

VILLAGE OF



KENILWORTH, IL

**Board of Trustees Meeting  
February 19, 2015**

**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 February 19, 2015.

**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 – Arrived 8:10 pm
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
Nadim Badran	Management Analyst

**Others, Signing In:**

Eleanor Prince  
David Ward

**Others, Signing In (cont'd):**

Elizabeth Duquette  
MK Hartigan  
Alison Winslow  
Justin Mohr

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

Trustees addressed the draft January 26, 2015 Village Board meeting minutes as presented at the meeting. Village Manager Brennan said that Trustee Potter had called in a minor typographical error, and also recommended the insertion of two paragraphs on page seven going into page eight pertaining to the grading study and property maintenance regulations. He presented a copy of the minutes reflecting the changes for consideration.

President Russell requested a motion to approve the draft minutes of the Village Board of Trustees Meeting of January 26, 2015. Trustee Shadek moved and Trustee Hughes seconded the motion to approve the minutes of the January 26, 2015 Board of Trustees Meeting as presented. The minutes were approved, by voice vote, without dissent.

**AGENDA ITEM III. Village President's Report**

President Russell stated that discussions with the Village of Wilmette regarding the purchasing of water were ongoing and that the most recent meeting was postponed due to a fire at the Wilmette Women's Club.

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

Trustee Hughes, Finance Committee Chair, reported he had reviewed all bills for the month of January. Trustee Hughes stated that the January total for the Class A warrants was \$708,487.03. Trustee Hughes stated that the January Class B warrants total \$200,397.08. Trustee Hughes noted all invoices reviewed by both himself and Manager Brennan and appeared to be in order.

Trustee Hughes made a motion to approve the items on the January Warrant List, with Class A warrants in the amount of \$708,487.03, and Class B Warrants in the amount of \$200,397.08. Trustee Shadek offered a second to the motion.

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

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

The motion was approved, five 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 an Ordinance Declaring Certain Village Property as Surplus and Authorizing the Sale or Disposal Thereof:**

President Russell requested that Village Manager Brennan address item number one. Village Manager Brennan presented the item and said that prior to disposing of property, the village is required to declare it surplus and cause it to be sold if it no longer benefits the village. Manager Brennan said that three items are recommended to be declared as surplus property: a 20-year-old water valve operator used to open or close water valves, a 25-year-old automotive battery charger used to charge Village vehicles and equipment, and a 20-year-old clay pipe cutter with a typical lifespan of 10 years.

**2. Adoption of a Resolution Authorizing the Release of Certain Closed Session Minutes**

President Russell asked Village Manager Brennan to introduce item number two. Manager Brennan explained that the village is required by the Illinois Open Meetings Act to periodically review closed session minutes to determine if a need for confidentiality remains. Manager Brennan said that the attached resolution contained a list of executive session meeting minutes recommended for release. He noted a change to the table provided with the resolution and presented a copy of the corrected table which listed the topic of the May 20, 2014 meeting as pertaining to the purchase, sale or lease of real property.

**3. Adoption of an Ordinance Correcting a Scrivener's Error and Validating the Ordinance Adopting the Village Budget for Fiscal Year 2015**

President Russell requested that Village Manager Brennan address item number three. Village Manager Brennan said that at the November 2014 Board of Trustees meeting, the board passed ordinance number 1135 adopting the Fiscal Year 2015 Budget. Manager Brennan said that at the December 2014 Board of Trustees meeting, the board passed another ordinance that was also given the same identification number of 1135. Manager Brennan said that to avoid confusion, Counsel recommends that the Village republish the 2015 Budget Ordinance passed in November 2014 as Ordinance 1135A to avoid confusion, and also validate the passage of the original budget ordinance.

**4. Adoption of a Resolution Waiving the Formal Bidding Process and Authorizing the Purchase of a 2015 Ford Police Interceptor SUV from Bredemann Ford of Glenview, IL in the Amount of \$27,888.00**

President Russell requested that Village Manager Brennan address item number four. Village Manager Brennan said that the police department requested to replace an existing vehicle which had reached its service life with a 2015 Ford Police Interceptor SUV. He stated that the funds were budgeted for the purchase and that Chief Miller had

determined that the SUV would provide enhanced safety and space for the officers on patrol.

Trustee McClamroch asked Chief Miller if the police department would be considering SUVs for all future police vehicles. Chief Miller said that the department would most likely be replacing all future vehicles with SUVs, stating that the amount of equipment required has grown compared to the decreasing size of newer police sedan models.

Upon the conclusion of the discussion, Trustee McClamroch offered a motion and Trustee Lien seconded the motion to approve omnibus items 1-4 as presented.

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

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

**Against: None**

**Absent: Potter**

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

**COMMITTEE REPORTS**

**Building, Planning & Zoning Committee**

Manager Brennan said that during their last meeting, the Building, Planning and Zoning Committee continued their public hearing regarding a proposed moratorium on construction activity within a steep slope zone until Wednesday, February 25<sup>th</sup>. Manager Brennan said that village staff would continue their work on identifying potential construction and zoning changes for the steep slope area. He indicated that consultant proposals should be received in the coming weeks to assist with that process.

Manager Brennan said that improving the ability to respond to harmful property conditions is also continuing after the village received complaints about abandoned property. Manager Brennan said that the Committee would present a recommendation to the board in the coming months.

**Finance Committee**

Trustee Hughes stated that the finance committee would be working with staff to put together a more formal policy on Village budgeting practices.

**Public Safety Committee**

Trustee McClamroch stated that the Public Safety Committee has nothing to report.

**Public Works Committee**

Trustee Lien stated that negotiations with the Village of Wilmette regarding the purchase of drinking water were ongoing. Trustee Shadek asked if the village has secured a water operator for the Kenilworth water plant. Manager Brennan said that the Village contracted with Stanley Consultants and that Mr. Ames would be scheduled to work with the Village for approximately nine hours per week. Trustee Hughes asked

if Mr. Ames was experienced with water operations. Manager Brennan said that Mr. Ames had retired from a multi-decade career with the village of Wilmette as their water plant superintendent.

#### **LEGAL COUNSEL REPORT**

Attorney Adams stated that after the municipal elections Holland & Knight will conduct a seminar about local government law in late April or early May, to which all elected office holders will be invited.

#### **VILLAGE MANAGER REPORT**

Village Manager Brennan asked Management Analyst Nadim Badran to present information regarding the Request for Proposals (RFP) for geotechnical engineering services to determine the soil strength of the soil surrounding the water tower. Analyst Badran stated that the Village released an RFP for geotechnical engineering services and that the RFP was directly distributed to seven different firms. Analyst Badran stated that the village received three responses, with the main difference of each proposal being the depth of the soil boring. Analyst Badran said that he received confirmation from an independent engineer that the recommended depth is 50-60' for the requested analysis. He stated that of the three responses, only one firm, Wang Engineering, recommended this depth. Analyst Badran stated that should the board wish to proceed, staff recommends that the board choose Wang Engineering at a cost of \$10,700. Analyst Badran said that the expenditure is not currently budgeted in the general fund, so the cost would have to be drawn from the fund balance.

Village Manager Brennan asked if the Board wished to proceed with the geotechnical analysis. He expressed concern that the village would invest over \$10,000 to study how to buttress the water tank for current conditions, but still not be situated for future conditions. He stated that the operational limitations on the water tank required that the village only fill the tank with 160,000 gallons, less than the 200,000 gallon capacity. Trustee Shadek asked if the water pressure change would be noticeable to residents in the event that the water tower was not filled to capacity. Manager Brennan said that he would have to run analysis of the gallons vs. tank level to ascertain the loss of system pressure.

Trustee Lennon asked Manager Brennan to outline what he felt was the best course of action. Manager Brennan said that in his opinion, the best action for the village would be to site a new structure for cellular antennas. He stated that the recommendation was based upon preparing the village for the future needs of both village operations and those of the wireless carriers. Further, he noted that the Village Board would need to take into account the location and aesthetics involved with a new antenna site to ascertain the impact upon the community. He expressed that a new antenna site would provide the police department with improved communications, the residents with improved cellular access, and potentially additional ongoing revenue to the village.

Trustee McClamroch said that it would be helpful to receive preliminary information about the antenna, including the height, capacity, and footprint. Trustee Lennon asked

if the antenna pole would be built next to the water tower. President Russell stated that the other potential location would be at the public works facility. Manager Brennan stated that with a consensus of the village board, he will reach out to three different carriers to do a propagation study to get a better idea about the two potential locations and the appearance of the proposed pole. Trustee Hughes asked about the impact on Kenilworth residents and whether or not residents may be experience faster speeds. Manager Brennan stated that wireless carriers are routinely adding extra equipment to respond to requests for additional data speed. Upon conclusion of the discussion, President Russell stated that he did not want to invest staff time contacting the wireless providers if the Village Board had no interest in exploring the option, regardless of the answers received. The Village Board reached a consensus for the Village Manager to contact wireless carriers to learn more about their needs, requests and the appearance options. President Russell clarified that there was no direction to proceed with the construction process.

Manager Brennan asked Management Analyst Justin Constantino to share information regarding the RFP for certified arborist services. Analyst Constantino stated that the Village released an RFP for certified arborist services on January 22<sup>nd</sup> and that the RFP was directly sent to over 10 certified arborists. Analyst Constantino stated that the village received proposals from three certified arborists. Analyst Constantino stated that the RFP requested that the arborist provide pricing for three separate services: (1) a windshield survey to determine the overall health of parkway trees within the village, (2) as-needed reviews of trees on Village property, and (3) on-request reviews of trees by private property owners. Analyst Constantino stated that the low-cost responsive proposal for the windshield survey was submitted by Osage, Inc. of Oak Park, Illinois in the amount of \$1,500. He stated that this service would ideally occur prior to the leaves reaching full maturity for the season. Trustee Hughes asked why the village was seeking arborist services. Analyst Constantino stated that the tree survey work was in order to determine if the annual tree-trimming program was funded at an effective level. Additionally, it was an opportunity to obtain favorable pricing for residents who may wish to receive the services of an arborist. Manager Brennan stated that he intended to contract for the windshield survey unless there was an objection from the Village Board. No objection was stated.

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

Resident MK Hartigan addressed the board, saying that the she has homes in two other locations and that Kenilworth has the highest quality water of all three locations. Ms. Hartigan asked Attorney Adams if the Village of Kenilworth were to give up their permit that allows them to make water, how difficult would it be to get the permit back. Attorney Adams said that the Village Lake Michigan Water Allocation would not be impacted by the changes under consideration. However, the question regarding a water production permit was more of an engineering question and that she was not the most appropriate one to answer that question. Ms. Hartigan suggested that the village conduct a town hall meeting on the issue, and asked about the exact costs of purchasing water from the village of Wilmette. President Russell stated that any related costs

would be presented when the village is closer to making a decision on purchasing water. Ms. Hartigan thanked the board for conducting the study and expressed her desire for the Village to continue making its own drinking water.

Resident David Ward addressed the board and referenced permit #2014-217 which permitted the removal of stone boulders from the sea wall at 40 Devonshire Lane. He asked how the Village can issue a permit for work conducted on property not owned by the permittee, but upon property owned by the state of Illinois. Manager Brennan stated that the information provided for the property indicated that the work was to be conducted on the property of the permittee. President Russell requested that Ms. Adams, Village Counsel, review the permit materials and advise if the permit appeared to have been issued in error.

### **ADJOURN**

With no further business, Trustee Hughes offered a motion and Trustee Lennon seconded the motion to adjourn the meeting. The meeting was concluded by voice vote at 8:20 pm.

Respectfully Submitted,

Justin Constantino  
Management Analyst

Patrick Brennan  
Deputy Village Clerk