

**MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
VILLAGE OF NORTHFIELD
TUESDAY, May 17, 2022**

The Committee of the Whole meeting was called to order by Village President Greg Lungmus on Tuesday, May 17, 2022, at 5:30 PM. Village Clerk Stacy Sigman called the roll as follows:

Committee Members Present:	Absent:
Trustee Todd Fowler	
Trustee Barnaby Dinges	
Trustee Tom Whittaker	
Trustee Matt Galin	
Trustee Tracey Mendrek	
Trustee Charles Orth	

President Greg Lungmus

Others Present:
Village Attorney Buzz Hill

Approval of the February 15, 2022 Report of Proceedings

Trustee Whittaker made a motion, seconded by Trustee Fowler to approve the February 15, 2022 Report of Proceedings. Approval was unanimous.

Review and discussion of the Intergovernmental Agreement with the Village of Glenview on the shared ladder truck

President Lungmus noted that, as part of their adopted Goals and Objectives, the Village Board directed staff to reassess the effectiveness of the shared ladder truck program in place with the Village of Glenview. The Board discussion was on whether to continue under the current Agreement, work to amend the Agreement, or move forward independently. The staff memo noted the following, in 2012, the Villages of Glenview and Northfield began talking about innovative ways to share resources within the fire service arena. A specific area of mutual interest was the potential sharing of an elevated aerial device (ladder truck). To determine whether a shared ladder program made sense, the Chiefs and Deputy/Assistant Chiefs of both departments were asked to study the issue. They analyzed the response data, logistics, and cost in that report and performed a needs assessment for such a program. It was concluded that *"The discussions and operational arrangements have taken place, response plans have been discussed, and both departments believe the program can be implemented and have a positive effect on the service delivery to the communities. Once the financial arrangements are determined, it is recommended that the program move forward and be implemented."*

Based on that recommendation, the Village entered into an Intergovernmental Agreement ("IGA") with the Village of Glenview, whereby the two departments share and jointly own two ladder

trucks. As is set forth in the Agreement, these two ladder trucks consist of a Primary Truck and a Secondary Truck. Under the IGA, the Primary Truck was purchased new in 2012 and is housed and operated from Glenview's Patriot Blvd station. The Secondary Truck was already in use at the time of execution of the IGA and is housed and operated from the Northfield station. The cost of purchasing and maintaining a Primary and Secondary Truck is shared between the two communities on a 90% Glenview/ 10% Northfield ratio. This ratio was based on the three years of response data at the time of execution of the IGA. The IGA does not have an expiration date but can be canceled by either party upon two years' notice.

A series of operational changes went into effect after the IGA was approved to improve efficiencies and ensure both communities had a ladder truck when needed. The most important of these changes was that Glenview is the primary provider of a ladder truck response under the current program when Northfield needs one. Glenview responds to Northfield with a ladder truck and crew on all calls that require a ladder truck. The Glenview ladder truck is automatically dispatched to all Code 3 and 4 calls. Glenview responds to the scene with the Primary Truck when such a call occurs. If the Primary Truck is out of service, Glenview picks up the Secondary Truck from Northfield and then uses that piece of equipment to respond to a fire in either community.

Even though the Secondary Truck is ordinarily present in Northfield, the team does not deploy it to Northfield calls - on the initial alarm. The team members respond with the regular fire engine, and the Glenview crew responds with the Primary Ladder Truck. The Secondary Truck is a backup vehicle for the Primary Truck. The Northfield team uses the Secondary Truck to respond to mutual aid ladder truck calls in other communities such as Winnetka and Glencoe and an additional truck if needed in Northfield.

Ladder trucks are used at fire scenes for vertical ventilation to release heated gasses and smoke at tactical fire ground operations to allow interior companies to get to the base of a fire. They are also used in high-rise/tall building operations and when dealing with larger two and three-story homes where roof access is impossible by ground ladders. Northfield is fortunate to be a member of MABAS Division 3, as there are 17 ladder trucks in the Division that can be called upon when needed.

President Lungmus asked Trustee Whittaker to start the discussion as he was one of the key Board members that requested the truck contract be assessed. Trustee Whittaker remarked that the secondary truck has frequently not been present in Northfield over the last few years. He struggles because if it is not there an average of six months a year, the question is how does it benefit Northfield? Trustee Whittaker noted three primary concerns: safety, the benefit to residents, and the overall financial obligation. From a safety aspect, if the ladder truck is frequently not present, how well versed are the members on using it. From a resident's perspective, how does sharing a truck benefit them because Northfield is only guaranteed a ladder truck if it is available. From a financial perspective, the maintenance costs are concerning because the primary truck has had many issues. He believed there were issues with the contractual agreement with Glenview, such as not being consulted on the specifications of the new replacement truck. He noted that if something is wrong with the Intergovernmental Agreement, it was a 2-year process to get out of it. He remarked that Northfield has access to other ladder trucks with surrounding communities through Automatic or Mutual Aid. He thought a financial burden was being placed on the

Northfield residents because they were essentially paying for a reserve piece of equipment to be stored in their firehouse. Trustee Whittaker believed that Glenview should be paying Northfield because the IGA only benefited them. He felt that there were breaches in the IGA and that it was not reliable. He felt that the Primary 2012 truck that Northfield would be getting next could be troublesome. He thought Northfield needed to look into owning their own truck. The costs would be much higher than 10% but the benefits would be much greater.

President Lungmus noted that when he first became aware of this IGA, he thought the whole approach was brilliant. He did recognize that the primary truck has been a “lemon” and has been in the shop for repairs a lot but noted that unfortunately sometimes this happens with equipment and is not either town’s fault.

Fire Chief Nystrand stated he was aware of only a couple of breaches in the Intergovernmental Agreement and those were outlined in his memo.

Tom Burke, Assistant Fire-Rescue Chief, stated that he was talking to Glenview about the replacement truck before they decided to push it out another year. When he became aware it had not been budgeted by Glenview, he notified the Village Manager. She in turn contacted Glenview’s Village Manager who then directed his team to order a new truck. Mr. Burke stressed that Northfield is guaranteed a ladder truck and if at any time the primary or secondary truck is unavailable, Red will provide a ladder truck from another community and as Trustee Whittaker noted, there are 17 other trucks in the area.

Trustee Mendrek stated that there was a lot of inside fire station “shop” talk and she requested that the department chiefs tell the Board what was appropriate so there was a better understanding.

Village Attorney Hill stated that he thought Trustee Whittaker had said that if one party breaches the Intergovernmental Agreement that takes 2 years to get out of it the contract. He stressed that this was not the case. If one party breaches the agreement, there is a 30-day cure period and if they do not cure it, there is an additional 15-day period, so the timeframe is actually 45 days. The two-year clause to get out of the agreement is if either party wants to do so, not for cause.

Trustee Mendrek remarked that the Board has one of three choices to make and noted that the Chief and Assistant Chief, as noted in their memo, are recommending continuing under the current Agreement. She questioned how safety, benefit to the residents, and the overall financial obligation impact the three choices at hand. Trustee Mendrek was especially concerned about the safety and whether something unsafe had happened because Northfield did or did not have the ladder truck.

Trustee Orth stated that safety comes into play because the secondary truck seems to be rarely at the Northfield fire station. The members of the fire station need to train on the ladder truck because it is very specialized and this is difficult when it is rarely there. There is also the issue that when a ladder truck is needed at a fire, response time is critical. There are other ladder trucks available in the area, but they take longer to get to the emergency, and sometimes timing is essential to saving lives. If engine trucks or ambulances get there first and block the access, the out-of-town ladder trucks might have difficulty getting close to the fire. He also believed that Art Amidei,

Northfield's head mechanic, should give his opinion on the condition of the primary and secondary ladder trucks and whether they are safe.

President Lungmus noted that Trustee Orth was questioning if the primary ladder truck, which Northfield will eventually receive as part of this agreement, is a safe vehicle. President Lungmus asked Chief Nystrand whether he felt the primary and secondary ladder trucks were safe.

Chief Nystrand replied that he believed that they are safe and that everything that needed to be done had been repaired on the primary truck.

Trustee Orth stated the ladder truck was out of the station more than it was in the station which was a problem. He did not believe that it was a good agreement.

Trustee Galin inquired what other small towns do and how does Northfield's current agreement compare to theirs.

Chief Nystrand replied that the agreement that Northfield has with Glenview is unique to the fire service. Chief Nystrand stated that in 2012 when Northfield's old ladder truck was due to be replaced, he could not justify the huge replacement cost based on the limited statistics of usage in Northfield. He originally tried to work with Winnetka and Wilmette to get an agreement with a shared truck purchase but nothing evolved. He then reached out to Glenview and he and Assistant Chief Burke gathered the data and developed the existing agreement. He believes the program works both financially and safely for Northfield. It allows Northfield to still have a ladder truck and reduces the cost of that by 90%. He also noted that over the years the staffing in the Northfield Fire Department has changed quite a bit. Prior to 2004, the Village operated on a paid per call basis. When a call came in, team members were paged, and those who were available responded to the station and staffed the equipment. In 2004, to ensure a more consistent response, the department changed to a Paid on Premise Program. Under that program, 6 people are housed at the station to staff the engine/squad and the ambulance. The department does not have staffing to run the ladder truck and the engine. If the reserve truck is at the station, the shift supervisor can make the call to take the ladder truck over the engine. Primarily, we use the reserve ladder truck in mutual aid calls. He noted that the Red Center has predetermined responses, so Northfield always gets a ladder truck when necessary.

Assistant Chief Burke noted another benefit of the program is that when Northfield receives the Primary truck that it will be fully equipped with sophisticated equipment such as extrication capabilities. The same was true with the initial truck.

President Lungmus stated the primary truck has been renovated with a new engine and other critical components so the 10% cost makes sense.

Trustee Whittaker noted that extrication equipment is available on the engine/squad as well.

Trustee Galin asked what choice Trustees Whittaker and Orth would select since they have past firefighter experience.

Trustee Whittaker replied that if it was made clear that the current agreement was the best option, this would have been left alone. He believes if the executive fire team feels that Northfield should have its own ladder truck, that option should be budgeted. Trustee Whittaker personally was in favor of Northfield owning their own ladder truck.

Trustee Orth verified that the delivery of the new primary truck will be in 2024. He was in favor of Northfield owning their ladder truck for safety reasons and to provide the best possible equipment for the firefighters. He emphasized there were many ways to finance a ladder truck.

Trustee Fowler thanked the department for the report and thanked Trustee Whittaker and Trustee Orth for their past service in the fire department. He stressed that the Village hired Chief Nystrand as a professional and as members of the Village Board, their purpose is to advise and consent, not to mandate or even get involved in operational decisions. He emphasized that he trusted Chief Nystrand's opinion and that he reports to Village Manager Sigman. If there is a problem with the IGA or anything, the Board should be hearing about it from them. Trustee Fowler believed that they were questioning Chief Nystrand's ability to do his job since it had been stated that it was a bad agreement and the Village's safety and our team members' safety were being compromised. Trustee Fowler emphasized that Chief Nystrand is running the show in the Fire/Rescue department and it is clear in Chief Nystrand's report that he recommended continuing with the program and not owning our truck. If Chief Nystrand believed that Northfield needed their own ladder truck, he would be completely in favor of it. His recommendation was not to do this.

Trustee Orth replied that he was not questioning Chief Nystrand's or Assistant Chief Burke's authority but simply felt that Northfield owning their own ladder truck was the best option.

Chief Nystrand reiterated that he and Assistant Chief Burke recommended no change in the intergovernmental agreement with Glenview. If for some reason the Village Board decided they wanted to get out of the agreement, he would recommend to have no ladder truck in the Northfield station.

Trustee Whittaker questioned whether Chief Nystrand was saying he didn't think a ladder truck was needed at all.

Chief Nystrand replied that the department currently does not always have staffing for the ladder truck and they can rely on mutual aid. However, having the ladder truck agreement with Glenview gives the Department more tools in the toolkit that can be accessed when it is there. He acknowledged that the primary truck has had many issues but since it has basically been rebuilt, so when it does come to Northfield, it will be like new. Chief Nystrand stressed the safety issue raised and indicated that he did not believe the shared truck program created any safety issues for the public or firefighters. He stressed that when the secondary truck is present, the members of the department absolutely train on how to operate and use it. He noted that he felt that it would be fiscally irresponsible if the intergovernmental agreement with Glenview did not work for the Village of Northfield to purchase a \$1.5 million piece of equipment that would sit in the station most of the time. He noted that with mutual aid and the other resources in the area, Northfield residents would not be put in harm's way.

Trustee Whittaker stated that he felt the IGA with Glenview was not working because of the issues with the truck.

Chief Nystrand stated that the IGA with Glenview worked well because even if the secondary truck is not in Northfield, the Village of Glenview is still responding with a ladder truck and firefighters. The primary truck does need more routine maintenance, because of how Glenview runs the ladder truck with their ambulance calls. However, that maintenance can be scheduled, and we have always been able to avoid having no truck in service.

Trustee Dinges believed that the Village Board benefited from approximately one-third of its trustees who have worked in public safety and their wisdom. He felt that Northfield was growing and people were building larger houses, so it is good to have conversations about the ideal way to protect the town from a fire safety perspective and maybe more investments need to be made. He asked if starting from scratch, ideally what equipment would be needed to best protect the residents of Northfield.

Chief Nystrand replied that he would keep the existing equipment, including the ladder truck program with Glenview. He noted that there would be no benefit in increasing equipment without also being able to increase the staffing levels to operate it. He noted staffing has been a challenge, especially with COVID.

Trustee Orth emphasized that he was not questioning the operation of the department but just wanted the best equipment for the department. He inquired if Northfield had ownership of the reserve truck.

Assistant Chief Burke responded that Northfield has the first right to purchase. Trustee Fowler noted that Northfield owns 10% of it.

Trustee Orth thought it would be good to break the agreement and have Northfield purchase the reserve truck to have in their station.

Trustee Fowler countered that when that reserve truck wears out, the Village would have to purchase a \$1.5 million truck in approximately ten years.

Trustee Orth replied that the Village could budget for this.

Trustee Whittaker said that if Chief Nystrand believes that the current intergovernmental agreement with Glenview is the best choice, then that should be honored.

Trustee Fowler believed the best option was to have no change in the IGA with Glenview.

Trustee Dinges thought the best option was to have no change in the IGA with Glenview.

Trustee Whittaker stated that he would love to see Northfield have their own ladder truck but respected Chief Nystrand's belief that the current IGA with Glenview is the best choice at this time.

Trustee Galin thought the best option was to have no change in the IGA with Glenview. He believed it would be prudent to have periodic updates on the status of the trucks.

Trustee Mendrek stated the best option was to have no change in the IGA with Glenview.

Trustee Orth thought it best to work out a way for Northfield to obtain their own ladder truck.

President Lungmus thanked Chief Nystrand and Assistant Chief Burke for their time and thorough report. He noted that staff should continue to monitor the reliability of the trucks and let the Board know if they have any future concerns. He thought the IGA with Glenview made a lot of sense from a cost-benefit standpoint and should be continued.

Review and discussion on outdoor dining codes and process

Village Manager Sigman noted that Trustees Dinges, Whittaker, Orth, and Galin had requested that the outdoor dining codes and the process be placed on this agenda. Village Manager Sigman remarked that Northfield's Zoning Code requires a Special Use for outdoor seating. During the pandemic, pursuant to the Illinois Governor's Executive Order and the Village's Executive Order on COVID, the Village President was able to grant temporary accommodations until the State allowed restaurants to operate at full capacity. President Frazier did so in accordance with the application, hold harmless agreement, and program guide. These documents noted that upon expiration of the State's restrictions on capacity, the use of parking lots or other areas for temporary outdoor dining was to cease, barriers were to be removed, and all areas used for temporary outdoor dining were to return to their original use. Without those emergency orders, restaurants either need to go through the Special Use process or the Board will have to amend the zoning code to change outdoor seating to a permitted use.

Trustee Whittaker remarked that COVID is still here, numbers are on the rise again, and many people are more comfortable eating outside. He was under the impression that this was a one-year fix to help restaurants and then COVID will be more in control. He inquired what options were available to accommodate the businesses most easily and temporarily to allow outdoor dining for the upcoming summer.

President Lungmus believed the Board should think about the outdoor dining processes going forward. He felt that restaurants should be allowed to keep their outdoor dining in place as a temporary grace period, while they are in the process of obtaining Special Use. He believed the Special Use process was still the best approach for the Village as it takes into consideration how each restaurant's outdoor dining impacted parking, traffic, surrounding businesses, security, and life-safety issues.

Trustee Whittaker inquired if the safety/security issues from outdoor dining were already addressed during COVID.

President Lungmus replied that it was an emergency order and at the time, people were not allowed to dine inside so there were fewer cars and people. At that point, the Village was doing

its best to allow businesses to simply conduct business.

Trustee Fowler noted how outdoor dining flourishes in other towns and cities. However, he felt that the Village allowing outdoor dining as a Special Use was the right approach and that having each case vetted by the Plan and Zoning Commission was appropriate.

Village Manager Sigman reinforced that once a restaurant obtained a Special Use allowing outdoor dining, this would go on forever as long as they met the stated Special Use conditions. These are not one-year approvals. When Northfield was under local and state emergency orders and there was limited occupancy inside restaurants, this gave the Village President the legal right to suspend the zoning code and Special Use process to allow outdoor dining. Based on the required process to amend the zoning code, it will actually be quicker for restaurants to go through the Special Use process. Staff advised our businesses of that and noted three restaurants are currently in that process and scheduled for a June hearing.

President Lungmus remarked that the process also gives surrounding businesses a chance to attend the P&Z meetings and raise concerns over any potential impacts on their parking or business.

Trustee Orth clarified that the only time a Special Use changes would be if the ownership was modified and they would need to reapply.

Village Manager Sigman commented that any new owners would need to reapply to ensure they understand the terms and conditions of the Special Use. She asked Village Attorney Hill if there were any legal issues in allowing the restaurants to continue operating their outdoor dining while they are going through the Special Use process.

Village Attorney Hill replied that he did not have a problem with that type of temporary setup. He noted that he would have a problem with a declaration allowing all Northfield restaurants to have outdoor dining for the entire warm weather season.

Trustee Dinges said that he welcomed hearing from the local restaurants and businesses. He noted that the Village Manager granted Taco Nano a 2-week special event permit for Cinco de Mayo. He inquired if a series of 2-week special event permits could be issued to these restaurants.

Village Manager Sigman replied that the code limits her ability to grant these to no more than 2, two-week permits a year.

Trustee Dinges remarked that he wanted Northfield to be a good partner for businesses. He felt that the Northfield Restaurant's request for outdoor dining was reasonable since they would be using their own parking spaces and sidewalk, and there is ample parking around it.

Trustee Mendrek stated that as a former long-time member of the Plan & Zoning Commission, the Village could not make blanket changes to a location without considering how it impacts the other surrounding businesses, as well as the Village as a whole. That is the reasoning behind

Special Uses and the purpose of the Plan & Zoning Commission.

Community Development Director Gutierrez stated that Taco Inn, Happ Inn, and Stormy's had applied for a Special Use to allow outdoor dining.

Trustee Dinges thought the Village was sending the wrong message to local businesses such as the Northfield Restaurant when making them go through the expensive, onerous Special Use process. He thought outdoor dining projects a positive vibe to the community and that the Board should make it as easy as possible.

President Lungmus agreed that outdoor dining was a good thing but stressed the process and the need to make sure it is done right.

Bob Lopatin, from the Happ Inn and Taco Nano, thanked the Village for allowing outdoor dining during COVID and stated that outdoor dining has become extremely popular. Most of their competition comes from Wilmette where outdoor dining is prevalent. In Wilmette, they have to go through and submit plans to an Architectural Review Committee, not a Special Use, to get approval for outdoor dining. It is a 10-15 day process and costs \$50. He stressed that most of the outdoor dining in Northfield happened after the retail stores closed so taking up parking spots was not much of an issue for the surrounding businesses.

President Lungmus noted that Wilmette has done a beautiful job and their sidewalks are wide enough to accommodate tents and tables outside. He stated that unfortunately, Northfield does not have the same amount of room on their sidewalks.

Village Manager Sigman reiterated that the process to change the code to allow outdoor dining as a permitted use, would take an amendment to the zoning code and that process will take several months to complete. For this year's season, staff encouraged businesses to apply for a Special Use to expedite the process because they can get approval for outdoor dining by the third week in June.

Trustee Fowler remarked that each community is unique and that he had not seen any outdoor dining in parking spaces in Wilmette. He believed that the Special Use process was prudent in the Village of Northfield to ensure safety, especially when outdoor dining within parking lots was involved.

Trustee Dinges stated he was in favor of whatever helped Northfield's businesses as quickly as possible and at a low cost. He was disappointed that the needs of the Northfield Restaurant were not met.

Trustee Whittaker noted that he was in favor of the temporary grace period but thought it was important for Plan & Zoning to address the conditions of a Special Use allowing outdoor dining.

Trustee Galin was in favor of the temporary grace period and the Special Use process to address specific issues individually. This and other possible changes to the zoning code could be discussed when that chapter is updated to reflect the new comprehensive plan.

Village Manager Sigman remarked that the Special Use process has value because there are unique circumstances for each location. Once a business has been approved for a Special Use which takes approximately 45 days in Northfield, they do not need to go through it again in subsequent years. The question is from a policy standpoint if the Board feels comfortable as an accommodation to allow the businesses that are actively going through the Special Use process to operate outdoor dining until the Board makes a final decision at the June meeting. Village Attorney Hill had previously stated that this was not inconsistent with other circumstances in the past.

Trustee Mendrek was in favor of moving forward with the temporary grace period and Special Use process.

Trustee Orth agreed with moving forward with the temporary grace period and Special Use process. He noted that every year, safety issues within the Special Use conditions should be reevaluated to see if any changes needed to be made.

Chad Bidwell from Stormy's noted that he was not opposed to going through the Special Use process and being as safe as possible. He just wanted to be able to keep the outdoor dining available and not lose the time between now and the June meeting.

Review and discussion of the Board's Goals and Objectives

The review and discussion of the Board's Goals and Objectives were postponed until the June Committee of the Whole meeting.

Other Business

Public Comment

Trustee Orth made a motion, seconded by Trustee Galin to adjourn the meeting.

AYES: Fowler NAYS: 0 ABSTAIN: 0 ABSENT:
 Dinges
 Whittaker
 Galin
 Mendrek
 Orth

The meeting adjourned at 7:00 PM.