurfacing the municipal lot and as part of that project it is looking at restriping and maximizing the spaces by seeing if the lot can be laid out in a different way. As part of the downtown master plan, they did look at ways that when we redo streets or streetscapes, perhaps, we could get some additional on street parking. However, those are longer term solutions but they are on the Village's mind including the possibility of getting on street parking along Happ Road if the Village were to do a jurisdictional transfer. She also noted that most days there are spaces in the municipal lot but a person doing a quick errand does not want to walk the block or half a block to that lot. She added that is why they try to encourage employee parking in that lot so there are fewer cars parked in front of the stores all day long.

The general contractor for the U Dawg U shop introduced himself and noted he has built restaurants for the past 35 years. He explained that the cigar box vapor barrier was used for Pierros Pizza because they did not have an exhaust system. The ovens are flued up through the venting. He noted that the Village is making it harder to take the odors out her space and every other space next to the restaurant because their space is negative. The restaurant pulls odors out of their space. As soon as you put in all these vapor barriers, any odors that travel possibly can't get trapped back into their space because there is no crack or crevice they can come through. The cigar box technology you keep talking about, that was used for a different operation and has no significance to this restaurant. There is no reason for it. The main thing we will do is put in an exhaust system that removes all of the odors out of the restaurant. One other thing he noted regarding parking is that in many of their restaurants, employees have to have a sticker on their car. If that car with that sticker is anywhere but where employees are supposed to park they are ticketed. If the shop owners got together and bought the stickers, there would no question whose car it is.

Trustee Teichert asked how high the odors go before being dissipated.

The general contractor responded that odors are usually dissipated forty inches above the roof and they shoot straight up. They will be pushing the odors up and out the front toward the eaves.

Trustee Frazier asked if having the cigar box technology is counter productive and whether it is productive to have any vapor barrier.

The contractor responded that having it against the Fresh Ideas space is helpful without a

doubt. He noted they plan to put the vapor barrier on that wall then add another wall and another layer of visalene and then dry wall all around so there is no chance of any odor from the cooking getting into her space. But you do want to suck the odors out of the building rather than heat them.

President Gougler noted that there is a motion and a second plus an amended motion and a second. He noted that since there are so many issues that have been raised including parking, aesthetics, odor mitigation efforts as well as the enforceability questions, he questioned whether it makes sense to revisit these issues in an amended/revised ordinance.

Trustee Frazier responded that she agreed. The matter should be discussed further with the building owner.

President Gougler noted that he likes the idea of the hot dog restaurant and Village residents will love it. We want to make it work and believe it can work but, perhaps, we cannot take action on this matter this evening.

Manager Sigman added that delaying this will give us the opportunity to have the Village Attorney look at the language in the ordinance and to make sure all of the provisions are covered; plus it gives Director Kane an opportunity to work with the proposed tenant and building owner about possible improvements. She also suggested that they spend a little more time studying the municipal lot and determining the occupancy rate there and in the Village Center to make sure we have the ability to handle the additional employees in the municipal lot and to explore what the parking numbers are in the daytime hours.

Trustee Frazier also asked to explore what is appropriate to ask for in terms of vapor walls.

Attorney Hill suggested that the original motion be withdrawn because then we can have an entirely new motion that we don't have to worry about amending.

Trustee Kozminski withdrew his original motion to approve the special use ordinance.

President Gougler stated that this matter is tabled to the February meeting.

### **CONSIDERATION OF THE SALE OF THE VILLAGE CONDOMINIUMS ON HAPP ROAD**

Trustee Chapin made a motion, seconded by Trustee Kozminski to direct staff to initiate the sale of the municipal owned condominium units located at 308 Happ Road using the appraisal method outlined in Section 1176-4.1 of the Illinois Municipal Code.

Director Kane noted that she understands that at the December Long Range Financial Planning Sub Committee meeting there was consensus among the Committee members to direct staff to initiate the potential sale of the six (6) Village-owned condominiums at the Village Center. The matter was placed on tonight's agenda to get direction from the full Board. If there is consensus, the next step will be to solicit proposals from appraisers. Staff would then bring the information back to the Board next month and get the properties listed this spring for potential sale.

Trustee Teichert noted he was under the impression they would not sell all the properties at the same time.

Director Kane responded she would like to have this discussed so she has clear direction.

Manager Sigman noted that she felt staff would get all the units appraised at the same time so they have a general idea on their worth and could then develop a strategy. She added that they would also want to talk to a realtor because it doesn't make sense to put them all on the market at the same time. They each have different lease expirations. She felt the first step would be to identify the market value of the units and then come up with a strategy. This is the first step in the process of selling them.

Trustee Kozminski noted this is an appropriate step and something the Board should be looking at given the pension shortfalls and the budget challenges. He added it is important to start down this road.

Trustee Frazier asked to be reminded of what the rental income is from the units per year.

Manager Sigman responded "about \$50,000 a year".

Trustee Frazier asked what happens to the current residents?

Manager Sigman responded they have leases and would be able to stay through the term of their lease. Then the lease would either not be renewed or the condos can be sold with the lease in place or if the lease expires we could put the unit on the market and leave it vacant until it sells.

Trustee Frazier asked if the sale of the units will be timed to avoid as much disruption as possible. How would it be determined which units(s) are to be sold first.

Manager Sigman responded that it can be determined by the leases currently in place and when they expire.

Trustee Frazier asked how the sale of the condos impacts our position with affordable housing.

Manager Sigman responded that these condo units do not meet the state standard for affordable housing as published a few years ago. The Village charges more for rent than the threshold allowed under the affordable housing guidelines. They were affordable housing units and were given an under market value but the state affordable housing plan is based on a much larger regional basis than just the north shore area. Technically, they are affordable units on the north shore but they would not count against us relative to affordable housing units in our community.

President Gougler also noted that getting the appraisal information gives us the opportunity to sell but does not obligate us to sell.

Manager Sigman stated that the next step with the Board reviewing and discussing the value of the units would be done in Executive Session. Staff will also put together an outline of the leases and when they are set to expire and come up with a plan for how many units and the order in which we want to dispose of the condos.

Following discussion and upon the following roll call vote, the motion was approved.

AYES: Chapin  
Frazier  
Gottlieb  
Kozminski

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Teichert  
Warga

## **Board Updates**

### *Miscellaneous*

Trustee Chapin reported on the Long Range Financial Planning Sub Committee noting that the next steps in the process. He stated that a Town Hall meeting has been scheduled for April 27, 2010 in the Village Hall Council Chamber to discuss the Sub Committee's recommendations which will be presented to the full Board at the March meeting for discussion. It has been agreed that the Committee will make a recommendation in the best interest of the Village and its residents.

President Gougler thanked Trustee Chapin who chaired the Sub Committee for his efforts.

President Gougler next noted that the Personnel Compensation and Benefits Sub Committee has wrapped up their role as a standing sub-committee. He also noted they did an excellent job. He added that he is not ready to disband the Sub Committee as yet.

### *Department Updates*

#### Administration

Manager Sigman reported that the second IDOT CAG meeting was held last week. She noted they are scheduling an Open House on March 4, 2010 at the Renaissance Hotel in Northbrook from 4:30 p.m. to 7:30 p.m. Those attending will be able to make public comments either orally or in writing. She also thought people would be able to make comments on Willow Road. She added that there was not a lot of progress made at the last CAG meeting and there is no schedule for future CAG meetings following the Open House.

Manager Sigman stated that the Traffic and Transportation Committee for January was cancelled and that there was nothing new on the agenda. The Committee will meet again in February prior to the March 4 CAG Open House.

Trustee Gottlieb excused himself from meeting.

#### Community Development Department

Director Kane distributed a proposal along with the agenda item titled 9B2. It is a proposal by an Integrated Studies Program which New Trier recently implemented for Juniors and Seniors at the high school. She noted she was approached by one of the students asking for the Village to support a community black-out once a month to help the community become aware of energy consumption. Director Kane stated she would be happy to present it at tonight's meeting and see if there is interest by the Village Board in supporting this with a Proclamation. She will then assign it to the student and her team to create the Proclamation.

Trustee Chapin asked what the black-out program would entail.

Director Kane responded that it would encourage residents on the third Sunday to voluntarily turn off their lights in their homes for an hour as a gesture toward reducing their energy consumption

and become cognizant of not having every light on in every room. She noted they are doing this study in their classrooms, working with the New Trier campus on reduction of energy and bringing it to Villages for their participation.

Director Kane also reported that the demolition of 770 Frontage Road for Fields new dealership is under way. They have taken off the glass façade and we can see that it used to be an industrial meat packing plant of some sort. She noted Fields is committed for the Architectural Commission at the February 8 meeting for their LEEDS certified building.

Director Kane also reported that bridge repairs are also taking place on the Winnetka Avenue bridge over the Eden's Expressway with evening lane closures on the Eden's. The project started on January 4 and she hopes it will be completed before the February Board meeting.

Director Kane also noted that Eden's Bank is in for their permit and reported that their architect felt they would be starting construction the end of March or early April.

#### Finance Department

Director Noble reported that the Finance Department is very busy trying to get the W2s balanced and out to all employees, 1099s to all the vendors and working on the budget in their spare time.

Trustee Chapin added that the members of the Long Range Financial Planning Sub Committee have also been considering contracts with consultants. They received proposals and one exceeded the time frame and the other one wanted to be paid for a period of three years. In both instances, they got the first consultant to come back with his results in March and the second agreed to a one year pay off and Director Noble did the work. He thanked him for his efforts and asked to get the contracts signed and go forward.

#### Public Works and Fire-Rescue Departments

Director Mike Nystrand reported that the fire department responded to 157 calls for service. One was a residential fire in Lake Forest. He noted that two of the Public Works/Fire-Rescue employees started paramedic school. In Public Works they were dealing with snow and ice in December and now with the milder weather they are focusing on cleaning out sanitary sewers and installing remote meters.

Trustee Kozminski asked about the emergency repair job on the VacCom. He noted \$12,000 was spent for an emergency repair.

Director Nystrand responded that when road debris gets sucked into the machine it heats it up. It fell apart and had to be replaced. Because of those repairs, he noted they are looking at pushing replacement of the VacCom out another year since we just put repair money into it.

Trustee Kozminski also asked about the paving project. He noted that they were behind schedule last year and asked where we ended up with them for being behind schedule.

Director Nystrand reported a meeting is scheduled tomorrow at 2 pm with representatives from the paving company, our engineer Pat Glenn and the Village Attorney to discuss the liquidated damages that are on the table. We are coming to an agreement of how many days and the costs. Director Nystrand noted that at the beginning of the contract, repaving of all Village parking lots was included in

the contract but we did not feel we would be able to afford all of them. However, we were lucky with the road program and did not have to do as much under-the-road work as anticipated so there is still money left in the program. We will be talking to the contractor to see if they will continue their contract with us in the spring to work on the municipal lots while still staying in the budgeted amount for the 2009 Road project.

#### Police Department

Police Chief Lustig reported that he blew out his hamstring when asked about the cane he was using. He reported on the road rage incident between two truck drivers that carried on through Northfield and terminated at Tower Road. One truck driver stabbed and killed the other truck driver. He did not think that they would have to take part but all communities were called and asked for two officers to look for the murder weapon. The search was from Tower Road north to Park Avenue. Each group of officers took a section of the shoulder of the road and worked it. It was like trying to find a needle in a haystack. The weapon has not been located. It was a pretty sad accident. He noted that Police alerted all the schools and they went to a soft lock down which means they secured the buildings and no one was allowed out for recess. He put a squad car at dismissal time at each of the schools which gave them a sense of security since they did know whether there was a passenger in the truck that took off on foot. He noted that they were very lucky that another truck driver recognized the truck that left and called it into the State.

Chief Lustig also reported on one other matter which involves the mental health system in Northfield. He reviewed the way we handle these crises. He noted that sometimes observe an army of officers and get upset about it. The crisis may deal with any family member. If it involves a voluntary commitment, it is a simple matter. We send the ambulance over; they get in the ambulance and go to the hospital. When it is an involuntary commitment, it is a problem because we have to prove they are a danger to themselves and to others. Sometimes we transport them to a hospital that doesn't deal with mental health issues very well and they discharge the person the next day which makes it worse. They go with the family to get a court order. The judge issues the court order and they come back to the station to formulate a plan. Sometimes they wait for the next shift to come on so they have additional manpower and can hopefully bring in the subject without a fight. He noted that these cases are becoming more and more frequent.

Trustee Teichert stated that the homicide was not technically in Northfield.

Chief Lustig responded that that was right. Another 100 feet south and it would have been in our jurisdiction.

Manager Sigman introduced Administrative Intern Mike McIntyre. She reported that Mike lives in town and has helped out in our Public Works Department during the summers. He graduated from University of Illinois and is currently at their Chicago campus getting his Masters in Public Administration. He is an unpaid intern who works at the Village Hall three days a week. She noted he is an invaluable resource who is volunteering to help the community and she noted how much she appreciates his help. He is currently helping Finance Director Noble with the budget

**ADJOURN TO CLOSED SESSION**

Trustee Chapin made a motion, seconded by Trustee Kozminski to adjourn to closed session at 7:50 p.m. to discuss personnel and litigation issues.

Upon the following roll call vote, the motion was approved.

AYES:	Chapin	NAYS: 0	ABSTAIN: 0	ABSENT: Gottlieb
	Frazier			
	Kozminski			
	Teichert			
	Warga			

**RETURN TO OPEN SESSION****ADJOURNMENT**

There being no further business to come before the Board, there was a voice vote to adjourn the meeting at 8:30 p.m. All approved.