

VILLAGE OF



KENILWORTH, IL

**Board of Trustees Meeting  
December 15, 2014**

**CALL TO ORDER**

Village President William Russell called to order the regular meeting of the Board of Trustees of the Village of Kenilworth in the Kenilworth Village Hall, Kenilworth, Illinois at 7:30pm on December 15, 2014.

**ROLL CALL**

President Russell requested Management Analyst Justin Constantino to call the roll:

**Trustees:**

Trustee James Hughes	Present
Trustee Kevin Lennon	Present
Trustee Scott Lien	Present
Trustee James McClamroch	Present
Trustee Ann Potter	Present
Trustee Peter Shadek	Present
President William Russell	Present

**A quorum was present.**

**Others Recorded as in Attendance:**

*Village Officials and Staff:*

Patrick Brennan	Village Manager
David Miller	Chief of Police
Barbara Adams	Village Attorney
Justin Constantino	Management Analyst

**Others, Signing In:**

Eleanor Prince  
Peter Dyson  
Dan Noel

## **AGENDA ITEM II. APPROVAL OF THE MINUTES**

Trustees addressed the draft November 17, 2014 Village Board meeting minutes as presented at the meeting. Trustee Potter requested that in the Chief of Police Report when referencing the New Trier school drop off area that the words “high school” be added for clarification.

President Russell requested a motion to approve the draft minutes of the Village Board of Trustees Meeting of November 17, 2014. Trustee Shadek moved and Trustee Potter seconded the motion to approve the draft minutes of the November 17, 2014 Board of Trustees Meeting as amended. The minutes of the November 17, 2014 Board of Trustees Meeting were approved, by voice vote, without dissent.

## **AGENDA ITEM III. Village President’s Report**

President Russell stated that he had nothing to report except for matters relating to public works. President Russell stated that he would cover his items during the public works committee report.

## **AGENDA ITEM IV: Approval of the Warrant List**

Trustee Hughes, Finance Committee Chair, reported he had reviewed all bills for the month of November. Trustee Hughes stated that he had received an additional payment to Nature’s Perspective in the amount of \$5,389.00 prior to the meeting, bringing the original November total for the Class A warrants from \$355,892.07 to \$361,281.07. Trustee Hughes stated November Class B warrants total \$1,670,206.34. Trustee Hughes noted all invoices reviewed appeared to be in order and expenditures are ready for approval by the Village Board.

Trustee Hughes made a motion to approve the items on the November Warrant List, with Class A warrants in the amount of \$361,281.07, and Class B Warrants in the amount of \$1,670,206.34. Trustee Shadek offered a second to the motion.

### **A roll call vote was taken as follows:**

**For: Hughes, Lien, Lennon, McClamroch, Potter, Shadek**

**Against: None**

**Absent: None**

The motion was approved, six votes in favor and none opposed. President Russell declared the motion passed.

**AGENDA ITEM V: Regular Scheduled Business**

**A. Items for Consideration by Omnibus Vote**

**1. Adoption of the Following Items Related to the 2014 Tax Levy for the Village Fiscal Period January 1, 2015 through December 31, 2015:**

- a) An Ordinance for the Levy Assessment and Collection of Taxes for the Village**
- b) A Resolution Limiting the Additional Tax Levy Extension for Loss and Cost to Two Percent**

President Russell requested that Village Manager Brennan address item number one. Village Manager Brennan addressed item 1a and said that the village is annually required to adopt an ordinance establishing the amount of property tax to be levied to support village services. Village Manager Brennan said that the numbers presented to the board are the same numbers considered in November with the estimated tax levy. He stated that the CPI cap for 2014 is 1.5%.

Village Manager Brennan addressed item 1b, stating that on an annual basis, the Board passes a resolution to limit the additional tax levy extension to a maximum of two percent for loss and costs. Village Manager Brennan said that the tax levy receipts were compared to the 2013 tax levy and it was determined that 2% was adequate.

**2. Adoption of an Ordinance Abating the Tax Heretofore Levied for the Year 2014 to Pay the Principal and Interest on \$4,655,000 General Obligation Refunding Bonds, Series 2006B for the Village**

President Russell asked Village Manager Brennan to introduce the next item. Manager Brennan explained that the ordinance proposed for adoption would abate the levy of property taxes in 2014 for the 2006B water plant bonds. He stated that when the bonds were levied, property taxes were pledged against the revenue bonds as an added layer of protection for bond holders. In the event that water fund revenues were insufficient to pay for the debt service, property taxes were pledged to fill any shortfall. Water fund revenues were sufficient to pay for the 2006B debt service and therefore it is recommended that the Village Board abate the levy of property taxes for the bond.

Village Attorney Adams noted that in Section 2 of the ordinance after the word "Kenilworth," that there should be a comma added, saying "Kenilworth, the village." Trustee Shadek noted that on page 43 that the budget has been adjusted for a \$140,000 surplus, and asked if the Village needs to continue to raise taxes for next year. Village Manager Brennan said that due to the fund balance, the Village wanted to make sure that the budget is stable. Village Manager Brennan also cited government-shared tax revenue and the instability of the state of Illinois, combined with the Village being a non-home rule community. President Russell added that the Village would rather be conservative because we cannot run deficits.

### **3. Authorization to Establish the Calendar Year 2015 Regular Meeting Dates for the Board of Trustees**

President Russell requested that Village Manager Brennan address item number three. Village Manager Brennan cited three potential dates that may require a change due to scheduling conflict.

Village Manager Brennan recommended that the January meeting date originally scheduled for January 19 be moved to January 26 in observance of Martin Luther King, Jr. Day. Village Manager Brennan requested that the original February meeting date of February 16 be moved to February 19 in observance of President's Day. Village Manager Brennan also requested that the original December meeting date of December 21 be moved to December 14 due to the week of Christmas.

### **4. Adoption of a Resolution Authorizing Execution of an Easement Agreement with the Kenilworth Park District for North Park**

President Russell requested that Village Manager Brennan address item number four. Village Manager Brennan explained that due to the recent abandonment of the 6" water main near Park Drive and Green Bay Road, the Village is developing plans to install a new water main in the area. Village Manager Brennan explained that the most logical location to route the water main is under North Park. He said that North Park is owned by the Kenilworth Park District. He said that the Village of Kenilworth requested that the park board grant a utility easement to allow the placement of a water main. Village Manager Brennan said that on December 3, 2014 the Park District Board of Commissioners adopted a resolution authorizing execution of the easement agreement. Village Manager Brennan said that Village Attorney Barb Adams prepared the easement agreement document between the Village of Kenilworth and the Kenilworth Park District.

Trustee Hughes made a motion and Trustee Potter seconded the motion to approve omnibus items 1-4 as presented.

#### **A roll call vote was taken as follows:**

**For: Hughes, Lien, Lennon, McClamroch, Potter, Shadek**  
**Against: None**  
**Absent: None**

President Russell declared the motion passed with six votes in favor and none opposed.

### **B. Items for Consideration by Individual Vote**

### **5. Adoption of an Ordinance Amending the Fiscal Year 2014 Budget**

President Russell requested that Village Manager Brennan address item number five. Village Manager Brennan explained that a number of activities occurred during the course of administering the Fiscal Year 2014 budget that require amending the adopted budget to account for the related expenditures and revenue. Village Manager Brennan explained that under the budget system of operations, the ordinance requires that a budget amendment is required for transfers between funds, transfers in the amount greater than \$5,000 between or among subclasses within an object class, or transfers between or among object classes. Village Manager Brennan explained that for Fiscal Year 2014, several line item transfers in the amount greater than \$5,000 needed to be made, and that a number of factors have occurred during the fiscal year which resulted in changes to the actual revenues and expenditures.

Village Manager Brennan also highlighted increased spending due the cost of spoilage and repairs due to the Village encountering 17 water main breaks for the year versus the annual average of five to six water main breaks.

Trustee Hughes made a motion to approve and Trustee Shadek seconded the motion to approve item 5 as presented.

A roll call vote was taken as follows:

For: Hughes, Lennon, Lien, McClamroch, Potter, Shadek

Against: None

Absent: None

President Russell declared the item passed.

## **COMMITTEE REPORTS**

### **Building, Planning & Zoning Committee**

Trustee Potter said that the Building, Planning & Zoning Committee (BPZ) held two meetings on Monday December 8<sup>th</sup> and Wednesday, December 10<sup>th</sup> at 7:30 pm at Village Hall. The purpose was to hold a public meeting regarding a resident request for a moratorium on construction activity along the shoreline. Trustee Potter said that there was excellent attendance at both meetings and that the committee received good feedback from those in attendance. Trustee Potter said that the BPZ Committee would hold a formal public hearing during the last week in January, on either January 26, 27, or 29.

President Russell asked if the BPZ Committee would be drafting new ordinance language regarding the moratorium. Trustee Potter said that said that Community Development Director Criezis and Village Attorney Adams were currently in the process of drafting the moratorium ordinance and proposed language. Trustee Hughes asked about the status of the request for proposals for draining and grading. Village Manager Brennan said that staff was actively working on a request for proposals.

### **Finance Committee**

Trustee Hughes stated that the business of the Committee had been discussed as part of the budget.

### **Public Safety Committee**

Trustee McClamroch said that the Public Safety Committee met on December 8<sup>th</sup> to discuss snow removal in the parking lot at Fenner Plastic Surgery and that there was only one person in attendance. Trustee McClamroch said that Chief Dave Miller had reached out to Mr. Fenner regarding the plowing and that Mr. Fenner was cordial, and that Chief Miller was continuing to negotiate a resolution. Trustee McClamroch said that there was no current action proposed.

### **Public Works Committee**

Trustee Lien asked Village Manager Brennan to provide an update on the status of the water plant interconnection project. Village Manager Brennan said that he would most likely schedule a Public Works Committee meeting during the first week of January to discuss options and costs. President Russell asked if the Village was still waiting for a response from the Village of Wilmette. Village Manager Brennan said that he was hoping for a response by the end of the week.

Resident Peter Dyson asked about the storage of water, saying that the state of Illinois previously required three days of storage and asked whether that is still required. Village Manager Brennan stated that the three day storage rule was no longer a requirement but a recommendation. Resident Eleanor Prince asked about the cost of building the pump station. Village Manager Brennan said that the cost would be between \$1.6 million to \$2 million dollars. Ms. Prince asked where the station would be located and if it would be underground. Village Manager Brennan said that it would be located west of North Park and that it would be underground. President Russell added that the Village was considering purchasing water from Wilmette due to increased labor costs, increasing environmental regulations, and the difficulty of maintaining resources including both pumps and chemicals required to run the water plant.

President Russell asked about the status of the water fountain. Village Manager Brennan said that the Village is looking into water usage for the water fountain, saying that the fountain has no recirculating pump and is filled by a continuous stream of water. Village Manager Brennan also highlighted additional problems facing the water treatment plant, saying that the village had issues with shorting electrical lines and failures in the steam piping. The Village was quoted \$3,000 from Kerrigan Plumbing to fix the steam line problems, but public works staff was fortunately able to address the issues in house.

Village Manager Brennan said that Burns Engineering notified the Village of limitations in place regarding antennas on the water tower. Village Manager Brennan said that he would get the full report to the Public Works Committee. Village Manager Brennan discussed electricity aggregation saying that ComEd makes it difficult to tell if the Village is seeing savings. Village Manager Brennan said that the consortium of Kenilworth, Wilmette, Northfield, and Glenview was investigating the future of the group. Trustee

Lien asked how much more time was on the contract. Village Manager Brennan said that the contract ends in April or May, and that he would send an e-mail to the village board indicating a firm date. The Village Board indicated that if a guaranteed savings over ComEd was not possible, that it may not be worth the effort to continue in the consortium.

President Russell asked if the Village was still waiting on cost comparisons for the outfall. Village Manager Brennan said that he met with Baxter & Woodman last week and that they are considering moving the storm line from Warwick Road to Raleigh and Leicester Roads. Ms. Prince asked if the village was still going forward with permitting. Village Manager Brennan said that that decision would go to the Public Works Committee.

Mr. Dyson asked why the minutes for previous public works committee meeting were not available. Village Manager Brennan said the minutes were not posted because the committee had requested changes to the minutes; therefore, the October meeting minutes were not approved. Trustee Potter said that all approved minutes were posted on the website under the tab "Meeting Minutes." Mr. Dyson asked due to the proposed Kenilworth 2023 work not being completed over the past summer, why the Village has not moved ahead with road surface improvements on side streets with the bond funds. Village Manager Brennan said that the bond funds cannot be used for roadway projects alone.

Trustee McClamroch asked about the status of the monopole project. President Russell said that the Village was not quite there yet.

#### **CHIEF OF POLICE REPORT**

Police Chief Miller was absent due to a family commitment and did not offer a report. President Russell said that Chief Miller has been working with nearby schools regarding clear protocol for handling child sexual abuse.

#### **VILLAGE MANAGER REPORT**

Village Manager Brennan stated that Management Analyst Constantino had prepared a memorandum for Village Board members regarding refuse provider Republic Services assuming refuse billing responsibilities. Management Analyst Constantino presented the memorandum to the Village Board. Management Analyst Constantino said that the concept of allowing Republic Services to assume refuse billing responsibilities was discussed at the October 29<sup>th</sup> Public Works Committee meeting as well as the November 12<sup>th</sup> Finance Committee meeting. Management Analyst Constantino said that the current solid waste contract with Republic Services allows for Republic Services to assume billing responsibilities upon 90 days written notice, and that the new monthly billing services would allow for customer service improvement in the areas of direct deposit and online billing services.

Trustee Lennon asked if the change in billing providers would have an impact on service delivery. Management Analyst Constantino said that it would not. Trustee McClamroch asked if residents currently have the option to put out additional refuse. Management

Analyst Constantino said that Republic allows for 90 gallons of refuse and 90 gallons of recycling per collection. The Village Board unanimously directed Village staff to allow for Republic Services to assume refuse billing responsibilities per the current solid waste agreement.

**AGENDA ITEM VIII: Business from the Public Related to Items not on the Agenda**

Resident Eleanor Prince asked when the public meeting regarding outfalls will take place. Village Manager Brennan said that it was too early to tell. Ms. Prince suggested that the Village hold the public meeting regarding the outfall before the Village applies for permits.

**ADJOURN**

With no further business, Trustee Shadek made a motion and Trustee Lennon seconded the motion to adjourn the meeting. The meeting was concluded by voice vote at 8:53 pm.

Respectfully Submitted,

Justin Constantino  
Management Analyst

Patrick Brennan  
Deputy Village Clerk