

**MINUTES
of the
REGULAR BOARD MEETING
OF THE BOARD OF TRUSTEES
VILLAGE OF NORTHFIELD
Tuesday, May 18, 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, May 18, 2010 at 7:00 p.m. The meeting was called to order by President Fred Gougler. The Village Clerk called the roll.

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

ABSENT:

APPROVAL OF CONSENT AGENDA ITEMS:

Trustee Warga made a motion, seconded by Trustee Teichert, to approve Consent Agenda items 1 through 3.

1. Approve the Minutes of the April 20, 2010 Village Board meeting.
2. Approve the Bills and Disbursements from 4/15/10 to 5/12/10 in the amount of \$318,694.24.
3. Approve a resolution approving a delegate and alternate delegates to the Northeastern Illinois Public Safety Training Academy (NIPSTA).

Upon the following roll call vote, the motion to approve the Consent Agenda was approved.

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

CONSIDERATION OF A RESOLUTION GRANTING CHRISTIAN HERITAGE ACADEMY A THREE MONTH EXTENSION AND MODIFICATIONS OF THE PUD FOR 315 WAUKEGAN ROAD

Trustee Chapin made a motion subject to language being added to the resolution that “no construction vehicles can use the Sisters private road between Waukegan Road and their complex,” which the owners agreed to in public but is not reflected in the ordinance. The motion was seconded by Trustee Frazier to approve a resolution granting a three month extension and modifications to the PUD approved July 15, 2008 for property at 315 Waukegan Road and is to include the additional language above.

Richard Lukianuk of Christian Heritage Academy introduced himself and said he was available to answer any questions. Upon the following roll call vote, the motion was approved.

AYES: Chapin
 Frazier
 Gottlieb
 Kozminski
 Teichert
 Warga

NAYS: 0

ABSTAIN: 0

ABSENT: 0

CONSIDERATION OF A RESOLUTION CONTAINING THE REFERENDUM QUESTION ON HOME RULE AND DIRECTING THE VILLAGE CLERK TO SUBMIT IT TO COOK COUNTY FOR PLACEMENT ON THE NOVEMBER 2010 BALLOT

Trustee Gottlieb made a motion, seconded by Trustee Warga to approve a resolution containing a referendum question on Home Rule and directing the Village Clerk to submit this to Cook County Election Department for placement on the November 2, 2010 ballot.

Trustee Teichert noted he has been thinking about this issue over and over and from the comments he has been hearing from the community, perhaps, there should be more time allowed for education. In light of the consultant we will be using for education, perhaps there will be a more professional view point and we should take a wait and see position and table this resolution for a month or two.

John Birkinbine of 231 Avon stated that he was happy to hear Trustee Teichert's statement because he noted it is his concern also. He noted the he served with many of the Board members on the Board as former Village President but in real life he has spent most of his adult live working in State and Federal government affairs as a lobbyist. An integral part of that job is campaigning because people don't get to be legislators until they first go through an election. What happens in elections and how you win elections is something that he has learned over the years. He noted several concerns about going to referendum in November 2010 as opposed to April 2011. He stated that November only gives proponents of the issue five months to educate people and a lot of education is needed. Also, three of those months are summer months when a lot of people are gone and not thinking about political matters. April on the other hand, is nine months out and if you are interested in an issue, any lobbyist in the country whether they are dealing with local, State or Federal government, if asked if it is easier to pass a bill or kill a bill, they will say kill a bill. It is harder and involves education to pass a bill. If there is one topic that needs education it is the subject of home rule. He noted that he does not know all there is to know about home rule but praised the paper put together by Trustee Frazier on the history of the Illinois constitution that brought home rule about. He noted that he is a proponent of home rule and it is the first time in his life he has been a proponent of home rule because he has seen what the Board, Stacy and Bill and Mike have gone through to pare our local government down to the bone. There is no fat left. More cuts are going to hurt what people in Northfield have come to know as the nature of Northfield and the reason they want to live in Northfield. He explained that the environment for educating people going into the November election is going to be toxic. There are very few incumbents so a lot of new people will be running in races

that are going to be sending residents messages, robo calls and tv ads into our district. The State Representative will not be the existing State Representative; there are new races for U.S. Senate, Governor, State Representative and all will be inundating registered voters in Northfield with campaign literature. To run a campaign with anything you want to pass in November, you will have to fight all the literature from these races. Education takes time. If you want to pass something, having nine months as opposed to five months is preferable. Also, to try and do something in November is friendly to those who oppose home rule in Northfield. Putting it off to April is pro home rule – it is helpful. He also suggested to the Board that when they make up their minds, they put off until the latest date possible to make the announcement so we get as many public meetings with Northfield citizens as possible. The Town Hall meeting was good; however, that is 200 out of about 5300 residents. Only a small number of them can relate to the excellent information given out by Manager Sigman in her presentation and some of the others. Perhaps, if there was a vote taken that night, the pro forces would have prevailed. If we rush the decision, it gives a bad impression. If we wait and continue to educate, it gives a good impression. One of the good things about home rule is that it gives the Village more flexibility. We have flexibility now in dealing with talking about home rule. Once the Board decides on whether it is going for home rule, and the date it will be on the ballot, from that day on you lose a lot of your flexibility. Citizens might think you are trying to rush something through, which is an unfair assumption because you have done a lot of work. However, for the most part, the general public does not know that in spite of the number of newsletters or information that have or will go out. The longer we can have discussions with people and have it be as open as possible; it denies ammunition to those against it.

Trustee Warga asked what the circumstances were when Winnetka passed home rule. What election was it and what were the issues and also for Lake Forest.

Manager Sigman responded that she believes the Winnetka election took place the same time we went to referendum for our property tax increase which she thought was spring April 2005. She did not remember what else was on the ballot at that time and did not have information on Lake Forest at this time.

President Gougler noted that Mr. Birkinbine's points are well taken. He added that part of the deliberation of the Home Rule Task Force was considering the difference between a November referendum and an April one.

Trustee Kozminski also noted for the record that the Task Force and Board members have been looking at this and meeting publicly for the better part of a year. The Board has been methodically going through this for a long period of time. At some point we need to make a decision about when to put it on the ballot because there will never be an easy time.

Trustee Teichert added that the Board may be too close to the subject and that we may be rushing it because we are so involved. He noted he could not see a reason to decide tonight – that there is another month or two before we have to go on the ballot.

Trustee Chapin noted that we really have three months before we have to notify Cook County.

Manager Sigman clarified that it has to be filed with Cook County by August 2010.

Trustee Chapin stated that he prefers going on the April 2011 ballot. He noted that he believes it is in the best interest of the Village to wait and we have a higher probability of getting education accomplished with an extended period of time as well as other reasons stated earlier.

Resident Tracy Mendrik commented would be that if you table this now and wait until next month to make a decision and you still go for November, you've put any citizens group that might form even further behind in the process of making it happen. She noted the Board has done all the research and did not know what another month would really give them except another month to think about it and put any group that is going to organize to pass it even further behind.

Trustee Frazier noted that she felt the Board should decide tonight on whether it is to go on the November or April ballot. There has been a lot of helpful advice from people and she noted she particularly appreciated John Birkinbine's comments. She also agrees with Tracy, if the Board would decide on November next month, it has lost an important month. Also, in terms of planning, if we decide to go in April, that changes the whole education plan.

President Gougler added that he favors the situation where there are more people voting because it gives broader representation of the community. He is a little concerned about the idea that there will be fewer voters in April and less interest in elections and more interest in home rule. He stated that in his opinion the more people that vote and the more people that understand the home rule decision and that are engaged in this issue, the better the decision will be made and the more thorough the democratic process. He noted there is time to educate residents before the November election.

Trustee Kozminski agreed with President Gougler. It is a better time to vote on this when there are more people at the poles helping to make such an important decision.

Following discussion and upon the following roll call vote, the motion was approved 4 Ayes to 3 Nays.

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

Trustee Gottlieb explained his vote of "aye." He noted he heard all the arguments and stated that at the end of the day and, although the November election is going to be busier, noisier and more issues going on, we do want a true representation from the Village to address the issue. He felt we have time to educate residents and time to put the matter forth before November. He added that at April elections he has seen 36 people show up and he does not want the future decided by "36 people."

CONSIDERATION OF AN ORDINANCE AMENDING THE VILLAGE CODE, CHAPTER 1 TO ADD A NEW ARTICLE VI, POLICY – PROPERTY TAX CAP

Trustee Chapin made a motion, seconded by Trustee Teichert to approve an ordinance amending the Village Code, Chapter 1 to add a new Article VI, Policy – Property Tax Cap.

President Gougler explained that this is the ordinance that spells out limiting language tied to the home rule referendum.

Trustee Kozminski noted that this ordinance is tied to the resolution just passed and we have heard from the Village. It is something the residents want to see as part of home rule authority.

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 AN AGREEMENT AMENDING THE CURRENT LEASE WITH THE WINNETKA-NORTHFIELD LIBRARY DISTRICT FOR 1785 ORCHARD LANE

Trustee Frazier made a motion, seconded by Trustee Chapin to approve an agreement amending the current lease with the Winnetka-Northfield Library District for 1785 Orchard Lane.

Trustee Kozminski reported that he has been working over the last few weeks with the President of the Winnetka-Northfield Library District Board for renewal of the Branch Library lease at 1785 Orchard Lane. Their Board agreed to the terms in the lease before you last night. It calls for the base rent doubling to \$10.50 a sq. ft. effective July 1, 2010. The lease price is still below market rate but is significantly more than they were paying. We tried to get the best deal for the Village while not chasing the Library away. They were looking for a four (4) year term because of their strategic planning. He felt this was a fair deal for the Village since the rent amount can be revisited after four years plus the lease for the Post Office if up then which would give the Village some options. The base rent will increase annually by the consumer price index or 3%, whichever is less. Everything else in the former lease agreement stays the same.

President Gougler noted that the Library is an important part of our Village. They are going through some strategic planning issues. Keeping them in Northfield is important. He thanked Trustee Kozminski for handling the matter with sensitivity.

Resident Patrick O'Donoghue of 263 Bristol asked what the term of the lease is.

As reported, it is a four year lease.

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 AN ORDINANCE AMENDING THE VILLAGE CODE, CHAPTER 15, ART. I, SEC. 15-4, RE DISCHARGE OF EXPLOSIVE SUBSTANCES PROHIBITED

Trustee Warga made a motion, seconded by Trustee Frazier to approve an ordinance amending the Village code, Chapter 15, Article I, Sec. 15-4, Discharge of Explosive Substances Prohibited, to prohibit the sales of novelty fireworks.

Director Kane reported that the Village has been contacted by Walgreen's over the past several years wanting to sell novelty fireworks which include poppers, snakes, sparklers, etc. Our Fire Prevention officer has denied that request over the years. This year we investigated further and found that the State Fireworks laws allow for some novelty items to be sold. Therefore, the Fire Inspector asked that the Village revise its code to reflect the practice. She noted the Department has received questions on this and Fire-Rescue Chief Mike Nystrand will address the safety concerns.

Fire-Rescue Chief Nystrand noted that the concern he has is not from the novelty fireworks but that they could cause other fires. He also did not think it is a good idea to have people playing with matches.

Trustee Chapin stated that it sounds like we are making an ordinance that conflicts with the State law. As a non home rule community how does that fly.

Attorney Hill responded that if the State law does not include these novelty fireworks, then it would be in conflict. His opinion is that this is under our general Police power and we have the ability to do this.

Trustee Frazier noted that she is against this ordinance. She felt these are just fun items and there is a danger in all kinds of things that we could make illegal. These things are just party poppers, glow worms, sparklers, etc. which are harmless and does not feel the Board should enact an ordinance prohibiting their sale and use. She does not feel it is necessary.

Trustee Teichert also noted that sparklers, poppers and cap guns aren't extremely dangerous and are part of growing up. He felt the Village is getting too "big brotherish" and too intrusive.

Trustee Warga asked Police Chief Lustig what are the penalties if someone violates the ordinance.

Chief Lustig noted that if an officer sees these items being used or someone calls to report it, the person would receive a citation for violating a local ordinance. He noted if they get called for fireworks, they have to respond.

Director Kane noted that she wrote the ordinance based on the Illinois State Fireworks Act and if you wanted to include or exclude certain novelty fireworks, it could be written that way.

Manager Sigman noted that what this ordinance also attempts to do is define novelty fireworks.

Trustee Chapin asked what an "auto burglar alarm" is because he stated he has one of those in his car.

Director Kane responded that it would have to be some type of fireworks.

Trustee Chapin noted that he does not see that in the ordinance.

Director Kane noted that the last sentence of that section of the code references the Illinois Fireworks Use Act.

Trustee Frazier asked if it is possible or advisable to prohibit only the retail sale of these items to would make it harder for kids to get them.

After Trustee Chapin again noted that it is not in the ordinance, Director Kane responded that it is currently in the code and the new ordinance only reflects the language that is changing or being added.

Following discussion and upon the following roll call vote, the motion failed 4 Nays to 2 Ayes.

AYES: Kozminski
Gottlieb

NAYS: Chapin
Frazier
Teichert
Warga

ABSTAIN: 0

ABSENT: 0

CONSIDERATION TO WAIVE THE BIDDING PROCESS FOR PURCHASE OF SQUAD CAR CAMERAS

Trustee Frazier made a motion, seconded by Trustee Teichert to approve waiving the bidding process in the purchase of five (5) digital squad car cameras from AMR Digital Corporation for an amount not to exceed \$21,000.

Chief Lustig noted that the Police Department's current car cameras are ten years old, some have been failing over the past three years and they are no longer supported by the manufacturing company. He added that in the past he has explained how important the cameras are to officers on all traffic stops. He noted they were able to purchase one camera with money from the drug asset forfeiture fund from AMR Digital Corporation. AMR is significantly cheaper than Kustom Signals, the company Police previously purchased their current cameras. Kustom Signals wanted \$15,000 for a server, tower, keyboard, mouse, and Hot Spot to download the tape, compared to AMR Digital whose price for the same equipment is just over \$3,600. He noted they have used the one camera they previously purchased from AMR and reported fantastic performance.

Trustee Frazier asked if in the past any of the films made have been introduced in court.

Chief Lustig responded "yes" for DUI arrests.

Village Attorney Hill noted that his law firm has found the tapes helpful in the excessive force cases they have defended in all the municipalities they represent.

Tom Fitzgerald of Middlefork Woods noted he was at the last meeting on home rule and noted that he has an open opinion on it. He stated from what he heard at that meeting that there is some concern with fiscal responsibility going forward. He noted he is concerned that the police budget and future obligations to the Police Pension are not being addressed. He noted that another person at the meeting had asked for comparables of neighboring communities' police budgets and were assured that the information would be forthcoming. At the home rule meeting, Chief Lustig mentioned have to "rest his cars", and Mr. Fitzgerald asked if he would be "resting" these cameras. Are there cameras in cars that we don't use or don't need? How many cars do we have versus other Villages? The budget for the Police in Northfield is roughly 50% of the operating fund and in any other Village in the area that he could find information on it was between 25 and 30% of the operating fund. He noted that

getting “toys” for the Police Department is nice if they are needed. He also noted that at tonight’s meeting there was a reference to costs being “cut to the bone” and he wondered about that and whether there could be an overall review of the Police Department which may be overstaffed and over-vehicled. He noted that he just parked next to a car that has been sitting in the same spot in the same lot for four days that he knows of. He stated it is probably insured, paid for or being paid for everyday. If the Village is going to ask people to be for home rule authority he stated then it would behoove the Board to put some of this under the microscope so your fiscal responsibility is upheld.

Trustee Warga asked Mr. Fitzgerald if he is talking about what they are currently voting on or just in general.

Mr. Fitzgerald noted the Chief explained the no bid contract and it makes a lot of sense but to have it in writing that you are going to buy something with a no bid contract he wanted to know why you would do that.

Trustee Warga stated that his points are well taken and that it is something the Board and the sub committees had lots of meetings. People were encouraged to attend these meetings where they did look into various department budgets and equipment purchases.

Manager Sigman welcomed the opportunity along with Finance Director Steve Noble to spend a few minutes with Mr. Fitzgerald to explain Village vehicles and how they are used. She noted that she had promised at the town hall meeting to get together that analysis based on cost per person, size of municipality. She reported she has begun the research and is trying to get the most accurate information out to residents. Each Village does things a little different and getting an apples to apples comparison is very hard. She explained that she can take the Village of Winnetka’s number and it looks extremely high if you look at their overall budget. They run an Electrical Department. Everybody budgets and puts things in slightly different categories. To compare Northfield to a municipality that runs an electrical department is not an accurate depiction of their cost per person. She explained she had to go back to each of the municipalities and work with their finance department so the information we put out is comparable. She noted the Village of Lincolnshire is a great example. Initially, we look really close in terms of budget and population but they don’t fund or provide Fire-Rescue services. So there is a component of what Northfield provides that is not in their numbers. She noted she has some of the basic core information but has more work to do to accurately reflect comparable comparisons. She noted that Winnetka budgets \$68 million compared to our \$10 million and they have a population of about 15,000 versus our 5,700.

Mr. Fitzgerald noted that at the town hall meeting, he got the feeling that people don’t want to give the Village an open check book unless you can show that you can balance the check book.

Trustee Teichert asked Chief Lustig if the cameras can be moved from car to car.

Chief Lustig responded that they are permanently installed in the cars.

Trustee Kozminski noted that he saw in the paperwork that the Deputy Chief priced out the cameras from the leading manufacturers and that the company being considered tonight has the cheapest price by far. Trustee Kozminski also noted that they are all alert to ways to save money and

cut costs but when he looks at the cost of this camera system and in light of what Village Attorney Hill said about the risk exposure the Village would have for an excessive force lawsuit and the cameras being our best line of defense, he noted purchasing the cameras is smart for insurance purposes.

Chief Lustig related that a couple of weeks ago, a person reported a police officer pulled a gun on them. They reviewed the tape and this never happened. He also noted that it is a State mandated law that the Police Department keep records of all its traffic stops and submit it to the State Legislature to show they are not biased in stopping people.

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 TO AUTHORIZE PURCHASE OF FIVE DIGITAL POLICE CAR CAMERAS FROM AMR DIGITAL CORP.

Trustee Chapin made a motion, seconded by Trustee Kozminski to approve purchase of five (5) digital cameras for police cars from AMR Digital Corporation in Woodridge, IL for an amount not to exceed \$21,000.

Trustee Gottlieb noted that in the summary it talks about \$4,200 per camera and then \$3,600 for the supporting hardware. In the letter from AMR they do not address the supporting hardware. He asked if the \$21,000 is just for the cameras or does it include an amortized portion for the server, tower, etc.?

Chief Lustig reported that they were able to purchase the one camera plus the server and the other supporting hardware from the drug asset forfeiture fund so they have the server and supporting hardware. Now they are just purchasing the five cameras.

It reported that the 2008 population of Winnetka was 12,300.

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 AN ELECTRICITY SUPPLY AGREEMENT WITH MC SQUARED ENERGY SERVICES

Trustee Frazier made a motion, seconded by Trustee Warga to approve an agreement with MC Squared Energy Services for the retail purchase of electricity for three years.

Director Noble noted that there were two outstanding questions from the previous meeting when this matter was tabled. One was who is MC Squared? He provided the Board with some background information reporting they are a licensed retail electricity supplier with the ICC. He also noted he check with CUB, the Illinois Citizens Utility Board to see if they had any complaints or issues about the company. It was noted that they primarily handle residential electricity matters and they did not have any information on MC Squared. CUB was helpful noting what should be included in the contract but the Village Attorney's office had already taken care of those concerns. Director Noble added that the other outstanding issue the Board had was the fixed price nature of the contract over the term of the contract. The question was what happens if prices for electricity go down. He noted he included a graph with the information which shows the cost for electricity is at the lowest point it has been in five years. However, last week ComEd announced a 9% increase in its rates. According to the Broker who is working with us on this, he checked to see if our accounts would be affected by ComEd's rate increase and sent information that it would. Therefore, if the Village can lock in now, the savings goes from approximately \$20,000 over the next three years to as much as \$40,000.

Trustee Teichert commented that if the capital trade gets passed by the O'Bahma administration, energy will sky rocket. He added this is probably a wise time lock something in.

Director Noble also reported that he did contact ComEd and they noted they don't have a problem and if we can get a better deal, we should go for it.

President Gougler commented that this is one of the Village's cost containment programs in our on-going efforts to reduce costs.

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			

Board Updates

Home Rule Task Force

Trustee Frazier noted that she did not know what else to add that hasn't been said over the last couple of weeks. She added that she attempted to get in touch with Thomas Duffy who is an Attorney in Springfield who apparently worked with Dr. Banovitz on Home Rule to talk to him about it. She noted he did not call back yet. She reported that the Board has thoroughly discussed what they are doing on Home Rule.

President Gougler added that the main focus of the Task Force will be outreach and education of residents on home rule.

Trustee Frazier also noted that she did speak with Phoebe Raymond, President of the School Board to ask the status on their proposed referendum and was told they will make a decision on that in the next few weeks.

Department Updates

Administration

Manager Sigman reported that relative to Willow Road, the next Traffic and Transportation Committee meeting is next Wednesday. The Committee is getting together to go over IDOT's work with the CAG group. The next CAG meeting is scheduled for July 15. The purpose of that meeting is for the CAG group to come up with a problem statement. IDOT has drafted their version and the T&T Committee and CAG members will be looking at that and drafting a problem statement more geared toward Northfield and hopefully more focused on the true problem which is the regional network and the lack of connectivity on some of the major roads in the corridor – Eden's, 294 and the spur. The lack of east-west connectivity and access to the spur causes traffic to go through all the local roads in Glenview, Northbrook and Northfield. Some improvement of that network will truly address some of the regional needs. Our 1.2 miles of Willow Road is part of that network but it cannot all be solved here. The hope is that IDOT will broaden the scope of their project and look at the region as a whole. She again noted that there is a T&T and CAG meeting next week and a full meeting of the CAG with IDOT on July 15 at New Trier West. Information on the meeting is provided on our website and IDOT provides information on their Willow Road site, www.willowroadfuture.com.

Trustee Frazier noted she read in the Winnetka Talk a couple of weeks ago how Winnetka is looking into putting a stormwater utility in the Village which would take their water and gear it toward the Skokie Lagoons and the river. She asked if that is something that will affect Northfield.

Manager Sigman noted that State laws require that you can't take water in an unnatural flow. So if water flows in that direction it has to continue; they can't negatively impact someone by changing the course. Like Northfield, all the water is trying to get to the river. There are different water sheds and from a certain point in Winnetka, water heads west to the Skokie Lagoons. It sometimes does not get there effectively. Their storm sewer system would put that in a structured system and get it to where it eventually outfalls now. What they would like to do to address storm water getting there more rapidly or changing how it gets there is to upgrade the lift station that is at that location. She added they have not been successful yet in working with the Cook County Forest Preserve District to do that. They currently have a land lease in place and they have attempted to amend that lease but have not yet been successful. She also noted that the Forest Preserve District recently denied our application for a minor modification which would positively affect the drainage of some of those homes that experienced first floor flooding a few years ago. Winnetka would allow us to redirect that and send storm water into the same lift station. She further noted that we have contacted the Forest Preserve District and asked for specifics on how our project did not "meet their mission" so we can amend the application to make the project successful. There is one home that

the resident still does not live in because the first floor flooded from the September 2008 storm and it is basically a reconstruction of the home. The problem is their system flows into the river but once the river backs up, it has no where to go and all the water from upland in Winnetka sits there until the river drops. We want to change that drainage system so it would store it in the Forest Preserve, which is part of the natural drainage pattern and something our engineer has been able to document with the Forest Preserve District. We understand that the Forest Preserve did not even send our project to their Board for review. Their attorney said they did not think it was part of the purpose of the Forest Preserve District. Manager Sigman noted that she is also working with Commissioner Goslin to assist us in getting information from the Forest Preserve District on why it was denied. Manager Sigman reported that she attended the Board meeting in Winnetka when they released their storm water report to better understand what they were proposing and how that would impact Northfield. She commented that in general it would be positive because it is more of a controlled system than what is in place. She added that Northfield would work closely with Winnetka to make sure that happens.

Community Development Department

Director Kane reported that U Dawg U is holding its grand opening on Thursday. She complimented the contractor and the business owner. Staff has raved about how responsive they were and their thoroughness in plans and being ready for inspections. She noted she hoped the Board received their coupons U Dawg U sent out.

Director Kane also reported that the Old Willow Road Bridge has been completed. Middlefork School was very concerned about that with the Family Fair coming up this Saturday. She also noted that Eden's Bank was very cooperative in working with the Village to get approval for overflow parking for Village Staff so we could free up the municipal lot for other employees to use while the municipal lot across from the Library is being resurfaced. Director Kane also reported that Fields Volvo has come in for their permit. They are planning a June ground breaking ceremony. As a follow up to an agenda item, Director Kane reported that with reference to Christian Heritage Academy, she met with Willow Creek – North Shore representatives to learn about the scope of their plans for that campus. It was a rather significant departure from what was presented on the PUD Plan and she noted they would have to go through the public hearing process. They will come in early summer or fall to get that started.

There was a question from the audience on the BP station. He noted that he is aware there is a specific ordinance about nuisances and wondered if BP can be fined.

Village Attorney Hill responded that the Village is litigating with them on two fronts to try to get everything knocked down on that property. We are in the appellate court from the perspective of our ordinance and we are in the Circuit Court of Cook County for a demolition permit to get it taken down.

The resident noted that he understands BP is pushing back. He asked if the Village can fine them.

Attorney Hill responded that initially the Village took them to court under our ordinance and the judge assessed them a \$15,000 fine. They asked the judge to reconsider, he did and determined that as a non home rule municipality we had defined “abandoned” differently than State law defines it and that as a non home rule community we are not allowed to do that. We are now appealing that decision in the appellate court. He noted that the State definition of abandoned does not consider how long a structure has been in disuse; it simply considers whether the owners can be found and whether they are paying any attention at all to the building. Manager Sigman responded that there is nothing in the State code that requires it to be demoed at any time; it is just our local code that would have done it.

Finance Department

Director Noble reported that the Village was visited last week by an auditor from the Illinois Department of Transportation to oversee our use of motor fuel tax funds. We have a couple of things to document but other than that, we came out in good shape. He also reported that vehicle stickers went on sale last week. Business has been brisk and we sold about 1,000 stickers in 6-7 days. He noted that we normally sell a total of around 4,000. He added that the Board may recall that they increased the fine for not having a valid vehicle sticker to \$100 and we have put that in the newsletter and on the website.

Trustee Frazier asked if the Village has been audited in the past by IDOT.

Director Noble responded that we have – it is fairly routine.

President Gougler noted he wanted to acknowledge the excellent work Director Noble has done often behind the scenes related to managing our financial assets, on the information provided the Board and to the Long Range Financial Planning Sub Committee. He also wanted the community to be aware that Director Noble was awarded a Certificate of Achievement for Excellence in Financial Reporting by the GFOA. He awarded an engraved plaque to Director Noble recognizing him for his work.

Public Works and Fire-Rescue Departments

Chief Mike Nystrand reported on the Fire-Rescue Department noting that since the last Board meeting they responded to 175 fire-rescue calls. On May 3, they will be on Red Center dispatching. They have uncovered a couple of minor glitches. He also noted that he was pleased to report that the two paramedic students continue to do well in their training.

Manager Sigman noted for the record that she wanted to thank both Chiefs – Chief Nystrand and Chief Lustig. They switched to Red Center on May 1 for our Fire and Ambulance dispatching and there was a lot of work for both of those staffs to do the transition. We moved over May 1 and it went well; however, there will always be some operational and coordination issues that have to be worked through but they have done a tremendous job. She noted that she and Chief Lustig continue to work with the neighboring communities on consolidated Blue Center as well as opportunities for shared services and cost efficiencies in that area.

Director Mike Nystrand also noted with regard to the Public Works Department they are preparing the municipal lot for resurfacing. He talked to the contractor and they agreed to come back after the watermain is installed on Walnut to do that street. In an effort to save on costs, he reported they are sending out specifications on their annual sidewalk replacement program and are partnering with Kenilworth and Wilmette to go out to bid on May 20. MWRD will be putting up a sign on Sunset Ridge Road regarding their slip lining project on their interceptors which is the bigger sewers where all of our local sewers dump into. They will be doing work on Voltz Road in Northbrook, Sunset Ridge in Northbrook and later in September they will be lining the sewers on Sunset Ridge Road and Old Willow Road in Northfield. Public Works is working with them on a schedule on where they will be accessing the sewers and other details. Finally, he reported that he talked to the contractor on the Winnetka Avenue bridge and they are expecting completion of the bridge next week or the following week. The contract completion date was scheduled for July 7.

Police Department

Police Chief Lustig reported that he and the Deputy Chief will be starting their training of all the chaperones for New Trier graduation to make sure the parents are more comfortable with their assignment. He noted that Monday morning Glenview was chasing two burglars and Northfield officers got them a block north of Glenview. He also reported the Police Department will be working at the Middlefork School PTO Fair this weekend which requires officers handling money pick ups because a significant amount of money goes through the Fair. Our detective is in the process of following up on the backgrounds of the people working the rides and events as required by State law. Chief Lustig also noted that by now most are aware of the arrest at Seuls. For the past several years, they have been arresting people in the parking lot or in front of the building. He noted he has received complaints from residents that have gone in Seuls about the drug activity. A couple of years ago, he sent a task force in and arrested some people for gambling. The issue is that these people have a system in place. If officers get too close, they flush the drugs down the toilet in the bathroom or if behind the bar, they put them in the sink and put a towel over them. What makes this operation so difficult is that some of them work out of the court house so it is not difficult to tell which undercover people are Northfield officers. Trying to infiltrate that network is difficult because they sell to people they know. It takes months and weeks and that is what happened in this case. They were using criminal informants not so much undercover police who last time were easily identified by the drug sellers. He reported he is waiting for the report to come back from the County to see if there are any charges against Seuls or not. As soon as they get that report, they will make a decision on that. They are hoping the person caught will lead them to more drugs but he is a pretty clever guy. He admitted to the detective that he has been selling drugs for the last five years.

There was a comment from a resident in the audience that he owns a restaurant in Chicago and if he had a drug arrest there they would pull his liquor license in an hour. He asked if that would happen in Northfield.

President Gougler responded that he is the Liquor Control Commissioner and it is something to consider. His inclination is that if the illegal activity is stopped and no longer a threat, any decision would be based on evidence and the counsel of our Police.

Trustee Frazier noted that is a good point. The owner says they did not know what is going on under their nose but it seems it was going on a long time in the bathrooms and at the bar. She noted it would be a good idea to give owners an incentive to keep their house clean.

Trustee Chapin added that relative to Seuls, a colleague of his told him that there had been previous times when there had been prostitution operating in and about Seuls. He asked Chief Lustig if he knew anything about that. Chief Lustig responded "no" and welcomed him to come and talk to him about it if he had further information.

Trustee Warga noted that there should be some deterrent for that type of illegal activity. Somehow there has to be some responsibility by the owner.

Attorney Hill responded that Manager Sigman and Chief Lustig have already talked to him about where the Village goes from here regarding this restaurant. Mr. Fitzgerald has a place in Chicago but they operate under a completely different regulatory agency than Northfield does. Chicago has its own Liquor Control Board and they operate differently. Pulling a liquor license in an hour is a bit of an overstatement. Their regulatory power comes from their own ordinances and regulations. We operate pretty much under the State law which is different. However, he added they do intend to take a look at this as soon as they get the reports back from the County. His belief is that if there is any way we can take action against that liquor license, we ought to do it but we have to wait until we get all the facts before we can make a determination. President Gougler as the Liquor Commissioner would have to conduct a hearing. We cannot simply state that based on what the County has given us, we are going to yank their license. State law requires that they be given a full hearing on it and President Gougler will conduct it.

Trustee Warga asked if the Village could be more aggressive on this if we were home rule.

Attorney Hill noted he has tried in some home rule communities to remove the State Liquor Commissioner from the process and they have been unsuccessful. But there are some more aggressive things we could do under home rule but it would still require a hearing before the Liquor Control Commissioner.

Trustee Warga asked how Chicago manages it.

Attorney Hill responded that when the State Liquor law was adopted, Chicago was exempted from it and allowed to establish their own Liquor Control Board.

Trustee Frazier asked what the person at Seuls was charged with possession or distribution. Chief Lustig responded possession and a few other State charges are pending. Trustee Frazier expressed outrage at what has gone on at Seuls. When it gets to the point where we have to bring in criminal informants to our Village to clean it up, that is a terrible situation. She noted she is in favor of doing whatever we can do to make our ordinance stronger.

Trustee Chapin asked Chief Lustig for more information on the gambling that was going on at

Seuls in the past.

ADJOURN TO CLOSED SESSION

Trustee Chapin made a motion, seconded by Trustee Kozminski to adjourn to closed session at 8:30 p.m. to discuss current litigation issues.

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

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

RETURN TO OPEN SESSION

ADJOURNMENT

There being no further business to come before the Board, Trustee Chapin made a motion, seconded by Trustee Kozminski to adjourn the meeting. By voice vote all approved and the meeting was adjourned at 9:00 p.m.