

Rescheduled Regular Meeting
WINNETKA VILLAGE COUNCIL
510 Green Bay Road
Winnetka, Illinois 60093
Thursday, April 7, 2011
7:30 p.m.

Emails regarding any agenda item are welcomed. Please email LRosenthal@winnetka.org, and your email will be relayed to the Council members. Emails for the Tuesday Council meeting must be received by Monday at 4 p.m. Any email may be subject to disclosure under the Freedom of Information Act.

Agenda

- 1) Call to Order
- 2) Pledge of Allegiance to the Flag
- 3) Quorum
 - a) April 12, 2011, Study Session
 - b) April 26, 2011, Rescheduled Regular Meeting
- 4) Approval of Agenda
- 5) Consent Agenda
 - a) Village Council Minutes
 - i) February 22, 2011, Budget Meeting3
 - ii) March 1, 2011, Regular Meeting6
 - b) Warrant Lists Nos. 1695 and 1696.10
 - c) Bid Number #11-007: Cable Bid,11
 - d) Water Plant Intake, Video Inspection and Stone Work16
 - e) Parkway Tree Trimming, Removal, and Maintenance17
 - f) Resolution No. R-12-2011 – Additional Easement: CBI Subdivision - Adoption20
 - g) Resolution No. R-13-2011 – Approving and Establishing the Fire Chief’s Salary – Adoption25
 - h) Resolution No. R-14-2011 – Cook County Data Sharing Agreement - Adoption27
- 6) Ordinances and Resolutions
 - a) Ordinance No. MC-3-2011 – Amending Village Code as it Pertains to Certain Boards and Commissions – Adoption47
 - b) Special Service Areas #4 and #5: Pavement and Stormwater Improvements – Public Alleys80
 - i) Ordinance No. M-2-2011 – SSA #4: Alley Paving – Introduction86
 - ii) Ordinance No. M-3-2011 – SSA #5: Alley Paving – Introduction94

- 7) Public Comment and Questions
- 8) Old Business
- 9) New Business
- 10) Reports
- 11) Appointments
- 12) Executive Session
- 13) Adjournment

NOTICE

All agenda materials are available at www.villageofwinnetka.org (*click Council and then Current Agenda*), the Reference Desk at the Winnetka Library, or in the Manager's Office at Village Hall (2nd floor).

Videos of the Regular Village Council meetings are televised on Channel 10, Mondays, Wednesdays, and Fridays at 7:00 p.m. Videos of the meeting may also be viewed on the Internet via a link on the Village's web site: www.villageofwinnetka.org.

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that all persons with disabilities, who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the Village ADA Coordinator – Liz Rosenthal, at 510 Green Bay Road, Winnetka, Illinois 60093, (Telephone (847) 716-3540; T.D.D. (847) 501-6041).

**MINUTES
WINNETKA VILLAGE COUNCIL BUDGET MEETING**

February 22, 2011

(Approved:)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, February 22, 2011, at 8:30 p.m.

1) Call to Order. President Tucker called the meeting to order at 8:30 p.m. Present: Trustees Gene Greable, Bill Johnson, Linda Pedian, King Poor, Chris Rintz and Jennifer Spinney. Absent: None. Also in attendance: Village Manager Robert Bahan, Village Attorney Katherine Janega, Finance Director Ed McKee, Acting Fire Chief John Ripka, Management Analyst Scott Smith, Interim Police Chief Patrick Kreis, Commanders Christensen and Pellus, Sgt Hornstein and 3 persons in the audience.

2) Fire Department Budget Presentation.

Former Chief Smith reported that 2010 was a challenging year due to several retirements of administrative personnel. Promotions within the department created entry-level positions that were filled with the Council's approval. Administrative staff worked 54, 24-hour shifts or approximately 2,196 hours to cover training classes, illness, injuries and retirements, saving the Village \$109,000 in overtime costs. Training in firefighting skills, emergency medical services and fire prevention continues to be important, particularly because of the number of new employees. The Department had 7,009 hours of training in 2010 for EMS, fire and rescue services, practical skills, formal training, outside specialty classes and continuing education requirements.

Department accomplishments for 2010 include:

- Response to 2,276 calls for assistance: 37 fires, including 14 structure fires, 4 of which occurred in Winnetka (estimated total property value saved – \$22,500,00); 681 Emergency Medical/Rescue calls and 977 fire prevention inspections;
- Purchase of new Quint vehicle;
- Hiring of firemedics to fill vacancies created by retirements;
- Updating the Village Emergency Operations Plan;
- Reviewing and updating the Department Standard Operating Guidelines;
- Controlling fiscal expenses during challenge of personnel replacement;
- Receiving Advance Cardiac Life Support Certification.

Challenges for 2011/2012:

- Transition of a new Fire Chief, Deputy Chief and recruits to the department;
- Training and mentoring;
- Contract negotiations;
- Recruit and promotional testing.

Budget summary:

- Overall budget were reduced by 4.5% due to new employees starting at base salary and lowered health insurance costs;
- Training increased due to new employees whose skills need to be developed, not only in classroom/practical programs, but also in-house to learn Department requirements;
- Capital expenditure is for the replacement of the Department's van which is also used by the Police Department;
- Revenue in 2010 was \$800,088 as follows: Kenilworth contract (\$494,388); fire contracts with unincorporated areas (\$182,700; and ambulance fees (\$123,000).

Former Chief Smith answered questions from the trustees and the audience about the maintenance of the Fire Department building, types of calls, emergency transport and routes to hospitals and radio alarm systems for residents. Trustee Greable and Arthur Braun thanked former Chief Smith for his years of service to the community and the department's professional response to emergency calls

- 3) In response to a question from the February 15th budget review meeting, additional information prepared by Water & Electric Director Brian Keys about the improved financial position of the Water Department's cash reserves was distributed to the Council by Finance Director Ed McKee.

4) Police Department Budget Presentation.

Interim Police Chief Kreis explained the organizational structure of the Police Department, typical daily staffing and proactive patrol operations that, along with key professional partnerships, allow the Department to provide high quality services, manage risks and stay within budget. This year's budget contains a 2% reduction which was achieved by reviewing key operational expenditures. A reduction in health insurance costs contributed as well. Challenges in staffing continue requiring the management of a loss of 2,000 hours of officer availability while minimizing the impact on the community. Key measures taken to reduce the impact are reduced services to the Park District, changes in procedures to vacation house watches and burglar alarm responses, deferred training and supervisory development, and shift supervisors were given more discretion about shift staffing.

Interim Chief Kreis spoke about crime trends, noting an increase in identity theft crimes which require considerable resources and hundreds of hours of investigative work to solve. He also credited the assistance of investigative partnerships, such as the crime lab and other law enforcement agencies, as key in the ability to make apprehensions quickly. The importance of community partnerships was explained as well.

Strategic initiatives in the upcoming year include the combined dispatch, promotional and initial recruit testing, the transition of the Chief of Police, evaluating policies and procedures, the administrative hearing process, roof rehabilitation which was carried over from 2010 and equipment upgrades.

In response to questions from the Trustees, Interim Chief Kreis explained that gang activity was not of particular concern in the community, the savings and efficiency of combined dispatch hasn't been determined as yet and may not be realized for several years but that the

department is working towards a shared initial investment and savings, that equipment upgrades including the purchase of tasers would be brought to the Council, as well as the administrative hearing process. Interim Chief Kreis reported on staffing and overtime necessary to cover unexpected leaves of absence. He also responded to questions concerning services to the Park District, contractual accounts and residential vacation watches.

- 5) Executive Session. No executive session was held.
- 6) Adjournment. Trustee Pedian seconded by Trustee Rintz moved to adjourn the meeting. By roll call vote, the motion carried. Ayes: Trustees Greable, Johnson, Pedian, Poor, Rintz and Spinney. Nays: None. Absent: None. The meeting adjourned at 9:50 p.m.

Deputy Clerk

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
March 1, 2011**

(Approved: xx)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, March 1, 2011, at 7:30 p.m.

- 1) Call to Order. President Tucker called the meeting to order at 7:38 p.m. Present: Trustees Gene Greable, Bill Johnson, Linda Pedian, King Poor and Chris Rintz. Trustee Jeni Spinney arrived at 7:55PM. Absent: None. Also present: Village Manager Robert Bahan, Village Attorney Katherine Janega, Finance Director Ed McKee, Director of Water & Electric Brian Keys, and 6 persons in the audience.
 - 2) Pledge of Allegiance. President Tucker led the group in the Pledge of Allegiance.
 - 3) Quorum.
 - a) March 22, 2011, Rescheduled Regular Meeting. All of the Council members present indicated that they expected to attend.
 - b) April 7, 2011, Regular Meeting (Thursday). All of the Council members present indicated that they expected to attend.
 - c) April 12, 2011, Study Session. All of the Council members present indicated that they expected to attend.
 - d) April 26, 2011 Rescheduled Regular Meeting. All of the Council members present indicated that they expected to attend.
 - 4) Approval of the Agenda. Trustee Johnson, seconded by Trustee Pedian, moved to approve the Agenda. By roll call vote the motion carried. Ayes: Trustees Poor, Johnson, Spinney, Rintz, Pedian, and Greable. Nays: None. Absent: None.
 - 5) Consent Agenda
 - a) Village Council Minutes. None.
 - b) Warrant Lists Nos. 1691 and 1692. Approving Warrant List No. 1691 in the amount of \$876,496.82, and Warrant List No. 1692 in the amount of \$599,543.54.
 - c) Lead Service Replacements: Change Order, Biagi Plumbing. Authorizes the Village Manager to execute a change order in the amount of \$32,000 with Biagi Plumbing for the replacement of lead water services through March 31, 2011.

Resolution R-11-2011: State Highway Repair Work. Provides performance security as required by the State of Illinois for Highway Permits, for calendar 2011 and 2012.
- Trustee Johnson, seconded by Trustee Pedian, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Poor, Johnson, Spinney, Rintz, Pedian, and Greable. Nays: None. Absent: None.

6) Ordinances and Resolutions.

a) Public Hearing: 2011-12 Village Budget. President Tucker opened the public hearing at 7:42 p.m.

i) Resolution R-3-2011: 2011-12 Village Budget – Introduction. Mr. McKee listed these major projects contained in the proposed 2011-12 Budget:

- A stormwater study for the entire Village, so the Council can devise a drainage plan
- Improve pumping capacity at the Winnetka Ave. pump station
- \$1.2 million road repair work throughout the Village
- Intersection improvements at Green Bay and Winnetka Aves.
- Village Hall interior renovation
- Installation of an oxidation catalyst system on the diesel engines at the power plant
- Electric distribution system improvements
- Replacement of the Lloyd Park water main
- Update the Village’s web site
- Conduct a community survey

Mr. McKee explained that a typical Village homeowner would see an approximately 2.1%, or \$125, increase in the cost of municipal services and a 1.4% increase in their existing property tax, or about \$37. He noted that the increases are necessary for capital improvements, not increased operating costs. He stressed that residents have seen the Village portion of their property tax bill decline from 17% to 13% of their total tax bill over the past 12 years.

Trustee Greable suggested putting out a statement from all of the Village’s taxing bodies outlining their costs; and Trustee Pedian suggested putting additional information on the website to help residents research budget facts.

Trustee Spinney Arrived at 7:55 p.m.

Trustee Johnson wanted to emphasize that the tax increase is very small and the water and electric charges are still slightly lower than market rate.

Richard Kates, 1326 Tower, asked: (i) how long the water rate has been increasing at 8% per year; (ii) if decreasing the assumption on rates of return for the pensions would have an adverse impact on the pension funds in light of recent retirements.

Mr. McKee responded that this is the third year of 8% increases in the water rate and that it was planned to be done in increments for Water Plant capital improvements, not for operating costs, which are actually in decline next year.

Mr. McKee then explained that the actuary for the pension funds will look at the demographics and then make recommendations about funding from the standpoint of the recent retirements. He added that the Village has the lowest assumptions on return of any municipality he knows of, which makes the funding ratio appear less than it would if higher assumptions were used.

President Tucker closed the public hearing at 8:02 p.m.

Trustee Johnson, seconded by Trustee Spinney, moved to introduce Resolution R-3-2011. By voice vote, the motion carried.

- b) Updated Fee & Rate Resolutions. President Tucker announced that the first four rate resolutions would be introduced together and would be up for adoption at the last Council Meeting in March, and that the three remaining fee resolutions don't require introduction but are on the agenda for review before being up for adoption at the last March meeting.

Mr. McKee referred the Council to his agenda report for a summary of substantive changes.

- i) Resolution R-4-2011: Water Rates – Introduction.
- ii) Resolution R-5-2011: Electric Rates – Introduction.
- iii) Resolution R-6-2011: Sewer Rates – Introduction.
- iv) Resolution R-7-2011: Refuse Rates – Introduction.

There being no questions or comments, Trustee Poor, seconded by Trustee Spinney, moved to introduce Resolutions R-4-2011 through R-7-2011. By voice vote, the motion carried.

- v) Resolution R-8-2011: General Permit & License Fees. (Review)
- vi) Resolution R-9-2011: Building, Zoning & Construction Fees. (Review)
- vii) Resolution R-10-2011: Fire Service Fees. (Review)

There were no comments or questions about the fee resolutions.

- 7) Public Comment and Questions. Mr. Kates commended the Village for publicizing efforts to get SB 1927 and SB 3388 (coal gasification bills) vetoed, as the legislation would raise gas rates considerably for North Shore Gas customers, and he added that the public should be very pleased with the Village's efforts.

8) Old Business. None.

9) New Business.

10) Reports

- a) Village President. President Tucker reported that the NWMC Legislative Days begin on March 15th, and the Council Meeting has been rescheduled to March 22nd so some of the Council members and Manager Bahan could travel to Springfield to meet with legislators and advocate on behalf of the community and the region. She encouraged residents to visit the Village's website to view the NWMC's legislative agenda

President Tucker announced that Affordable Housing is scheduled to be discussed at the Council's April Study Session, and she noted that some facts on the issue are available on the Village's website. She asked residents to review this information, as there are a lot of rumors being disseminated in the community.

- b) Trustees.

- i) Trustee Pedian thanked staff who cleared the snow and kept the Village safe and passable after the February 1st blizzard, noting that a luncheon had been held the prior day to honor Village employees for their hard work and dedication.
 - c) Attorney. None.
 - d) Manager. Manager Bahan reported that Senator Dick Durbin has informed the Village that it will receive a \$10,000 grant to replace trees lost to the Emerald Ash Borer.
- 11) Appointments. None.
- 12) Executive Session. Trustee Pedian moved to adjourn into Executive Session to discuss the appointment, employment or compensation of specific employees, collective bargaining matters, and pending and probable litigation, pursuant to Sections 2(c)(1), 2(c)(2) and 2(c)(11) respectively, of the Illinois Open Meetings Act. Trustee Spinney seconded the motion. By roll call vote, the motion carried. Ayes: Trustees Greable, Johnson, Pedian, Poor, Rintz and Spinney. Nays: None. Absent: None. The Council adjourned into Executive Session at 8:15 p.m.
- The Council reconvened into Regular Session at 9:25 p.m. Present: President Tucker, Trustees Greable, Johnson, Pedian, Poor, Rintz and Spinney. Absent: None. Also present: Village Manager Rob Bahan and Village Attorney Katherine Janega.
- 13) Adjournment. Trustee Rintz, seconded by Trustee Spinney, moved to adjourn the meeting. By roll call vote, the motion carried. Ayes: Trustees Greable, Johnson, Pedian, Poor, Rintz and Spinney. Nays: None. Absent: None. The meeting adjourned at 9:26 p.m.

Recording Secretary

AGENDA REPORT

SUBJECT: **Warrant Lists Nos. 1695 and 1696**

PREPARED BY: Robert Bahan, Village Manager

DATE: April 1, 2011

Warrants Lists Nos. 1695 and 1696 are enclosed in each Council member's packet.

Recommendation: Consider approving Warrants Lists Nos. 1695 and 1696.

AGENDA REPORT

SUBJECT: Cable Bid, Bid Number #11-007

PREPARED BY: Brian Keys, Director Water & Electric

REF: February 15, 2011 Budget Review Meeting

DATE: March 29, 2011

The Water & Electric Department issued Bid Number 11-007 for the purchase and delivery of cable during the timeframe of April 1, 2011 through March 31, 2012.

The bid notice was advertised in the Pioneer Press and bid documents were provided to seven prospective bidders which included both primary (15kV) cable and secondary (600V) cable. Five vendors responded by the March 15, 2011 deadline.

PRIMARY CABLE		
Vendor	Cable Manufacturer	Total Cost
The Okonite Company ²	Okonite	\$296,920.09
Power Line Supply ^{1,2,3}	Kerite	\$355,039.79
Resco ^{2,3}	Prysmian	\$400,620.30
Border States ^{2,3}	General Cable	\$831,941.50
Wesco	N/A	No Bid

SECONDARY CABLE		
Vendor	Cable Manufacturer	Total Cost
Wesco	Service Wire	\$106,090.00
Resco	Prysmian	\$120,467.50
The Okonite Company ²	Okonite	\$125,923.00
Power Line Supply	Southwire	\$165,019.75
Border States	N/A	No Bid

- Notes (1): Cable bid by vendor was not per specification.
 (2): Vendors quote contained minimum purchase quantities above bid evaluation quantities.
 (3): Future orders may be subject to escalation (i.e. compound increases).

The cost of cable is significantly impacted by the price of metals. Bid prices submitted are indexed to the cost of copper and aluminum. A base price of \$4.75/lb. for copper and \$1.50/lb. for aluminum was used for the bid. The price of metals will fluctuate on a daily basis.

The bid document states that the bids can be split into separate awards for the primary and secondary cables. Staff is recommending that the primary cable be awarded to the Okonite. The bid met all of the required specifications for primary cable and required only an additional 166' of additional cable to meet the minimum purchase quantities for one item.

Staff is recommending that the secondary cable be awarded to Wesco (Service Wire). Wesco's bid met all of the required specifications for secondary cable and did not require minimum purchase quantities that exceeded our requirements.

The bid evaluation was based on the estimated quantities required for FYE 2012 with one exception. Staff identified an additional 991 ft. of primary cable required after the bid evaluation quantities were initially determined. The requested purchase order amounts include additional funds for packaging and manufacturing length tolerances. This detail has been included in Exhibit A. Bidder detail has been included in the attached Exhibit B. The FY2011-12 Budget contains \$1,208,000 (account #50-47-640-209) for the purchase and installation of cable. If additional cable is required during the fiscal year, the Water & Electric Department will request approval from the Council.

Recommendation:

Consider authorizing the Village Manager to award Bid #11-007 to the Okonite Company for the purchase of primary cable at the unit prices bid in an amount not to exceed \$340,248 subject to all of the conditions stated in the request for bid.

Consider authorizing the Village Manager to award Bid #11-007 to Wesco for the purchase of secondary cable at the unit prices bid in an amount not to exceed \$111,395 subject to all of the conditions stated in the request for bid.

EXHIBIT A

PRIMARY CABLE

Evaluated Quantity	Additional Quantity Required	Metals Escalation	Shipping Length Tolerance (5%) & Packaging	Requested Amount
\$296,920.09	\$26,622.46	\$0	\$16,704.98	\$340,247.53

↓
\$340,248

SECONDARY CABLE

Evaluated Quantity	Additional Quantity Required	Metals Escalation	Shipping Length Tolerance (5%) & Packaging	Requested Amount
\$106,090.00	\$0	\$0	\$5,304.50	\$111,394.50

↓
\$111,395

EXHIBIT B

Bid 11-007

Vendor

Item No. (A.) Description (B.)

15 kv Cable

- 1 1 - 1/c - #2 Stranded Cu. 15kv cable
- 2 3 - 1/c - #2 Stranded Cu. 15kv cable
- 3 1 - 1/c - #1/0 Stranded Cu. 15kv cable
- 4 3 - 1/c - #1/0 Stranded Cu. 15kv cable
- 5 3 - 1/c - #4/0 Cu. 15kv cable
- 6 3 - 1/c - 350 kcmil Cu. 15kv cable
- 7 1 - 1/c - 1000 kcmil Al. 15kv cable
- 8 3 - 1/c - 1000 kcmil Al. 15kv cable

Bid Evaluation Quantity (D.)	Border States(2)(3)		Wesco		Power Line Supply(1)(2)(3)		
	Price per foot 2011-12	Total Price 2011-12	Price per foot 2011-12	Total Price 2011-12	Price per foot 2011-12	Total Price 2011-12	2011-12
	General Cable				Kerite		
feet	\$3.600 / ft.	\$0.00	/ ft.	\$0.00	\$3.817 / ft.		\$0.00
feet	\$11.080 /ckt. ft.	\$0.00	/ckt. ft.	\$0.00	\$12.709 /ckt. ft.		\$0.00
5500 feet	\$5.800 / ft.	\$87,000.00	/ ft.	\$0.00	\$5.667 / ft.		\$31,169.05
1500 feet	\$17.730 /ckt. ft.	\$265,950.00	/ckt. ft.	\$0.00	\$18.959 /ckt. ft.		\$28,439.10
feet	\$20.150 /ckt. ft.	\$0.00	/ckt. ft.	\$0.00	\$23.873 /ckt. ft.		\$0.00
3334 feet	\$32.500 /ckt. ft.	\$325,000.00	/ckt. ft.	\$0.00	\$40.811 /ckt. ft.		\$136,063.87
20670 feet	\$7.450 / ft.	\$153,991.50	/ ft.	\$0.00	\$7.710 / ft.		\$159,367.77
feet	\$16.450 /ckt. ft.	\$0.00	/ckt. ft.	\$0.00	\$25.725 /ckt. ft.		\$0.00

Total Cost of 15kv cable \$831,941.50 **Total Cost of 15kv cable** \$0.00 **Total Cost of 15kv cable** \$355,039.79

600 Volt Cable

- 7 3-1/c-#8 Cu.
- 8 3-1/c-#6 Cu.
- 9 3-1/c-#4 Cu.
- 10 3-1/c-#2 Cu.
- 11 3 - 1/c - #1/0 Cu. 600 volt cable
- 12 3 - 1/c - #4/0 Cu. 600 volt cable
- 13 3 - 1/c - 350 kcmil Cu. 600 volt cable
- 14 3 - 1/c - 500 kcmil Cu. 600 volt cable
- 15 4 - 1/c - 350 kcmil Cu. 600 volt cable
- 16 4 - 1/c - 500 kcmil Cu. 600 volt cable

Bid Evaluation Quantity (D.)	Service Wire		Southwire			
	Price per foot 2011-12	Total Price 2011-12	Price per foot 2011-12	Total Price 2011-12	Price per foot 2011-12	Total Price 2011-12
feet	/ckt. ft.	\$0.00	\$0.368 /ckt. ft.	\$0.00	\$1.668 /ckt. ft.	\$0.00
feet	/ckt. ft.	\$0.00	\$0.543 /ckt. ft.	\$0.00	\$2.522 /ckt. ft.	\$0.00
feet	/ckt. ft.	\$0.00	\$0.845 /ckt. ft.	\$0.00	\$3.816 /ckt. ft.	\$0.00
feet	/ckt. ft.	\$0.00	\$1.317 /ckt. ft.	\$0.00	\$6.197 /ckt. ft.	\$0.00
3000 feet	/ckt. ft.	\$0.00	\$5.991 /ckt. ft.	\$17,973.00	\$10.458 /ckt. ft.	\$31,373.70
2000 feet	/ckt. ft.	\$0.00	\$11.813 /ckt. ft.	\$23,626.00	\$18.760 /ckt. ft.	\$37,519.60
3500 feet	/ckt. ft.	\$0.00	\$18.426 /ckt. ft.	\$64,491.00	\$27.465 /ckt. ft.	\$96,126.45
feet	/ckt. ft.	\$0.00	\$25.046 /ckt. ft.	\$0.00	\$36.744 /ckt. ft.	\$0.00
feet	/ckt. ft.	\$0.00	\$24.610 /ckt. ft.	\$0.00	\$36.620 /ckt. ft.	\$0.00
feet	/ckt. ft.	\$0.00	\$32.099 /ckt. ft.	\$0.00	\$48.992 /ckt. ft.	\$0.00

Total Cost of 600v cable \$0.00 **Total Cost of 600v cable** \$106,090.00 **Total Cost of 600v cable** \$165,019.75

Grand total of all cable \$831,941.50 **Grand total of all cable** \$106,090.00 **Grand total of all cable** \$520,059.54

Cost per pulling eye _____ **Cost per pulling eye** _____ **Cost per pulling eye** \$250.00
 _____ \$350.00

Check one: Cable will be export packaged
 Cable -- standard packaging, shipped F.O.B. Winnetka

Lagging Charge / Reel **Lagging Charge/Reel** **Lagging Charge/Reel** \$150.00

Notes:
 (2) Required min. quantities above evaluation quantity.
 (3) Future orders may be subject to escalation

Notes:
 (1) Primary cable not to specification.
 (2) Required min. quantities above evaluation quantity.
 (3) Future orders may be subject to escalation

EXHIBIT B

Bid 11-007

Vendor

Item No. (A.) Description (B.)

15 kv Cable

- 1 1 - 1/c - #2 Stranded Cu. 15kv cable
- 2 3 - 1/c - #2 Stranded Cu. 15kv cable
- 3 1 - 1/c - #1/0 Stranded Cu. 15kv cable
- 4 3 - 1/c - #1/0 Stranded Cu. 15kv cable
- 5 3 - 1/c - #4/0 Cu. 15kv cable
- 6 3 - 1/c - 350 kcmil Cu. 15kv cable
- 7 1 - 1/c - 1000 kcmil Al. 15kv cable
- 8 3 - 1/c - 1000 kcmil Al. 15kv cable

Okonite(2)		Resco(2)(3)	
Price per foot 2011-12	Total Price 2011-12	Price per foot 2011-12	Total Price 2011-12
Okonite		Prysmian	
\$3.414 / ft.	\$0.00	\$3.544 / ft.	\$0.00
\$10.386 /ckt. ft.	\$0.00	\$10.800 /ckt. ft.	\$0.00
\$4.841 / ft.	\$26,625.50	\$5.355 / ft.	\$53,550.00
\$14.695 /ckt. ft.	\$22,042.50	\$16.160 /ckt. ft.	\$64,640.00
\$18.912 /ckt. ft.	\$0.00	\$21.018 /ckt. ft.	\$0.00
\$29.725 /ckt. ft.	\$104,037.50	\$33.970 /ckt. ft.	\$135,880.00
\$6.977 / ft.	\$144,214.59	\$7.090 / ft.	\$146,550.30
\$21.160 /ckt. ft.	\$0.00	\$21.550 /ckt. ft.	\$0.00

Total Cost of 15kv cable \$296,920.09 **total Cost of 15kv cable \$400,620.30**

600 Volt Cable

- 7 3-1/c-#8 Cu.
- 8 3-1/c-#6 Cu.
- 9 3-1/c-#4 Cu.
- 10 3-1/c-#2 Cu.
- 11 3 - 1/c - #1/0 Cu. 600 volt cable
- 12 3 - 1/c - #4/0 Cu. 600 volt cable
- 13 3 - 1/c - 350 kcmil Cu. 600 volt cable
- 14 3 - 1/c - 500 kcmil Cu. 600 volt cable
- 15 4 - 1/c - 350 kcmil Cu. 600 volt cable
- 16 4 - 1/c - 500 kcmil Cu. 600 volt cable

Okonite		Prysmian	
\$1.471 /ckt. ft.	\$0.00	\$1.264 /ckt. ft.	\$0.00
\$2.058 /ckt. ft.	\$0.00	\$1.820 /ckt. ft.	\$0.00
\$2.802 /ckt. ft.	\$0.00	\$2.736 /ckt. ft.	\$0.00
\$4.127 /ckt. ft.	\$0.00	\$4.195 /ckt. ft.	\$0.00
\$6.281 /ckt. ft.	\$18,843.00	\$6.684 /ckt. ft.	\$20,052.00
\$12.347 /ckt. ft.	\$30,867.50	\$12.980 /ckt. ft.	\$25,960.00
\$21.775 /ckt. ft.	\$76,212.50	\$21.273 /ckt. ft.	\$74,455.50
\$29.294 /ckt. ft.	\$0.00	\$30.127 /ckt. ft.	\$0.00
\$27.902 /ckt. ft.	\$0.00	\$28.333 /ckt. ft.	\$0.00
\$38.051 /ckt. ft.	\$0.00	\$40.137 /ckt. ft.	\$0.00

Total Cost of 600v cable \$125,923.00 **total Cost of 600v cable \$120,467.50**

Grand total of all cable \$422,843.09 **Grand total of all cable \$521,087.80**

Cost per pulling eye \$100.00 **Cost per pulling eye \$140/3c-175**
\$140.00 **\$275/3c-300**

Check one: Cable will be export packaged
 Cable -- standard packaging, shipped F.O

<input type="checkbox"/>	<input type="checkbox"/>
X	X

Lagging Charge/Reel **N/A** **lagging Charge/Reel** **\$500.00**

Notes:

- (2) Required min. quantities for sec. cable above eval. quantity and 166' of one primary item.
- (2) Required min. quantities above evaluation quantity.
- (3) Future orders may be subject to escalation

AGENDA REPORT

Subject: Water Plant Intake, Video Inspection and Stone Work

Prepared by: Brian Keys, Director Water & Electric

Ref: February 15, 2011 Budget Presentation

Date: March 29, 2011

Periodic dive inspections and stone work are required for the Water Plant’s intake pipe. The Water Plant intake is 20” in diameter and extends 3,000 feet along the bottom of the lake. The stone and sand around the intake are displaced by wave action which requires placement of additional stone to protect and support the pipe.

Village of Winnetka Bid #011-004 was issued for the underwater video inspection and stone work required on the 20” intake. The bid notice was advertised in the Pioneer Press and also sent to ten firms. Four companies submitted bids for the work. These are summarized as follows:

Project Activity	Edward E. Gillen Company	Big Lake Marine LLC	Global Infrastructure Special Operations Group LLC	Veolia ES Special Services, Inc.
Perform dive inspection, furnish and place 370 tons of limestone over and around exposed pipe. (additional stone \$/ton)	\$67,000.00 \$150.00	\$62,365.00 \$144.50	\$128,918.00 \$130.30	\$436,964.74 \$830.50
Clean intake strainer at the end of the intake pipe, if required.	\$1,000.00	\$6,250.00	\$5,557.00	\$38,791.33
Total:	\$68,000.00	\$68,615.00	\$134,475.00	\$475,756.07

Staff is recommending award of the project to Edward E. Gillen Company. The contractor’s bid is the lowest qualified bid for the video inspection, stone placement, and intake strainer cleaning. Based on prior experience, it is anticipated that the intake strainer will require cleaning. Staff is requesting authorization for both the placement of stone and cleaning of the intake strainer.

The Water Plant has \$80,000 budgeted (account #52-65-640-322) for intake maintenance in the FYE2012 budget.

Recommendation: Consider authorizing the Village Manager to issue a purchase order to Edward E. Gillen Company in an amount of \$68,000 in accordance with the terms and conditions of Bid #011-004.

AGENDA REPORT

SUBJECT: Parkway Tree Trimming, Removal, and Maintenance

PREPARED BY: Steven M. Saunders, Director of Public Works/Village Engineer

DATE: March 30, 2011

In March 2011, pursuant to a competitive bidding process, Village Staff opened bids for parkway tree trimming, removal, and maintenance. Six bidders responded to the Village’s request for bids with submissions. The low bids for each contract are highlighted, and the bids are summarized as follows:

Contractor	Parkway Tree & Stump Removal (Total)	Parkway Tree Trimming (Total)	Emergency T&M Work (\$/crew-hour¹)
Nels Johnson Tree Experts	\$90,950	\$42,200	\$295.00
Landscape Concepts Management	\$93,940	\$49,900	\$169.00
Trees “R” Us	\$97,950	\$45,275	\$315.00
Winkler’s Tree Service	\$163,800	\$50,676	\$400.00
R.W. Hendricksen Co.	\$184,150	\$51,286	\$330.00
Asplundh Tree Expert Co.	\$211,762	No Bid	\$215.69

Staff has evaluated references for each of the respective low bidders. Nels Johnson Tree Experts has provided parkway tree & stump removal, and tree trimming services for the Village on several past contracts and is a qualified contractor. Landscape Concepts Management performed the Village’s Emergency T&M contract this year, as well as the Holiday Lighting program, and performed in an exemplary manner on both contracts. No negative references were received.

Therefore, based upon staff experience and checks of other references, as well as bid prices, staff recommends that the Parkway Tree and Stump Removal and Parkway Tree Trimming portions of the work be awarded to Nels Johnson Tree Experts, which represents the lowest qualified bid received. Additionally, staff recommends that the Emergency T&M Work portion of this bid be awarded to Landscape Concepts Management, which submitted the lowest qualified bid for this portion of the work.

Budget Information

The FY 2011-12 Budget contains \$150,000 for parkway tree maintenance, trimming, and removal.

¹ Crew composed of 1 Crew Leader, 2 Trimmers, 1 Ground Man

Recommendation:

Consider awarding tree trimming and maintenance contracts at the unit rates contained in bid proposals received in March, 2011, as follows:

1. Parkway Tree & Stump Removal to Nels Johnson Tree Experts
2. Parkway Tree Trimming to Nels Johnson Tree Experts
3. Emergency Time & Material Work to Landscape Concepts Management

2011 Parkway Tree Maintenance Bids

Parkway Tree (Stump) Removal (price per inch)

Tree Size	Qty.	Winkler's	R Hendricksen	Landscape Concepts	Trees R Us	Nels Johnson	Asplundh Tree
0-6"	600"	\$4.95 (\$4.47)	\$15.00 (\$3.00)	\$4.00 (2.00)	\$4.00 (2.00)	\$4.00 (\$2.00)	\$7.42 (7.00)
7"-12"	1,500"	\$10.76 (\$4.47)	\$15.00 (3.00)	\$7.95 (2.00)	\$8.00 (\$2.00)	\$8.00 (\$2.00)	\$9.00 (7.21)
13"-24"	2,500"	\$22.00 (\$4.47)	\$23.50 (\$3.00)	\$9.95 (2.00)	\$11.50 (\$2.00)	\$9.50 (\$2.00)	\$18.25 (\$7.50)
25"-36"	2,000"	\$24.00 (\$4.47)	\$29.00 (3.00)	\$15.95 (2.00)	\$16.00 (2.00)	\$15.00 (2.00)	\$37.90 (\$8.00)
>37"	400"	\$26.00 (\$4.47)	\$37.25 (3.00)	\$22.10 (2.00)	\$22.00 (\$2.00)	\$22.00 (2.00)	\$48.05 (\$8.50)
		\$ 163,800.00	\$ 184,150.00	\$ 93,940.00	\$ 97,950.00	\$ 90,950.00	\$ 211,762.00

2011 Parkway Tree Trimming (price per tree)

Tree Size	Qty.	Winkler's	R Hendricksen	Landscape Concepts	Trees R Us	Nels Johnson	Asplundh Tree
0-6"	300	\$ 10.67	\$ 13.10	\$ 8.00	\$ 8.00	\$ 7.00	no bid
7"-12"	500	\$ 20.62	\$ 19.22	\$ 18.00	\$ 18.00	\$ 17.00	no bid
13"-24'	500	\$ 43.83	\$ 39.76	\$ 35.00	\$ 34.75	\$ 33.00	no bid
25"-36"	200	\$ 61.00	\$ 69.44	\$ 75.00	\$ 65.00	\$ 58.00	no bid
>37"	50	\$ 61.00	\$ 79.55	\$ 120.00	\$ 70.00	\$ 70.00	no bid
		\$ 50,676.00	\$ 51,285.50	\$ 49,900.00	\$ 45,275.00	\$ 42,200.00	

2011 Tree Time & Material Work

Crewleader	\$ 100.00	\$ 85.00	\$ 47.00	\$ 85.00	\$ 80.00	\$ 63.45
Trimmer	\$ 100.00	\$ 85.00	\$ 42.00	\$ 80.00	\$ 75.00	\$ 53.80
Groundman	\$ 100.00	\$ 75.00	\$ 38.00	\$ 70.00	\$ 65.00	\$ 44.64
Aerial Truck	\$ 25.00	\$ 55.00	\$ 85.00	\$ 75.00	\$ 45.00	\$ 15.50
Log/Loader Truck	\$ 40.00	\$ 55.00	\$ 145.00	\$ 75.00	\$ 75.00	\$ 29.00
Chipper Truck	\$ 40.00	\$ 55.00	\$ 145.00	\$ 65.00	\$ 40.00	\$ 10.95
Stumper	\$ 40.00	\$ 55.00	\$ 125.00	\$ 95.00	\$ 40.00	\$ 17.31
Pick-up Truck	\$ 40.00	n/c	\$ 45.00	\$ 45.00	\$ 10.00	\$ 9.00
Other Equipment	Crane \$50 Semi\$ 25	rental 10%	\$ 90.00	rental 10%	rental 10%	\$ -

AGENDA REPORT

SUBJECT: **Resolution R-12-2011 Accepting and Approving the Dedication of a Utility Easement (630 Pine Lane, CBI Subdivision)**

PREPARED BY: Katherine S. Janega, Village Attorney
 Brian Keys, Director of Water & Electric

REF. November 7, 2006 Council Meeting, pp. 22-114
 November 6, 2007 Council Meeting, pp. 58-104

DATE: March 31, 2011

On November 7, 2006, the Village Council adopted Resolution R-25-2006, approving a plat of the CBI Subdivision, commonly known as 630 Pine Lane. This was followed by adoption of Resolution R-43-2007 on November 6, 2007, approving a development agreement between the Village and the developers. One of the conditions for development of the property required the construction of an 8” water main along the north property line within the utility easement.

In the fall of 2010, the developer completed installation of the electrical conduit and the 8” water main. Prior to acceptance of the project, staff requested an “as-built” field survey of the installed utilities for documentation and IEPA permitting of the water main. Although all utilities are in the easement, the water main route varies over the easement. At some locations, the water main is less than three feet from the south boundary of the easement. Construction of the main in this manner is inconsistent with the proposed utility plan accepted by the Village, which provided a minimum of 7.5 feet on the south side of the main for future maintenance and repair.

To provide sufficient space for future maintenance, the owner has proposed an additional utility easement for the portion of the water main route with insufficient easement. The additional easement lies adjacent to the original easement and restores the original spacing requirements agreed to by the Village for maintenance of the utilities. The attached Resolution R-12-2011 accepts and approves the dedication of a utility easement at 630 Pine Lane, CBI Subdivision.

Recommendation:

Consider adopting Resolution R-12-2011, accepting and approving the dedication of a utility easement at 630 Pine Lane, CBI subdivision.

RESOLUTION NO. R-12-2011

**A RESOLUTION ACCEPTING AND APPROVING
THE DEDICATION OF A UTILITY EASEMENT
(630 PINE LANE -- CBI Subdivision)**

WHEREAS, on November 7, 2006, the Council of the Village of Winnetka (“Village Council”) adopted Resolution R-25-2006, approving a plat of the CBI Subdivision , a subdivision of the property commonly known as 630 Pine Lane (the “Subject Property”) in the Village of Winnetka; and

WHEREAS, the Subject Property is legally described as follows:

THE SOUTH ONE HALF OF A TRACT OF LAND DESCRIBED AS FOLLOWS: THE SOUTH 12 AND ONE HALF ACRES (EXCEPT THE SOUTH 291.5 FEET THEREOF) OF THE WEST 25 ACRES OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THE STRIP OF LAND LYING EAST OF AND ADJOINING SAID PREMISES UP TO THE WEST LINE OF SKOKIE VIEW, A PLAT OF WHICH WAS RECORDED FEBRUARY 4, 1920 AS DOCUMENT 6729197, IN COOK COUNTY, ILLINOIS;

and

WHEREAS, as one of the conditions for the subdivision of the Subject Property, the owners and developers were required to install certain utility lines which, along with certain utility easements depicted on the plat of the CBI Subdivision, are to be dedicated to the Village; and

WHEREAS, on November 6, 2007, as part of the implementation and development of the CBI Subdivision, the Village Council adopted Resolution R-43-2007, approving a development agreement between the Village and the developers of the Subject Property (“Development Agreement”); and

WHEREAS, Section 11.A of the Development Agreement required the Developer to execute and record “such plats of easement as the Village in the sole exercise of its discretion may determine to be necessary to grant to the Village and other applicable governmental bodies utility and enforcement easements over, on, and across the Property, for the purposes of enforcing applicable laws, making repairs, installing and servicing utilities, and providing public and emergency services to the Property and to adjacent parcels;” and

WHEREAS, because of site conditions, certain utilities installed along the north property line of the Subject Property are not correctly located within the dedicated easements; and

WHEREAS, Village staff has determined that an additional easement is necessary to provide adequate access for the maintenance, repair and replacement of the utility lines installed by the owners and developers which additional easement is depicted on a plat dated February 10, 2011, updated March 29, 2011, and captioned “Plat of Easement for Public Utilities,” which plat is attached hereto and is incorporated herein by reference; and

WHEREAS, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970, and, as such has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including, but not limited to, the powers to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the Council find that establishing the standards for the subdivision of land provides for the protection of the public health, safety and welfare, and is a matter pertaining to the affairs of the Village.

NOW, THEREFORE, be it resolved by the Council of the Village of Winnetka as follows:

SECTION 1: The Council adopts the foregoing recitals as its findings of facts, as if fully set forth herein.

SECTION 2: That approval is hereby given to the plat captioned “Plat of Easement for Public Utilities,” dated February 10, 2011, and updated March 29, 2011, a copy of which is attached hereto as Exhibit A.

SECTION 3: That all of the terms and conditions for the creation and development of the CBI Subdivision on the Subject Property, as set forth in Resolutions R-25-2006 and R-43-2007, and in the plats, Development Agreement and all other exhibits attached thereto, shall remain in full force and effect.

SECTION 4: Nothing in this resolution shall be considered as granting any other approvals related to the development of the Subject Property and the construction of any buildings on or other improvements to the Subject Property.

SECTION 5: This Resolution is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 7: This Resolution shall take effect immediately upon its adoption.

ADOPTED this 7th day of April, 2011, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

Village President

Countersigned:

Village Clerk

EXISTING PIN:
05-17-312-074

PLAT OF EASEMENT FOR PUBLIC UTILITIES

GRANTOR'S LEGAL DESCRIPTION

OWNER'S CONSENT

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE HOLDER OF THE TITLE OF ALL OF THE PROPERTY DESCRIBED HEREON AND THAT THEY HAVE CAUSED THE SAME TO BE PLATTED FOR THE PURPOSES OF GRANTING A UTILITY EASEMENT AS SHOWN HEREON.

DATED THIS _____ DAY OF _____ A.D., 2011.

SIGNED: _____

PRINTED NAME AND TITLE

SIGNED: _____

PRINTED NAME AND TITLE

OWNERS NAME AND ADDRESS

NOTARY PUBLIC

STATE OF _____)
COUNTY OF _____)SS

I, _____ A NOTARY PUBLIC
IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT
_____ AND

WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY DID SIGN AND DELIVER THIS INSTRUMENT AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES HEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____ A.D., 2011.

NOTARY PUBLIC

MORTGAGEE CONSENT

THE UNDERSIGNED, AS MORTGAGEE, UNDER THE PROVISIONS OF CERTAIN MORTGAGE DATED _____ AND RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON THE _____ DAY OF _____ A.D., _____ AS DOCUMENT NUMBER _____, HEREBY CONSENTS TO THE GRANT OF EASEMENT STATED HEREIN.

DATED: _____ A.D., 2011.

LENDERS NAME AND ADDRESS

BY: _____

PRINTED NAME AND TITLE

ATTEST: _____

PRINTED NAME AND TITLE

MORTGAGEE NOTARY PUBLIC

STATE OF _____)
COUNTY OF _____)SS

I, _____ A NOTARY PUBLIC
IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT
_____ AND

WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY DID SIGN AND DELIVER THIS INSTRUMENT AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES HEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____ A.D., 2011.

NOTARY PUBLIC

VILLAGE ENGINEER:

APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS, ON THIS _____ DAY OF _____ A.D., 2011.

BY: _____
VILLAGE ENGINEER

PUBLIC UTILITY EASEMENT PROVISION

AN EASEMENT IS HEREBY GRANTED TO THE VILLAGE OF WINNETKA FOR PUBLIC UTILITIES IN, UPON, ALONG, OVER AND UNDER THOSE PARTS OF THE LOTS INDICATED ON THIS PLAT AND MARKED "UTILITY AND DRAINAGE EASEMENT," TO INSTALL, CONSTRUCT, LAY, MAINTAIN, OPERATE, RELOCATE, RENEW AND REMOVE NECESSARY EQUIPMENT FOR PUBLIC UTILITY PURPOSES, TOGETHER WITH THE RIGHTS OF INGRESS TO AND EGRESS FROM THE EASEMENT, AND THE RIGHT TO TRIM AND REMOVE SUCH TREES, BUSHES, SHRUBS AND LANDSCAPING, AS MAY BE REASONABLY REQUIRED INCIDENTAL TO THE INSTALLATION AND MAINTENANCE OF UTILITY FACILITIES. THE EASEMENT MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, WOODEN FENCES, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF THE EASEMENT, BUT NO PERMANENT BUILDINGS OR STRUCTURES SHALL BE PLACED ON THE EASEMENT.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF LAKE) SS

THIS IS TO CERTIFY THAT WE, MANHARD CONSULTING LTD., HAVE PLATTED THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSE OF GRANTING AN EASEMENT FOR THE PURPOSES SHOWN HEREON, AND THAT THE PLAT DRAWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF SAID PROPERTY.

GIVEN UNDER MY HAND AND SEAL THIS 11TH DAY OF MARCH, A.D., 2011.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2870
LICENSE EXPIRES: NOVEMBER 30, 2012

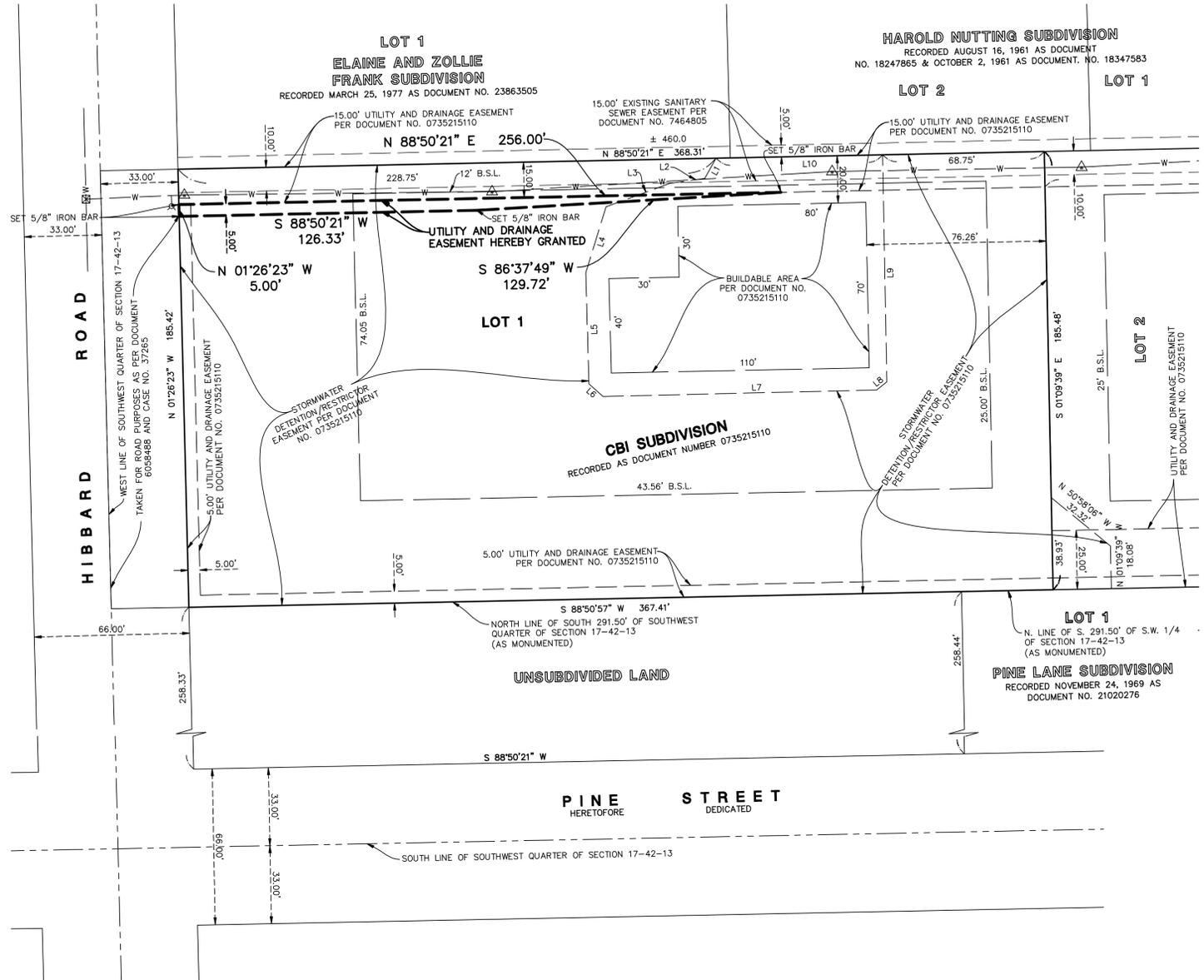
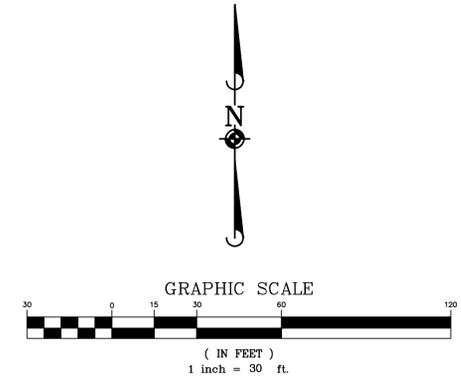
DESIGN FIRM PROFESSIONAL REGISTRATION NO. 184003350
EXPIRES APRIL 30, 2011



GENERAL NOTES:

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.
- THE BASIS OF BEARINGS IS THE RECORD BEARING FOR THE CBI SUBDIVISION RECORDED AS DOCUMENT NO. 0735215110.
- THIS SURVEY IS SUBJECT TO MATTERS OF TITLE, WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT. EASEMENTS, SETBACKS AND OTHER RESTRICTIONS WHICH MAY BE FOUND IN A CURRENT TITLE REPORT, LOCAL ORDINANCES, DEEDS OR OTHER INSTRUMENTS OF RECORD HAVE NOT BEEN SHOWN.
- BUILDING SETBACK LINES (B.S.L.) AND BUILDABLE AREA SHOWN PER CBI SUBDIVISION RECORDED AS DOCUMENT NUMBER 0735215110.
- MANHARD CONSULTING, LTD. IS A PROFESSIONAL DESIGN FIRM, REGISTRATION NUMBER 184003350, EXPIRES APRIL 30, 2011.

LOT 1 IN CBI SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 2007 AS DOCUMENT NUMBER 0735215110, IN COOK COUNTY, ILLINOIS



LINE	BEARING	LENGTH
L1	S 29°14'03" W	9.79'
L2	S 81°49'20" W	15.08'
L3	S 69°55'40" W	28.80'
L4	S 17°03'55" W	29.19'
L5	S 01°34'31" E	47.05'
L6	S 48°31'06" E	8.06'
L7	N 89°38'16" E	116.39'
L8	N 51°14'04" E	5.54'
L9	N 01°04'42" W	96.06'
L10	S 88°50'21" W	70.82'

DATE	REVISION	REVISION PER VILLAGE COMMENTS	REVISION EASEMENT NAME AND PROVISIONS
03/29/11			
03/11/11			

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Civil Engineers • Surveyors • Water Resources Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners

LOT 1 IN CBI SUBDIVISION
WINNETKA, ILLINOIS
PLAT OF EASEMENT FOR PUBLIC UTILITIES

PROJ. MGR.: D.J.
PROJ. ASSO.: T.J.M.
DRAWN BY: G.P.
DATE: 02/10/11
SCALE: 1"=30'

SHEET
1 OF **1**

CBIWN2 4477
© 2008 ALL RIGHTS RESERVED

October 25, 2010 - 14:23 Des Name: P:\Cblanc2\Mapa\Sur\Final\Drawings\Plat of Easement\Town-PE2.dwg Uploaded By: abaloud

AGENDA REPORT

TO: Village Council

FROM: Robert M. Bahan, Village Manager

DATE: April 1, 2011

SUBJECT: **RESOLUTION NO. R-13-2011 – APPROVING AND ESTABLISHING THE FIRE CHIEF’S SALARY**

Attached hereto is Resolution No. R-13-2011, which formally approves and establishes the salary for the new Fire Chief, Alan Berkowsky, who started work on April 4, 2011.

Recommendation: Consider adoption of Resolution No. R-13-2011.

**APPROVING AND ESTABLISHING THE
FIRE CHIEF'S SALARY
EFFECTIVE APRIL 4, 2011**

BE IT RESOLVED by the Council of the Village of Winnetka that, in accordance with the below referenced section of the Winnetka Village Code, the following salary for the Fire Chief, effective April 4, 2011, be and the same is hereby approved and established.

Alan Berkowsky Fire Chief \$ 10,208.33 per month

Section 2.52.030.B

SECTION 2: The Fire Chief will participate in the Winnetka Fire Pension Fund as a Tier I employee per the Illinois Department of Insurance and Fire Pension Fund contribution policies.

SECTION 3: In lieu of participating in the Village's health insurance plan, the Fire Chief, upon demonstration of the expense, will be provided with a \$1,200 monthly stipend reimbursement towards his current health plan.

SECTION 4: A copy of the Employee Handbook containing the village personnel policies will be provided and will govern all other benefits and terms of employment.

SECTION 5: This Resolution is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 5: This Resolution shall take effect immediately upon its adoption.

ADOPTED this 7th day of April, 2011, pursuant to the following roll call vote:

AYES:

NAYS:

ABSENT:

Signed:

Jessica B. Tucker, Village President

Countersigned:

Robert M. Bahan, Village Clerk
April 7, 2011

Agenda Report

Subject: **Resolution R-14-2011: Cook County Data Sharing Agreement**

Prepared By: Steven M. Saunders, Director of Public Works/Village Engineer

Date: March 21, 2011

To assist in the maintenance and upkeep of data for the Village's Geographic Information System (GIS), the Village has found it beneficial to seek access to data developed by other governmental agencies. The Cook County Assessor's office has developed a dataset of digital information for the entire county, including property assessment data, property photographic images, and other mapping information useful for populating and maintaining the Village's GIS. The Assessor's office allows the Village to obtain this data at no charge to the Village, so long as it is used for the purpose of performing official business.

In order to access the data, the Village must enter into an agreement with the County and pass an authorizing resolution. Resolution R-14-2011 authorizes the Village to enter a data sharing agreement with Cook County for the purpose of sharing geographic data.

Recommendation:

Consider adoption of Resolution R-14-2011, authorizing the execution of an intergovernmental agreement allowing the Village access to Cook County's digital GIS information, substantially in the form presented in Exhibit A.

**A RESOLUTION
APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR
ACCESS TO GEOGRAPHIC INFORMATION SYSTEM (GIS)**

WHEREAS, the Village of Winnetka ("Village") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970 and, except as limited by Section 6 of Article VII of the Constitution of the State of Illinois of 1970, is authorized to exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, pursuant to its home rule status, the Charter of the Village of Winnetka, and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, the Village is granted all powers necessary to carry out its legislative purposes as to the general governance of the Village and its residents, including the development and use of property, the establishment and maintenance of basic infrastructure such as streets, water systems, sanitary and stormwater sewer systems, and the provision of public safety services; and

WHEREAS, in the performance of its general governmental responsibilities, the Village is constantly evaluating and accessing information regarding the physical and other attributes within the Village and adjacent to its boundaries; and

WHEREAS, the Cook County Assessor's Office has a geographic information system ("GIS") database that it is willing to make available to the Village at no cost; and

WHEREAS, GIS data sharing with the Cook County Assessor's Office will allow the Village to access GIS data from the Assessor that will facilitate the Village's decision-making process with respect to its management, provision, and maintenance of governmental services; and

WHEREAS, cooperation between and among governmental agencies and entities through intergovernmental agreements is authorized and encouraged by Article VII, Section 10 of the Illinois Constitution of 1970 and by the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, the Village and the Cook County Assessor have negotiated an Agreement for Access to Geographic Information System in substantially the form attached to this

Resolution as Exhibit A (the “Intergovernmental Agreement”);

NOW, THEREFORE, be it resolved by the Council of the Village of Winnetka as follows:

SECTION 1: Recitals. The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: Approval of Intergovernmental Agreement. The Agreement for Access to Geographic Information System (“Intergovernmental Agreement”) is hereby approved substantially in the form attached to this Resolution as Exhibit A and, subject to final approval by the Village Attorney of the form of the Intergovernmental Agreement, the Village President and Village Manager are authorized to execute and seal the Intergovernmental Agreement on behalf of the Village.

SECTION 3: This Resolution is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 4: This Resolution shall take effect immediately upon its adoption.

ADOPTED this 7th day of April, 2011, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

Village President

Countersigned:

Village Clerk

**AGREEMENT
FOR ACCESS TO GEOGRAPHIC INFORMATION SYSTEM**

This AGREEMENT is entered into as of the 7 day of April, 2011, by and between Village of Winnetka (“Agency”) and the Cook County Assessor’s Office (the “CCAO”).

WITNESSETH:

WHEREAS, the CCAO has developed a Geographic Information System (the “GIS”) consisting of cadastral data, planimetric data, assessment data, property images, digital orthophotography (aerial photos) and other data (collectively, such images, photos and data, “Assessor Data”);

WHEREAS, portions of the GIS, and the related data dictionary, are copyrighted materials of the CCAO and/or Cook County of the State of Illinois (“Cook County”);

WHEREAS, some of the Assessor Data in the GIS is only available to the public and to commercial users for a fee, as permitted by law;

WHEREAS, Agency has requested access to and license to use the GIS for use in performing its official functions (as set forth below);

WHEREAS, the CCAO in the spirit of cooperation desires to make the GIS available, efficiently and without charge, to Agency for use in performing its official functions; and

WHEREAS, Agency acknowledges and agrees that access to the GIS and/or Assessor Data is conditioned upon the agreement that access is provided as set forth in this Agreement solely for use in performing the official functions of the Agency, and that any other use, alteration, sale, dissemination, lease or transfer of the GIS and/or Assessor Data by Agency, or by any employee or agent of same, without written consent of the CCAO is strictly prohibited, and shall be deemed to warrant immediate termination of this Agreement, as well as entitle the CCAO to pursue any other remedies to which it is entitled.

NOW, THEREFORE, in consideration of the mutual promises and covenants and the terms and conditions hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

SECTION 1. INCORPORATION OF RECITALS.

The foregoing recitals are incorporated into and made a part of this Agreement as if fully set forth herein.

SECTION 2. STATEMENT OF OFFICIAL PURPOSES; RESTRICTIONS ON USE.

For purposes of this Agreement, Agency represents and warrants as its official purpose for access to the GIS and Assessor Data as stated in Exhibit A and incorporated herein. Agency agrees that access to the

GIS and/or Assessor Data is conditioned upon and provided as set forth in this Agreement solely for its use in performing its official purposes (as described in Exhibit A). Any other use of the GIS or Assessor Data, without express written consent of the CCAO, is strictly prohibited, including the display, sale, transfer, lease, dissemination or lease of the GIS or Assessor Data in any location or manner in its current form, derivative or altered form, or otherwise. Any such prohibited use shall be deemed to be a breach which warrants immediate termination of this Agreement. This Section shall survive the termination of this Agreement.

SECTION 3. INFORMATION PROVIDED.

The CCAO agrees to provide Agency access to the GIS and Assessor Data only upon the conditions and based upon the representations and warranties set forth in this Agreement. In order to obtain specific Assessor Data, Agency must request Assessor Data by filing the attached exhibits with the Department of Automation of the CCAO (each such request, an “Information Request”). Each Information Request is subject to approval of the CCAO.

SECTION 4. LIMITED LICENSE TO USE.

Subject to the provisions of this Agreement, the CCAO hereby grants to Agency a non-exclusive, non-transferable license to use the Assessor Data only as specifically provided for in this Agreement. Agency acknowledges that the title, copyright and all other rights to the GIS and Assessor Data remain with the CCAO and/or Cook County. Neither Agency nor any other authorized user shall have any right, title or interest in the GIS or Assessor Data except as expressly described herein. The CCAO reserves the right to withdraw from the GIS and/or Assessor Data any item or part of an item for which it no longer retains ownership rights or which it has reasonable grounds to believe infringes copyright or is unlawful or otherwise objectionable.

SECTION 5. TERM AND EXTENSION.

This Agreement is for one year, effective from the date of execution. It will be extended annually for terms of one year each, unless, at least 30 days prior to the expiration of any term, either party notifies the other in writing of its intent not to renew the Agreement.

SECTION 6. DISCLAIMER OF WARRANTIES.

The GIS and the Assessor Data is provided “as is” without any warranty or representation whatsoever, including any representation as to accuracy, timeliness, completeness, infringement of rights of privacy, copyright or trademark rights or disclosure of confidential information. All burdens, including any burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use, rests solely on Agency and/or the requester. The CCAO and Cook County make no warranties, express or implied, as to the use of the GIS. There are no implied warranties of merchantability or fitness for a particular purpose. There is no warranty to update any of the information provided hereunder. THE CCAO AND COOK COUNTY EXPRESSLY DISCLAIMS ANY AND ALL REPRESENTATIONS OR WARRANTIES (EXPRESS OR IMPLIED, ORAL OR WRITTEN) RELATING TO THE GIS AND/OR ASSESSOR DATA, INCLUDING BUT NOT LIMITED TO ANY AND ALL IMPLIED WARRANTIES OF QUALITY, PERFORMANCE, ACCURACY, COMPLETENESS, MERCHANTABILITY OR FITNESS FOR A PARTICULAR

PURPOSE. Agency acknowledges and accepts the limitations of the GIS and the Assessor Data, including the fact that the GIS and Assessor Data are dynamic and are in a constant state of maintenance, correction and update.

SECTION 7. LIMITATION OF LIABILITY.

AGENCY EXPRESSLY AGREES THAT NO MEMBER, OFFICIAL, EMPLOYEE, REPRESENTATIVE OR AGENT OF THE CCAO OR COOK COUNTY, OR THEIR RESPECTIVE SUCCESSORS, HEIRS OR ASSIGNS, SHALL BE LIABLE, WHETHER INDIVIDUALLY OR PERSONALLY OR OTHERWISE, TO AGENCY OR ANY OTHER PERSON OR ENTITY, OR THEIR RESPECTIVE SUCCESSORS, HEIRS OR ASSIGNS, FOR ANY LOSS OR CLAIM, INCLUDING BUT NOT LIMITED TO ANY SPECIAL, INDIRECT, INCIDENTAL, EXEMPLARY OR CONSEQUENTIAL DAMAGES OR LOSS OF GOODWILL DATA OR IN THE EVENT OF ANY DEFAULT OR BREACH BY THE CCAO UNDER THIS AGREEMENT OR ANY INACCURACY OF THE GIS OR ASSESSOR DATA, IN ANY WAY ARISING FROM OR RELATING TO THIS AGREEMENT OR RESULTING FROM THE USE OR INABILITY TO USE THE GIS AND/OR ANY ASSESSOR DATA.

SECTION 8. AGENCY INDEMNIFICATION.

Agency agrees to hold harmless and indemnify the CCAO and Cook County, its commissioners, officers, agents, employees, representatives and affiliates, and their respective heirs, successors and assigns, from and against, and defend, at its own expense (including reasonable attorneys', accountants' and consultants' fees), any suit, claim, action or proceeding brought by any third party against the CCAO, Cook County or any commissioner, officer, agent, employee, representative or affiliate of the CCAO or Cook County arising out of or incident to the performance or nonperformance of this Agreement by CCAO, Cook County, Agency or any other entity. To the extent that the CCAO or Cook County incurs administrative expenses including attorneys' fees during Agency's defense of any claim, Agency shall reimburse the CCAO or Cook County, as appropriate, for all such expenses. The provisions of this Section shall survive the termination of this Agreement.

SECTION 9. APPLICABLE LAW.

This Agreement shall be interpreted and construed in accordance with, and governed by, the laws of the State of Illinois, excluding any such laws that might direct the application of the laws of another jurisdiction. Venue shall be in a court of competent jurisdiction located within the County of Cook, Illinois. The CCAO and Agency each acknowledge the existence of state and other applicable law defining the duties and responsibilities of each party regarding real estate taxation and other governmental functions. No part of this Agreement has the effect of or is intended to impact any applicable legal duty of either party under existing law, especially the Illinois Property Tax Code, 35 ILCS 200/1 *et seq.* Both parties remain responsible under applicable law for performing all stated duties and responsibilities.

SECTION 10. CONFIDENTIALITY.

Agency acknowledges and agrees that information regarding this Agreement, and portions of the GIS and Assessor Data and other information disclosed hereunder, is confidential and shall not be disclosed, directly, indirectly or by implication, or be used by Agency in any way, whether during the term of this Agreement or any time thereafter, except solely in accordance with the official purposes set forth above. All such Assessor Data and the GIS shall be treated in confidential manner, except as otherwise expressly stated in a written document.

SECTION 11. MISCELLANEOUS.

- (a) This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, understandings, negotiations and discussions, whether oral or written, in relation to the matters dealt with herein. There are no representations, warranties, collateral agreements or conditions to this Agreement, except as expressly stated in this Agreement.
- (b) The section headings are for reference and information purposes only, and shall not affect in any way the meaning or interpretation of this Agreement. References to singular shall include the plural and to plural shall include the singular. References to a person shall include a corporate or government body. Words such as "including" and similar expressions shall not be read as words of limitation.

IN WITNESS WHEREOF, the parties have executed this Agreement by their respective authorized representatives as of the date first written above.

**COOK COUNTY
ASSESSOR'S OFFICE**

Michael Stone
Chief Deputy Assessor
Cook County Assessor's Office

Signature:
Robert L. Bahan

Print Name
Title: Village Manager
Agency Name: Village of Winnetka

Telephone Number:
(847) 716-3541

Exhibit A: Statement of Official Purpose

Our community's GIS system holds over 300 feature classes, many of which are supported by county GIS data. This request for county GIS data helps keep our data current, supports our processes of creating and viewing maps, selecting and querying database information, analyzing geographic data, using directly with other community data, deriving additional information, and displaying in community applications.

Exhibit B: Assessment Data

Village of Winnetka (“Agency”) hereby requests access to **assessment data** in accordance with the Agreement, dated April 7 2011, between Agency and the Cook County Assessor’s Office (the “**CCAO**”).

The CCAO has developed a file of assessment data, which is maintained on the Cook County Mainframe. The CCAO will make the file of assessment data available to Agency, subject to the terms and restrictions and limitations as set forth in the Agreement. A data dictionary is available upon request.

Agency requests assessment data based on the following geographic area (select area by completing one of the blanks below):

Tax Codes: _____

Municipality: Village of Winnetka
with a one mile buffer

Permanent Index Number range: Attach additional sheet if necessary

Township: _____

Requested by

Name: Robert L. Bahan

Signature: _____

Date: April 7 2011

Exhibit C: Property Images

Village of Winnetka ("Agency") hereby requests access to **property images** in accordance with the Agreement, dated April 7 2011, between Agency and the Cook County Assessor's Office (the "CCAO").

The CCAO has developed a computerized database of property images. The CCAO will make this computerized database of property images available to Agency in JPEG format, subject to the terms and restrictions and limitations as set forth in the Agreement. In addition to the property images, the CCAO will provide a file containing Permanent Index Number(s), property image capture date, and a list of Permanent Index Number(s) that have no property image assigned. A data dictionary is available upon request.

Agency requests assessment data based on the following geographic area (select area by completing one of the blanks below):

- Permanent Index Number range: Attach additional sheet if necessary

- Municipality: _____
- Year 1998 Photos
- Year 2007 Photos

Not requested

Requested by

Name: Robert L. Bahan

Signature: _____

Date: April 7 2011

Exhibit D: Digital Orthophotography (Aerial Photos)

Village of Winnetka _____ (“Agency”) hereby requests access to **digital orthophotography (aerial photos)** in accordance with the Agreement, dated April 7 2011, between Agency and the Cook County Assessor’s Office (the “CCAO”).

The CCAO has developed a computerized database of digital orthophotography (aerial photos). The computerized database of digital orthophotography for Cook County contains 4,486 tiles. The CCAO will make the computerized database of digital orthophotography available to Agency, subject to the terms and restrictions and limitations as set forth in the Agreement. The digital orthophotography will be provided in .tif or .sid format. In addition to the digital orthophotography, the CCAO will provide a shapefile containing an index of all the tiles for Cook County. Metadata is available upon request.

Agency requests assessment data based on the following geographic area (select area by completing one of the blanks below):

Municipality: _____

Township: _____

Year 1998 Photos

Year 2003 Photos

Not requested

Requested by

Name: Robert L. Bahan

Signature: _____

Date: April 7 2011

Exhibit E: Planimetric data

Village of Winnetka ("Agency") hereby requests access to **planimetric data** in accordance with the Agreement, dated April 7 2011, between Agency and the Cook County Assessor's Office (the "CCAO").

The CCAO has developed a computerized database of geographic information system (GIS). This computerized database consists of both planimetric data and cadastral data. The CCAO will make the computerized database of planimetric data available to Agency, subject to the terms and restrictions and limitations as set forth in the Agreement. The planimetric data is maintained using ESRI's ArcGIS software and is in a geodatabase format specific to ESRI's product line. Metadata is available upon request.

Agency requests assessment data based on the following geographic area (select area by completing one of the blanks below):

Permanent Index Number range: Attach additional sheet if necessary

Municipality: _____

Township: _____

Not requested

Requested by

Name: Robert L. Bahan

Signature: _____

Date: April 7 2011

Exhibit F: Cadastral data

Village of Winnetka (“Agency”) hereby requests access to **cadastral data** in accordance with the Agreement, dated April 7 2011, between Agency and the Cook County Assessor’s Office (the “**CCAO**”).

The CCAO has developed a computerized database of geographic information system (GIS). This computerized database consists of both planimetric data and cadastral data. The CCAO will make the computerized database of cadastral data available to Agency, subject to the terms and restrictions and limitations as set forth in the Agency Agreement. The cadastral data is maintained using ESRI’s ArcGIS software and is in a geodatabase format specific to ESRI’s product line. Metadata is available upon request.

Agency requests assessment data based on the following geographic area (select area by completing one of the blanks below):

Permanent Index Number range: Attach additional sheet if necessary

Municipality: _____

Township: _____

Not requested

Requested by

Name: Robert L. Bahan

Signature: _____

Date: April 7 2011

Exhibit G: Digital Terrain data

Village of Winnetka ("Agency") hereby requests access to **digital terrain data** in accordance with the Agreement, dated April 7 2011, between Agency and the Cook County Assessor's Office (the "CCAO").

The CCAO has developed a computerized database of geographic information system (GIS). This computerized database includes digital terrain data. The CCAO will make the computerized database of digital terrain data available to Agency, subject to the terms and restrictions and limitations as set forth in the Agency Agreement.

Agency requests assessment data based on the following geographic area (select area by completing one of the blanks below):

Municipality: _____

Township: _____

Not requested

Requested by

Name: Robert L. Bahan

Signature: _____

Date: April 7 2011

Exhibit H: Lidar data

Village of Winnetka ("**Agency**") hereby requests access to **lidar data** in accordance with the Agreement, dated April 7 2011, between Agency and the Cook County Assessor's Office (the "**CCAO**").

The CCAO has developed a computerized database of geographic information system (GIS). This computerized database includes lidar data. The CCAO will make the computerized database of digital terrain data available to Agency, subject to the terms and restrictions and limitations as set forth in the Agency Agreement.

Agency requests assessment data based on the following geographic area (select area by completing one of the blanks below):

Municipality: _____

Township: _____

Not requested

Requested by

Name: Robert L. Bahan

Signature: _____

Date: April 7 2011

Exhibit I: Oblique Aerial Imagery

Village of Winnetka (“Agency”) hereby requests access to **oblique aerial imagery** in accordance with the Agreement, dated April 7 2011, between Agency and the Cook County Assessor’s Office (the “**CCAO**”).

The CCAO has developed a computerized database of geographic information system (GIS). This computerized database includes Oblique Aerial Imagery data. The CCAO will make the computerized database of Oblique Aerial Imagery data available to Agency, subject to the terms and restrictions and limitations as set forth in the Agency Agreement.

Agency requests assessment data based on the following geographic area (select area by completing one of the blanks below):

Municipality: _____

Township: _____

Not requested

Requested by

Name: Robert L. Bahan

Signature: _____

Date: April 7 2011



April 7 2011
Cook County Assessor's Office
Attn: Chief Legal Counsel
118 North Clark Street
Room 312
Chicago, Illinois 60602

Re: Consultant Letter
Inter-Agency Agreement between the Cook County Assessor's Office and
Village of Winnetka _____ ("Agency"), dated April 7 2011

Dear Chief Legal Counsel:

This letter concerns the agreement listed above (the "Agreement") and is an acknowledgement by MGP, Inc. ("Consultant") of its obligations under the Agreement.

Consultant has received and reviewed the Agreement, pursuant to which the Cook County Assessor's Office has agreed to provide certain data to Agency. Consultant wishes to receive such data on behalf of Agency as agent for Agency and agrees at all times to act in accordance with the Agreement, including, but not limited to, the data request procedures described in the Exhibits to the Agreement. Without affecting the liability of Agency under the Agreement, Consultant agrees to indemnify the Cook County Assessor's Office for breaches by Consultant of the Agreement as if Consultant were an original party to the Agreement (replacing the word Agency with Consultant), all in accordance with Section 8 of the Agreement.

This letter is being given by Consultant to induce the Cook County Assessor's Office to deliver to Consultant such data or to have such data forwarded to Consultant.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas A. Thomey", written over a light blue horizontal line.

Thomas A. Thomey
President, MGP, Inc.



April 7 2011
Cook County Assessor's Office
Attn: Chief Legal Counsel
118 North Clark Street
Room 312
Chicago, Illinois 60602

Re: Consultant Letter
Inter-Agency Agreement between the Cook County Assessor's Office and
Village of Winnetka ("Agency"), dated April 7 2011

Dear Chief Legal Counsel:

This letter concerns the agreement listed above (the "Agreement") and is an acknowledgement by the GIS Consortium ("Consultant") of its obligations under the Agreement.

Consultant has received and reviewed the Agreement, pursuant to which the Cook County Assessor's Office has agreed to provide certain data to Agency. Consultant wishes to receive such data on behalf of Agency as agent for Agency and agrees at all times to act in accordance with the Agreement, including, but not limited to, the data request procedures described in the Exhibits to the Agreement. Without affecting the liability of Agency under the Agreement, Consultant agrees to indemnify the Cook County Assessor's Office for breaches by Consultant of the Agreement as if Consultant were an original party to the Agreement (replacing the word Agency with Consultant), all in accordance with Section 8 of the Agreement.

This letter is being given by Consultant to induce the Cook County Assessor's Office to deliver to Consultant such data or to have such data forwarded to Consultant.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Duddles", written over a horizontal line.

Jon Duddles
President, GIS Consortium



VILLAGE OF WINNETKA

Incorporated in 1869

April 7 2011
Cook County Assessor's Office
Attn: Chief Legal Counsel
118 North Clark Street
Room 312
Chicago, Illinois 60602

Re: Agency Letter
Inter-Agency Agreement between the Cook County Assessor's
Office and Village of Winnetka ("Agency"),
dated April 7 2011

Dear Chief Legal Counsel:

This letter concerns the agreement listed above (the "Agreement") and is a request that either the Cook County Assessor's Office send Assessor Data (as that term is defined in the Agreement) directly to Municipal GIS Partners, Inc, ("Consultant") or that Agency be allowed to forward Assessor Data to Consultant directly or through one of its agents.

Agency hereby authorizes Consultant to act for Agency and in Agency's name with respect to those certain Exhibits attached to the Agreement, including, but not limited to, the completion and execution of such Exhibits. Agency will at all times remain liable under the Agreement and any Exhibits, including, but not limited to, any Exhibits completed and executed by Agency and/or Consultant, subject to the terms of the Agreement.

This letter is being written to induce the Cook County Assessor's Office to deliver Assessor Data to Consultant or to grant permission that Agency be allowed to forward Assessor Data to Consultant.

Sincerely,

Robert L. Bahan

510 Green Bay Road, Winnetka, Illinois 60093
Administration and Finance (847) 501-6000 Fire (847) 501-6029 Police (847) 501-6034
Public Works (847) 716-3568 Water and Electric (847) 716-3558 www.villageofwinnetka.org



VILLAGE OF WINNETKA

Incorporated in 1869

April 7 2011

Cook County Assessor's Office
Attn: Chief Legal Counsel
118 North Clark Street
Room 312
Chicago, Illinois 60602

Re: Cover Letter

**Inter-Agency Agreement between the Cook County Assessor's Office and
Village of Winnetka ("Agency"), dated April 7 2011**

Dear Chief Legal Counsel:

Please accept this letter and attachments in consideration of the Inter-Agency Agreement between the Cook County Assessor's Office and the Village of Winnetka

The Village of Winnetka is a local government within Cook County. I have full authority to act on behalf of the Village of Winnetka

We participate in an organization called the GIS Consortium which was formed in 1998 to help small- and medium-size communities realize the full benefits of Geographic Information Systems (GIS). The GIS Consortium consists of only local government members, of which the majority are located in Cook County. Each community possesses its own hardware and software, and all activities relating to the use of this data are performed under the direct supervision of the communities.

Our community's GIS system holds over 300 feature classes, many of which are supported by county GIS data. This request for county GIS data helps keep our data current, and supports our processes of creating and viewing maps, selecting and querying database information, analyzing geographic data, using directly with other community data, deriving additional information, and displaying in community applications.

I want to ensure you that the use of this information is limited as required by the county agreements. If you have any additional requirements or questions, please call me at or contact me by email at rbahan@winnetka.org

Sincerely,

Robert L. Bahan

510 Green Bay Road, Winnetka, Illinois 60093

Administration and Finance (847) 501-6000 Fire (847) 501-6029 Police (847) 501-6034
Public Works (847) 716-3568 Water and Electric (847) 716-3558 www.villageofwinnetka.org

AGENDA REPORT

SUBJECT: MC-3-2011 – Amending Title 3 of the Village Code as It Pertains to the Membership, Powers and Duties of Certain Boards and Commissions

PREPARED BY: Katherine S. Janega, Village Attorney

REFERENCE: March 22, 2011 Council Meeting, pp. 125 - 154

DATE: April 1, 2011, 2011

Following several months of discussion, the Council introduced Ordinance MC-3-2011, an ordinance that would restructure the Plan Commission, the Business Community Development Commission and the Environmental and Forestry Commission, modify their respective powers and duties, and provide for increased communication between those three advisory bodies and the Village Council. In addition, the amendments would confirm the Council's role as the Village's policy making body and provide for more efficient use of the Village's professional and clerical staff.

Pursuant to Council discussion at the time of introduction, the draft of MC-3-2011 has been further refined, as follows:

- Section 3.02.030 has been modified to include references to statutory authority. This reference will allow Chapter 3.02 to govern all boards and commissions without requiring extensive amendments to boards with independent statutory authority, such as the Foreign Fire Insurance Board, the Board of Local Improvements, and the Emergency Services and Disaster Agency.
- The powers and duties of the Environmental and Forestry Commission have been restructured, with separate subsections for functions related to Urban Forestry and to Environmental Stewardship.
- The powers and duties of the Environmental and Forestry Commission have been rephrased to require mutual communication and cooperation between the Commission and the Village Council and, where appropriate, Village professional staff. This rephrasing replaces the prior draft language that made the exercise of most powers subject to the direction of the Village Council, which could have been seen as discouraging the Commission from presenting proposals to the Council.
- The powers and duties of the Plan Commission have been amended to include an annual review of Appendix 6 to the Comprehensive Plan.
- The provisions pertaining to the Chamber of Commerce representative on the Business Community Development Commission have been amended, to require that the Chamber's representative be a Village resident who is either Executive Director or a member of the Chambers board.

- The meeting provisions for all three bodies now provide that they meet once a month or at the call of the chair.

Since the ordinance was introduced, the Village Attorney and other members of the Village staff have received comments and inquiries from some board and commission members that indicate that there may still be open issues to be resolved before the ordinance can be adopted. In each instance, Village staff has advised the persons making the inquiry to direct their comments to the Village Council. (A copy of written comments submitted by the Library District's representative on the Plan Commission follows the updated draft of Ordinance MC-3-2011.)

In addition, as noted at the time of introduction, the Village's professional planning staff has expressed concern about eliminating the Zoning Board of Appeals representative from the Plan Commission, because the ZBA member is the primary link between the two bodies in identifying the potential zoning impact of planning decisions, and vice versa. While the Village's planners staff also assists in this capacity, the work loads and scheduling of the two bodies make it necessary for them to be staffed by different planners, increasing the value of the common voice provided by the ZBA's representative.

Recommendation:

- 1) Provide further policy direction on the membership, powers and duties of the Plan Commission, Environmental and forestry Commission and Business Community Development Commission.
- 2) Consider amending Ordinance MC-3-2011, as indicated in the agenda materials.
- 3) A. Consider adopting Ordinance MC-3-2011 as amended
OR
B. Direct the Village Attorney to make further amendments to Ordinance MC-3-2011.

ORDINANCE NO. MC-3-2011

**AN ORDINANCE
AMENDING TITLE 3 OF THE WINNETKA VILLAGE CODE
AS IT PERTAINS TO THE MEMBERSHIP, POWERS AND DUTIES
OF CERTAIN BOARDS AND COMMISSIONS**

WHEREAS, Title 3 of the Winnetka Village Code, “Boards and Commissions,” establishes several subordinate boards and commissions, defines the scope of their authority and charges them with advising the Village Council on various matters lying within the scope of their authority; and

WHEREAS, at study sessions in November of 2010 and January and March of 2011, the Village Council considered various issues pertaining to the Village Council’s advisory boards and commissions, including the structure, membership and authority of the boards and commissions, and improving communications between the boards and commissions and the Village Council; and

WHEREAS, the Village Council has determined that certain provisions of Title 3 should be amended so as to (i) preserve and enhance the Village Council’s role as the policy making body of the Village of Winnetka, (ii) clarify the role of the advisory boards and commissions in assisting in developing Village policy, and (iii) make the most efficient use of the Village Council, the interest and expertise of the advisory boards and commissions, and of the Village staff that provides professional assistance and clerical support to the Village Council and its subordinate bodies; and

WHEREAS, the Village of Winnetka (“Village”) is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and, except as limited by that provision, has the authority to exercise any power and perform any function pertaining to the government and affairs of the Village, including the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the Village Council finds that establishing subordinate boards and commissions, and defining their structure and membership, as well as their powers and duties, are matters pertaining to the government and affairs of the Village; and

WHEREAS, the Village Council find and determine that it is in the best interests of the general health, safety and welfare of the Village of Winnetka that provisions of Title 3 of the

Winnetka Village Code pertaining to certain boards, commissions and committees, be amended as provided herein.

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

SECTION 1: The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: Chapter 3.02, of Title 3 of the Winnetka Village Code, titled “Meetings of Boards, Commission and Committees,” is hereby retitled “General Provisions” and is amended to provide as follows:

Chapter 3.02

GENERAL PROVISIONS

MEETINGS OF BOARDS, COMMISSIONS AND COMMITTEES

Sections:

3.02.010 Open Meetings

3.02.020 Meeting Attendance

3.02.030 Limitation on Powers and Authority

3.02.040 Professional Staff Support

3.02.050 Applicability

Section 3.02.010 Open Meetings

It is the policy of the Village of Winnetka that all meetings of all boards, commissions and committees ~~Boards, Commissions and Committees~~ of the Village, and all committees and subcommittees thereof, of such ~~Boards, Commissions and Committees~~, shall be held in accordance with the provisions of the Illinois Open Meetings Act.

(MC-8-2007, Added, 06/05/2007)

Section 3.02.020 Meeting Attendance

A. Attendance in Person. It is the policy of the Village of Winnetka that the members of all boards, commissions and committees ~~Boards, Commissions and Committees~~ of the Village, and all committees and subcommittees thereof, of such ~~Boards, Commissions and Committees~~, shall attend meetings of their respective bodies in person, notwithstanding any statutes of the State of Illinois permitting attendance by some means other than physical presence at the location of the meeting.

B. Rules Governing Attendance. No board, commission or committee ~~Board, Commission or Committee~~ of the Village, nor any committee or subcommittee of thereof, ~~such Board, Commission or Committee,~~ shall have the power or discretion to establish

rules permitting any of their members to attend meetings by any means other than by their physical presence, unless the Village Council has specifically granted such power and discretion ~~is specifically enumerated~~ in the enumerated powers set forth in the chapter of this Title pertaining to ~~of such board, commission or committee or committee or subcommittee thereof.~~ ~~Board, Commission or Committee set forth in this Title.~~

(MC-8-2007, Added, 06/05/2007)

Section 3.02.030 Limitation of Powers and Authority

A. No board, commission or committee of the Village, and no committee or subcommittee thereof, shall have the power or authority to advertise for bids, to request proposals for work, to enter into a contract, to purchase any goods or services, or to encumber or expend Village funds unless one of the following conditions exists:

1. the Village Council has specifically granted such power and discretion in the enumerated powers set forth in the chapter of this Title pertaining to such board, commission or committee or committee or subcommittee thereof;

2. the Village Council has specifically granted such power or authority in an open meeting of the Village Council; or

3. the board or commission is created pursuant to State law and such power either has been granted pursuant to statute or is necessary to the performance of such board's or commission's statutory duties.

B. No board, commission or committee of the Village, and no committee or subcommittee thereof shall have the power or authority to create other committees or subcommittees to assist such board, commission or committee in the performance of its work, unless directed by the Village Council or, if time is of the essence, by the Village President, subject to ratification by the Village Council at its next meeting.

C. Notwithstanding the foregoing, any board, commission, or committee of the Village, and any committee or subcommittee thereof, may request additional power or authority from the Village Council at any time, provided such request is for a specific purpose related to the duties of requesting body.

Section 3.02.040 Staff Liaisons

The Village Manager shall have the authority and discretion to assign such Village staff as is necessary to provide professional and technical assistance, to provide clerical support, and to serve as a liaison between the Village administration and each board, commission or committee established pursuant to this Title 3 of the Village Code.

Section 3.02.050 Applicability

A. The provisions of this Chapter shall apply to all boards and commissions established pursuant to this Title 3 of the Village Code, to all boards and commissions of the Village established by State law and to all standing committees and ad hoc committees established by the Village Council. The provisions of this Chapter shall also apply to all committees and subcommittees of any of the foregoing, whether such committee or subcommittee is established by such board or commission or by State law, this Code, or other act of the Village Council.

SECTION 3: Chapter 3.04 of Title 3 of the Winnetka Village Code, titled “Environmental and Forestry Commission,” is hereby amended to provide as follows:

Chapter 3.04

ENVIRONMENTAL AND FORESTRY COMMISSION

Sections:

- 3.04.010 Creation; Members; Compensation**
- 3.04.020 Officers**
- 3.04.030 Vacancies**
- 3.04.040 Meetings; Vote; Quorum**
- 3.04.050 Powers and Duties**

Section 3.04.010 Creation; Members; Compensation

A. Creation of Commission. There is created an Environmental and Forestry Commission, which shall have such powers and perform such duties as provided in this chapter.

B. Members; Appointment. The Commission shall consist of seven voting members and one or more student members, all of whom shall be appointed by the Village President, with the advice and consent of the Trustees, plus ~~two~~one ex officio members who shall be appointed as provided in subsection D, below.

C. Appointed Members; Qualifications; Term of Office.

1. Qualifications. The seven voting members of the Commission shall be residents of the Village. ~~In addition, one of the appointed voting members shall be a member of the Plan Commission.~~ Each student member shall be a high school junior or senior, or an undergraduate college student, who either resides in or attends school in the Village. All members of the Commission shall have experience, training or a demonstrable interest in such areas as environmental science, forestry, ecology, energy conservation, tree preservation, education, pollution control, engineering, science and public health.

2. Term of Office. Subject to the additional limitations set forth in the following paragraph 3, each appointed member other than the student appointee(s) shall serve for a term of three years and until a successor is appointed and qualified. The terms of the appointed members shall be staggered so that the term of two appointed members expire in one year, the term of two other appointed members expire the following year and the term of the remaining three appointed members expire the next following year. No appointed member other than the student appointee shall serve more than two full terms consecutively.

3. Term of ~~Representative-Ex Officio~~ Members. ~~The Plan Commission representative and any other members of the Commission who are representatives of another board or commission (the "representative members")~~ The Village Trustee who serves as an ex officio member; shall not serve on the ~~Environmental and Forestry Commission beyond the termination of their-his or her service in the office of Trustee, whether the Trustee's service in office has terminated~~ respective memberships on the Plan Commission or other board or commission, whether by due to the expiration of ~~that the Trustee's~~ term, ~~by~~ resignation or ~~by~~ some other cause.

4. Student Member(s). The student member(s) shall be appointed in September of each year and shall serve through the month of August of the following year, and until a successor is appointed and qualified. Any student member may serve consecutive terms, without limitation, provided the student continues to meet the qualifications for appointment. For purposes of this section, if a student who is appointed while he or she is enrolled as a full time student in high school or college, the student's enrollment shall be presumed to continue through the summer immediately following the academic year of appointment, regardless of whether the student enrolls for summer studies or has graduated.

D. Ex Officio Members. One Village Trustee shall be designated by the Village President to serve as an ex officio member of the Commission. ~~shall be a Village Trustee and shall be designated by the Village President. One ex officio member shall be a member of the Winnetka Park District Board and shall be designated by that Board, according to its own procedures.~~

E. No Compensation. All members of the Commission shall serve without compensation for those services.

(MC-14-2009, Amended, 11/17/2009; MC-8-2009, Amended, 09/01/2009; MC-3-2008, Amended, 06/03/2008; MC-4-2005, Amended, 09/06/2005)

Section 3.04.020 Officers

A. Chairperson. The Village President shall designate one of the members of the Commission to serve as Chairperson of the Commission. The Chairperson shall hold that office until the Village President designates another member to be Chairperson or until the Chairperson is no longer a member of the Commission, whichever is later.

B. Secretary. The Village Manager shall appoint one or more employees of the Public Works Department and/or Water and Electric Department to serve as Secretary to the Commission.

(MC-3-2008, Amended, 06/03/2008; MC-4-2005, Amended, 09/06/2005)

Section 3.04.030 Vacancies

Any vacancy on the Commission ~~occurring~~ shall be filled for the remainder of the former member's unexpired term in the same manner as provided for in the original appointment of a member.

(MC-3-2008, Amended, 06/03/2008; MC-4-2005, Amended, 09/06/2005)

Section 3.04.040 Meetings; Vote; Quorum

A. Meetings. Meetings of the Commission shall be held once each month or at the call of the Chair. All meetings shall be open to the public and shall be conducted in accordance with the Open Meetings Act and Chapter 3.02 of this code. The Commission shall keep minutes of its proceedings and shall keep records of all other official actions.

(MC-8-2007, Amended, 06/05/2007)

B. Vote. The student member(s) and the ~~two~~ ex officio members of the Commission shall not be entitled to vote. All other members of the Commission shall be voting members.

C. Quorum. A majority of the voting members of the Commission shall constitute a quorum.

(MC-14-2009, Amended, 11/17/2009; MC-3-2008, Amended, 06/03/2008)

Section 3.04.050 Powers and Duties

The Commission shall have the following powers and duties:

A. Urban Forestry.

1. To act in an advisory capacity to advise the Village Council on matters relating to urban forestry, including the enhancement and preservation of trees in the Village, and methods to mitigate threats to trees in the Village such as Dutch elm disease and the emerald ash borer;

2. After consultation and coordination with the Village Council and Village professional staff, to make recommendations to the Village Council regarding amendments to the provisions of Tree Preservation Code, Chapter 15.28 of this code;

3. To apply annually for Tree City U.S.A. designation or other awards and incentives recognizing the Village or any portion of the Village for its trees or forestry;

3. To provide advice and mediation in disputes concerning the maintenance or removal of trees in the Village when requested by all parties to a dispute;

4. To determine, at the request of the Director of Public Works, whether an application for a permit to remove a tree under Section 15.28.040 (B)(6) meets the requirement of that subsection that the removal of the tree will avoid or alleviate an economic hardship or hardship of another nature on the property or residence; and

5. To hear and decide appeals from the action of the Director of Public Works denying a permit to remove a tree pursuant to Section 15.28.040 of this Village code, in accordance with the procedures set out in Section 15.28.090.

B. Environment Stewardship

1. To act in an advisory capacity to advise the Village Council on matters relating to the protection of the environment, and the conservation of energy, and the preservation, conservation, enhancement and protection of the quality of the Village's natural resources, including issues related to pollution and recycling;

2. After consultation and coordination with the Village Council, to make recommendations to the Village Council regarding the improvement of private energy stewardship by the Village's residents and businesses, including strategies for energy conservation, reduced energy consumption and access to renewable energy sources; and

3. After consultation and coordination with the Village Council and Village professional staff, to make recommendations to the Village Council regarding the adoption of "green" building strategies for public and private development and redevelopment, such as the *Leadership in Energy and Environmental Design Program* developed by the U.S. Green Building Council.

~~— C. To advise the Village Council on possible amendments to this Village code regarding environmental and forestry matters;~~

~~— D. To develop and recommend policy concerning the selection, planting, maintenance and removal of trees on Village-owned property;~~

~~— E. To consider and determine the propriety of removing trees on Village-owned property, except during emergencies or when a tree poses an immediate threat to the public health, safety or welfare;~~

~~— F. To assist the Village and its officials in developing and recommending policies relating to the protection of the environment and the protection, maintenance and improvement of the Village's tree population, including recommendations pertaining to the Tree Preservation Code set forth in Chapter 15.28 of this Village code;~~

C. Technical Assistance and Information Services

1. G. To assist In consultation and coordination with the Village Council and Village professional staff, to assist its officials in disseminating information about

protection of the environment, the conservation of energy, and the protection, maintenance and improvement of the Village's tree population;

2. To work in consultation and cooperation with the Plan Commission in the Plan Commission's review and updating of the Comprehensive Plan on matters pertaining to the protection of the environment and to make recommendations to the Plan Commission for amendments to the Comprehensive Plan pertaining to the protection, maintenance and improvement of the Village's tree population, including updating Chapter XIV, "Street Tree Planting," of the Winnetka Comprehensive Plan; and

3. After consultation and coordination with the Village Council and Village professional staff, to act as a liaison between the Village and other local governmental, public and private agencies, such as the Winnetka Park District, area schools, Great Lakes Commission and Chicago Wilderness, for the purpose of obtaining information on matters related to the foregoing powers and duties of the Commission.

~~— H. To apply annually for Tree City U.S.A. designation or other awards and incentives recognizing the Village or any portion of the Village for its trees or forestry;~~

~~— I. To review and make recommendations to Village staff on all Village plans for streets, utility, and other public improvement projects that impact public trees;~~

~~— J. To provide advice and mediation in disputes concerning the maintenance or removal of trees in the Village when requested by all parties to a dispute;~~

~~— K. To assist the Plan Commission in reviewing and updating the Comprehensive Plan on matters pertaining to the protection of the environment and the protection, maintenance and improvement of the Village's tree population, including updating Chapter XIV, "Street Tree Planting," of the Winnetka Comprehensive Plan;~~

~~— L. To determine, at the request of the Director of Public Works, whether an application for a permit to remove a tree under Section 15.28.040 (B)(6) meets the requirement of that subsection that the removal of the tree will avoid or alleviate an economic hardship or hardship of another nature on the property or residence;~~

~~— M. To hear and decide appeals from the action of the Director of Public Works denying a permit to remove a tree pursuant to Section 15.28.040 of this Village code, in accordance with the procedures set out in Section 15.28.090;~~

~~(Ord. MC 228-99 § 4 (part), 1999; prior code § 6.09)~~

~~— N. To engage in such other activities, studies and educational programs related to environmental protection, energy conservation, tree preservation and urban forestry as may be requested by the Village President or the Village Council from time to time;~~

~~— O. To make recommendations to the Village Council on programs and methods for increasing public awareness of environmental and energy issues;~~

~~— P. To make policy recommendations to the Village Council to preserve, conserve, enhance and protect the quality of our land, air and water, including issues related to pollution and recycling;~~

~~— Q. To make policy recommendations to improve public and private energy stewardship within the Village, including strategies for energy conservation, reduced energy consumption, the development of renewable energy sources;~~

~~— R. To make policy recommendations regarding the adoption of “green” building strategies for public and private development and redevelopment, such as the *Leadership in Energy and Environmental Design Program* developed by the U.S. Green Building Council; and~~

~~— S. To act as a liaison between the Village and other local governmental, public and private agencies, such as the Winnetka Park District, area schools, Great Lakes Commission and Chicago Wilderness to learn how they deal with matters of interest to the Environmental and Forestry Commission and to share information pertaining to those matters.~~

D. To report to the Village Council from time to time on the work of the Commission, including but not limited to (i) presenting a report to the Village Council in an open session of the Village Council at least once each calendar year, and (ii) submitting such other and additional reports as the Village Council, in the exercise of its discretion and authority, may direct from time to time; and

E. To perform such other duties and responsibilities as directed by the Village Council or as otherwise required by ordinance or statute.

(MC-3-2008, Amended, 06/03/2008)

SECTION 4: Chapter 3.08 of Title 3 of the Winnetka Village Code, titled “Plan Commission,” is hereby amended to provide as follows:

Chapter 3.08

PLAN COMMISSION

Sections:

- 3.08.010 Commission Created; Terms; Compensation**
- 3.08.020 Qualification and Appointment of Members**
- 3.08.030 Officers**
- 3.08.040 Vacancies**
- 3.08.050 Meetings; Quorum**
- 3.08.060 Powers and Duties**

Section 3.08.010 Commission Created; Terms; Compensation

A. Creation. There is created a Plan Commission for the Village, consisting of ~~thirteen~~ ten appointed members.

B. Terms. Each member of the Plan Commission shall be appointed for a term of three years and until a successor has been appointed.

C. Compensation. Members of the Plan Commission shall serve without compensation, except that the Village Council may provide a salary for the Secretary if the Secretary is not a member of the Commission or an employee of the Village.

(MC-8-2005, Amended, 12/20/2005)

Section 3.08.020 Qualification and Appointment of Members

A. Qualification of Members. In addition to being residents of the Village, the members of the Plan Commission shall have the following qualifications:

1. One member shall be a Village Trustee, who shall serve as an ex officio member of the Commission and shall not be a voting member.

2. One member shall be a member of the Zoning Board of Appeals Business Community Development Commission created by Chapter 3.44-3.22 of this Code.

3. One member shall be a member of the Design Review Board Environmental and Forestry Commission created by Chapter 3.12-3.04 of this Code.

4. One member shall be a member of the Landmark Preservation Commission created by Chapter 3.40 of this Code.

~~5. One member shall be a member of the Board of Park Commissioners of the Winnetka Park District.~~

~~6. One member shall be a member of the Board of Education of Winnetka Elementary School District No. 36.~~

~~7. One member shall be a member of the Board of Trustees of the Winnetka-Northfield Public Library District.~~

8. The remaining six members shall be appointed from among the residents of the Village. ~~Subject to the Village President's sole discretion, the six resident members may include one member of the Business Community Development Commission and one member of the Environmental and Forestry Commission.~~

B. Appointment.

~~1. Each of the Plan Commission members from the Winnetka Park District, School District No. 36 and Winnetka-Northfield Public Library District shall be residents of the Village and shall be nominated by resolution of their respective governing board. A certified copy of the nominating resolution shall be filed with the Village Clerk.~~

~~2. Except as provided in the foregoing paragraph 1, all All members of the Plan Commission shall be appointed by the Village President, with the advice and consent of the Village Trustees.~~

(MC-8-2009, Amended, 09/01/2009; MC-8-2005, Amended, 12/20/2005)

Section 3.08.030 Officers

A. Chairperson. The Village President shall designate one of the members of the Plan Commission to serve as Chairperson of the Commission ~~and shall hold that office until a successor is appointed and qualified.~~ The Chairperson shall hold that office until the Village President designates another member to be Chairperson, or until the Chairperson is no longer a member of the Commission, whichever is later.

B. The Director of Community Development shall designate one or more employees of the Department of Community Development to serve as Secretary to the Commission.

C. The Plan Commission may elect from among its members such other officers as it desires deems necessary to facilitate the Plan Commission's performance of its duties.

(MC-8-2005, Amended, 12/20/2005)

Section 3.08.040 Vacancies

Any vacancy on the Plan Commission shall be filled for the remainder of the term of the member whose position has become vacant, in the same manner as for an original appointment.

(MC-8-2005, Amended, 12/20/2005)

Section 3.08.050 Meetings; Quorum

A. Meetings. Meetings of the Plan Commission shall be held once each month or at the call of the Chairperson. All meetings shall be open to the public and conducted in accordance with the Open Meetings Act and Chapter 3.02 of this code. The Plan Commission shall keep minutes of its proceedings and record the vote of each member on every question.

B. Quorum. A majority of the voting members of the Plan Commission shall constitute a quorum for the conduct of business and the holding of any hearing.

(MC-8-2007, Amended, 06/05/2007, Subsection A; MC-8-2005, Amended, 12/20/2005)

Section 3.08.060 Powers and Duties

A. The Plan Commission shall have the following powers and duties:

1. To prepare and recommend to the Council a Comprehensive Plan for the present and future development or redevelopment of the Village;

2. To assist the officials of the Village charged with the direction of projects for improvements embraced within the official plan, to further the making of such improvements, and generally to promote the realization of the official plan;

3. To conduct an annual review of Appendix 6 of the Comprehensive Plan and to prepare and recommend submit proposals to the Council and to the Board of Local Improvements ~~plans~~ for specific improvements enumerated therein; in pursuance of the official plan;

4. To prepare and recommend to the Council changes ~~from time to time~~ in the official Comprehensive Plan from time to time;

5. To consider and make recommendations to the Council on applications for land subdivisions as provided in Title 16 of this Code;

6. To consider and make recommendations to the Council on applications for special use permits, wireless telecommunications facilities and planned developments, as provided in Title 17 of this Code;

7. To adopt rules of procedure not inconsistent with this section;

8. To report to the Village Council from time to time on the work of the Commissions, including but not limited to (i) presenting a report to the Village Council in an open session of the Village Council at least once each calendar year, and (ii) submitting such other and additional reports as the Village Council, in the exercise of its discretion and authority, may direct from time to time; and

9. To perform such other duties and responsibilities as directed by the Village Council or as otherwise required by ordinance or statute. ~~;~~ ~~and~~

~~9. To exercise such additional powers as may be granted by ordinance or statute.~~

(Ord. MC-228-99 § 4 (part), 1999: prior code § 6.02)

(MC-8-2005, Amended, 12/20/2005)

SECTION 5: Chapter 3.22 of Title 3 of the Winnetka Village Code, titled “Business Community Development Commission,” is hereby amended to provide as follows:

Chapter 3.22

BUSINESS COMMUNITY DEVELOPMENT COMMISSION

Sections:

- 3.22.010 Commission Created; Terms; Compensation.
- 3.22.020 Appointment and Qualifications of Members.
- 3.22.030 Officers.
- 3.22.040 Vacancies.
- 3.22.050 Meetings; Quorum.
- 3.22.060 ~~Scope of~~ Powers and Duties.

Section 3.22.010 Commission Created; Terms; Compensation.

A. Commission Created. There is created a Business Community Development Commission for the Village, consisting of nine appointed members, two of which shall be non-voting, ex officio members. ~~plus the Director of Community Development, who shall be a non-voting, ex officio member of the Commission.~~

B. Terms. Of the members first appointed to the commission, three shall serve for terms of three years, three shall serve for terms of two years, and three shall serve for terms of one year. Thereafter, each succeeding member of the Commission shall be appointed for a term of three years. Members shall continue to serve after the expiration of their terms until a successor has been appointed and qualified.

C. Compensation. Members of the Business Community Development Commission shall serve without compensation.

Section 3.22.020 Appointment and Qualifications of Members.

A. Appointment. All members of the Business Community Development Commission shall be appointed by the Village President, with the advice and consent of the Village Trustees.

B. Qualifications of Members. The members of the Business Community Development Commission shall be appointed on the basis of experience, expertise or interest in retail development, urban design and planning, retail business operations, commercial real estate, or retail marketing. In addition, the members shall have the following qualifications:

1. One member shall be a Village Trustee, who shall serve as an ex officio member of the Commission and shall not be a voting member.

2. One member shall be the Director of Community Development, who shall serve as an ex officio member of the Commission and shall not be a voting member. ~~One member shall be a member of the Winnetka Plan Commission.~~

3. One member shall be a resident of the Village who is also either the Executive Director of the Winnetka-~~Northfield~~ Chamber of Commerce or a member of the board of directors of the Chamber of Commerce.

4. One member shall be a resident and consumer.

5. Of the voting members other than the ~~Village Trustee, the Plan Commission representatives and the Executive Director representative~~ of the Chamber of Commerce, no more than three shall own or operate a retail business in the Village.

6. All other members shall either reside in the Village, or shall own commercial property in one of the Village's commercial zoning districts.

Section 3.22.030 Officers.

A. Chairperson. The Village President shall designate one of the members of the Commission to serve as Chairperson of the Commission. The Chairperson shall hold that office until the Village President designates another member to be Chairperson, or until the Chairperson is no longer a member of the Commission, whichever is later.

B. The Director of Community Development shall designate one or more employees of the Department of Community Development to serve as Secretary to the Commission.

Section 3.22.040 Vacancies.

Any vacancy on the Commission shall be filled for the unexpired term of the member whose position has become vacant, in the same manner as for an original appointment.

Section 3.22.050 Meetings; Quorum

Meetings of the Business Community Development Commission shall be held once each month or at the call of the Chairperson. All meetings shall be open to the public and shall be conducted in accordance with the Open Meetings Act and Chapter 3.02 of this code. The Business Community Development Commission shall keep minutes of its proceedings and record the vote of each member on every question. A majority of the nine appointed seven voting members of the Business Community Development Commission shall constitute a quorum for the conduct of business. ~~The Director of Community Development shall not be counted in determining a quorum.~~

(MC-8-2007, Amended, 06/05/2007; MC-3-2004, Added, 04/06/2004)

Section 3.22.060 ~~Scope of Powers and Duties.~~

~~A. General Statement of Powers and Duties.~~ The Business Community Development Commission shall have the following powers and duties:

A. 1. To collect information and report to the Village Council on opportunities for business and investment in the Village's commercial zoning districts;

B. 2. To perform studies and make recommendations to the Village Council concerning business development in the Village, including but not limited to helping existing businesses grow, encouraging new businesses to be started and attracting businesses from outside the Village;

C. 3. To identify grants and other financial resources available to the Village for business and economic development and, subject to the prior approval of the Village Council, to apply for such grants or financial resources;

~~D. 4.—To identify services and professional resources available to the Village for business and economic development and, subject to the prior approval of the Village Council, to retain services or otherwise acquire such resources;~~

~~5. To adopt rules of procedure not inconsistent with this chapter; and~~

E. 6.—To perform such other duties pertaining to the development and improvement of the Village's business districts as the Village Council, in the exercise of its discretion, may direct from time to time;

~~F. 7.—To report to the Village Council from time to time on the work of the Commissions, including (i) presenting a report to the Village Council in an open session of the Village Council at least once each calendar year, and (ii) submitting such other and additional reports as the Village Council, in the exercise of its discretion and authority, may direct from time to time; and~~

~~G. To perform such other duties and responsibilities as directed by the Village Council or as otherwise required by ordinance or statute. To exercise such additional powers as may be granted by ordinance or statute.~~

~~B. Limitations on Powers. The Commission shall not be authorized to expend funds of the Village or to contract in its name or in the name of the Village without the prior authorization of the Village Council.~~

(MC-8-2007, Amended, 06/05/2007, Paragraph 5 of Subsection A; MC-3-2004, Added, 04/06/2004)

SECTION 7: This Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 8: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this ___ day of _____, 2011, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of _____, 2011.

Signed:

Village President

Countersigned:

Village Clerk

Introduced: March 22, 2011

Posted:

Passed and Approved:

Posted:

ORDINANCE NO. MC-3-2011

**AN ORDINANCE
AMENDING TITLE 3 OF THE WINNETKA VILLAGE CODE
AS IT PERTAINS TO THE MEMBERSHIP, POWERS AND DUTIES
OF CERTAIN BOARDS AND COMMISSIONS**

WHEREAS, Title 3 of the Winnetka Village Code, “Boards and Commissions,” establishes several subordinate boards and commissions, defines the scope of their authority and charges them with advising the Village Council on various matters lying within the scope of their authority; and

WHEREAS, at study sessions in November of 2010 and January and March of 2011, the Village Council considered various issues pertaining to the Village Council’s advisory boards and commissions, including the structure, membership and authority of the boards and commissions, and improving communications between the boards and commissions and the Village Council; and

WHEREAS, the Village Council has determined that certain provisions of Title 3 should be amended so as to (i) preserve and enhance the Village Council’s role as the policy making body of the Village of Winnetka, (ii) clarify the role of the advisory boards and commissions in assisting in developing Village policy, and (iii) make the most efficient use of the Village Council, the interest and expertise of the advisory boards and commissions, and of the Village staff that provides professional assistance and clerical support to the Village Council and its subordinate bodies; and

WHEREAS, the Village of Winnetka (“Village”) is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and, except as limited by that provision, has the authority to exercise any power and perform any function pertaining to the government and affairs of the Village, including the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the Village Council finds that establishing subordinate boards and commissions, and defining their structure and membership, as well as their powers and duties, are matters pertaining to the government and affairs of the Village; and

WHEREAS, the Village Council find and determine that it is in the best interests of the general health, safety and welfare of the Village of Winnetka that provisions of Title 3 of the

Winnetka Village Code pertaining to certain boards, commissions and committees, be amended as provided herein.

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

SECTION 1: The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: Chapter 3.02, of Title 3 of the Winnetka Village Code, titled “Meetings of Boards, Commission and Committees,” is hereby retitled “General Provisions” and is amended to provide as follows:

Chapter 3.02

GENERAL PROVISIONS

Sections:

- 3.02.010 Open Meetings**
- 3.02.020 Meeting Attendance**
- 3.02.030 Limitation on Powers and Authority**
- 3.02.040 Professional Staff Support**
- 3.02.050 Applicability**

Section 3.02.010 Open Meetings

It is the policy of the Village of Winnetka that all meetings of all boards, commissions and committees of the Village, and all committees and subcommittees thereof, shall be held in accordance with the provisions of the Illinois Open Meetings Act.

(MC-8-2007, Added, 06/05/2007)

Section 3.02.020 Meeting Attendance

A. Attendance in Person. It is the policy of the Village of Winnetka that the members of all boards, commissions and committees of the Village, and all committees and subcommittees thereof, shall attend meetings of their respective bodies in person, notwithstanding any statutes of the State of Illinois permitting attendance by some means other than physical presence at the location of the meeting.

B. Rules Governing Attendance. No board, commission or committee of the Village, nor any committee or subcommittee thereof, shall have the power or discretion to establish rules permitting any of their members to attend meetings by any means other than by their physical presence, unless the Village Council has specifically granted such power and discretion in the enumerated powers set forth in the chapter of this Title

pertaining to such board, commission or committee or committee or subcommittee thereof.

(MC-8-2007, Added, 06/05/2007)

Section 3.02.030 Limitation of Powers and Authority

A. No board, commission or committee of the Village, and no committee or subcommittee thereof, shall have the power or authority to advertise for bids, to request proposals for work, to enter into a contract, to purchase any goods or services, or to encumber or expend Village funds unless one of the following conditions exists:

1. the Village Council has specifically granted such power and discretion in the enumerated powers set forth in the chapter of this Title pertaining to such board, commission or committee or committee or subcommittee thereof;

2. the Village Council has specifically granted such power or authority in an open meeting of the Village Council; or

3. the board or commission is created pursuant to State law and such power either has been granted pursuant to statute or is necessary to the performance of such board's or commission's statutory duties.

B. No board, commission or committee of the Village, and no committee or subcommittee thereof shall have the power or authority to create other committees or subcommittees to assist such board, commission or committee in the performance of its work, unless directed by the Village Council or, if time is of the essence, by the Village President, subject to ratification by the Village Council at its next meeting.

C. Notwithstanding the foregoing, any board, commission, or committee of the Village, and any committee or subcommittee thereof, may request additional power or authority from the Village Council at any time, provided such request is for a specific purpose related to the duties of requesting body.

Section 3.02.040 Staff Liaisons

The Village Manager shall have the authority and discretion to assign such Village staff as is necessary to provide professional and technical assistance, to provide clerical support, and to serve as a liaison between the Village administration and each board, commission or committee established pursuant to this Title 3 of the Village Code.

Section 3.02.050 Applicability

A. The provisions of this Chapter shall apply to all boards and commissions established pursuant to this Title 3 of the Village Code, to all boards and commissions of the Village established by State law and to all standing committees and ad hoc committees established by the Village Council. The provisions of this Chapter shall also apply to all committees and subcommittees of any of the foregoing, whether such

committee or subcommittee is established by such board or commission or by State law, this Code, or other act of the Village Council.

SECTION 3: Chapter 3.04 of Title 3 of the Winnetka Village Code, titled “Environmental and Forestry Commission,” is hereby amended to provide as follows:

Chapter 3.04

ENVIRONMENTAL AND FORESTRY COMMISSION

Sections:

3.04.010 Creation; Members; Compensation

3.04.020 Officers

3.04.030 Vacancies

3.04.040 Meetings; Vote; Quorum

3.04.050 Powers and Duties

Section 3.04.010 Creation; Members; Compensation

A. Creation of Commission. There is created an Environmental and Forestry Commission, which shall have such powers and perform such duties as provided in this chapter.

B. Members; Appointment. The Commission shall consist of seven voting members and one or more student members, all of whom shall be appointed by the Village President, with the advice and consent of the Trustees, plus one ex officio members who shall be appointed as provided in subsection D, below.

C. Appointed Members; Qualifications; Term of Office.

1. Qualifications. The seven voting members of the Commission shall be residents of the Village. Each student member shall be a high school junior or senior, or an undergraduate college student, who either resides in or attends school in the Village. All members of the Commission shall have experience, training or a demonstrable interest in such areas as environmental science, forestry, ecology, energy conservation, tree preservation, education, pollution control, engineering, science and public health.

2. Term of Office. Subject to the additional limitations set forth in the following paragraph 3, each appointed member other than the student appointee(s) shall serve for a term of three years and until a successor is appointed and qualified. The terms of the appointed members shall be staggered so that the term of two appointed members expire in one year, the term of two other appointed members expire the following year and the term of the remaining three appointed members expire the next following year. No appointed member other than the student appointee shall serve more than two full terms consecutively.

3. Term of Ex Officio Member. The Village Trustee who serves as an ex officio member shall not serve on the Commission beyond the termination of his or her service in the office of Trustee, whether the Trustee's service in office has terminated due to the expiration of the Trustee's term, resignation or some other cause.

4. Student Member(s). The student member(s) shall be appointed in September of each year and shall serve through the month of August of the following year, and until a successor is appointed and qualified. Any student member may serve consecutive terms, without limitation, provided the student continues to meet the qualifications for appointment. For purposes of this section, if a student who is appointed while he or she is enrolled as a full time student in high school or college, the student's enrollment shall be presumed to continue through the summer immediately following the academic year of appointment, regardless of whether the student enrolls for summer studies or has graduated.

D. Ex Officio Member. One Village Trustee shall be designated by the Village President to serve as an ex officio member of the Commission.

E. No Compensation. All members of the Commission shall serve without compensation for those services.

(MC-14-2009, Amended, 11/17/2009; MC-8-2009, Amended, 09/01/2009; MC-3-2008, Amended, 06/03/2008; MC-4-2005, Amended, 09/06/2005)

Section 3.04.020 Officers

A. Chairperson. The Village President shall designate one of the members of the Commission to serve as Chairperson of the Commission. The Chairperson shall hold that office until the Village President designates another member to be Chairperson or until the Chairperson is no longer a member of the Commission, whichever is later.

B. Secretary. The Village Manager shall appoint one or more employees of the Public Works Department and/or Water and Electric Department to serve as Secretary to the Commission.

(MC-3-2008, Amended, 06/03/2008; MC-4-2005, Amended, 09/06/2005)

Section 3.04.030 Vacancies

Any vacancy on the Commission shall be filled for the remainder of the former member's unexpired term in the same manner as provided for in the original appointment of a member.

(MC-3-2008, Amended, 06/03/2008; MC-4-2005, Amended, 09/06/2005)

Section 3.04.040 Meetings; Vote; Quorum

A. Meetings. Meetings of the Commission shall be held once each month or at the call of the Chair. All meetings shall be open to the public and shall be conducted in

accordance with the Open Meetings Act and Chapter 3.02 of this code. The Commission shall keep minutes of its proceedings and shall keep records of all other official actions.

(MC-8-2007, Amended, 06/05/2007)

B. Vote. The student member(s) and the ex officio member of the Commission shall not be entitled to vote. All other members of the Commission shall be voting members.

C. Quorum. A majority of the voting members of the Commission shall constitute a quorum.

(MC-14-2009, Amended, 11/17/2009; MC-3-2008, Amended, 06/03/2008)

Section 3.04.050 Powers and Duties

The Commission shall have the following powers and duties:

A. Urban Forestry.

1. To act in an advisory capacity to the Village Council on matters relating to urban forestry, including the enhancement and preservation of trees in the Village, and methods to mitigate threats to trees in the Village such as Dutch elm disease and the emerald ash borer;

2. After consultation and coordination with the Village Council and Village professional staff, to make recommendations to the Village Council regarding amendments to the provisions of Tree Preservation Code, Chapter 15.28 of this code;

3. To apply annually for Tree City U.S.A. designation or other awards and incentives recognizing the Village or any portion of the Village for its trees or forestry;

3. To provide advice and mediation in disputes concerning the maintenance or removal of trees in the Village when requested by all parties to a dispute;

4. To determine, at the request of the Director of Public Works, whether an application for a permit to remove a tree under Section 15.28.040 (B)(6) meets the requirement of that subsection that the removal of the tree will avoid or alleviate an economic hardship or hardship of another nature on the property or residence; and

5. To hear and decide appeals from the action of the Director of Public Works denying a permit to remove a tree pursuant to Section 15.28.040 of this Village code, in accordance with the procedures set out in Section 15.28.090.

B. Environment Stewardship

1. To act in an advisory capacity to the Village Council on matters relating to the protection of the environment, the conservation of energy, and the preservation, conservation, enhancement and protection of the quality of the Village's natural resources, including issues related to pollution and recycling;

2. After consultation and coordination with the Village Council, to make recommendations to the Village Council regarding the improvement of private energy stewardship by the Village's residents and businesses, including strategies for energy conservation, reduced energy consumption and access to renewable energy sources; and

3. After consultation and coordination with the Village Council and Village professional staff, to make recommendations to the Village Council regarding the adoption of "green" building strategies for public and private development and redevelopment, such as the *Leadership in Energy and Environmental Design Program* developed by the U.S. Green Building Council.

C. Technical Assistance and Information Services

1. In consultation and coordination with the Village Council and Village professional staff, to assist in disseminating information about protection of the environment, the conservation of energy, and the protection, maintenance and improvement of the Village's tree population;

2. To work in consultation and cooperation with the Plan Commission in the Plan Commission's review and updating of the Comprehensive Plan on matters pertaining to the protection of the environment and to make recommendations to the Plan Commission for amendments to the Comprehensive Plan pertaining to the protection, maintenance and improvement of the Village's tree population, including updating Chapter XIV, "Street Tree Planting," of the Winnetka Comprehensive Plan; and

3. After consultation and coordination with the Village Council and Village professional staff, to act as a liaison between the Village and other local governmental, public and private agencies, such as the Winnetka Park District, area schools, Great Lakes Commission and Chicago Wilderness, for the purpose of obtaining information on matters related to the foregoing powers and duties of the Commission.

D. To report to the Village Council from time to time on the work of the Commission, including but not limited to (i) presenting a report to the Village Council in an open session of the Village Council at least once each calendar year, and (ii) submitting such other and additional reports as the Village Council, in the exercise of its discretion and authority, may direct from time to time; and

E. To perform such other duties and responsibilities as directed by the Village Council or as otherwise required by ordinance or statute.

(MC-3-2008, Amended, 06/03/2008)

SECTION 4: Chapter 3.08 of Title 3 of the Winnetka Village Code, titled "Plan Commission," is hereby amended to provide as follows:

Chapter 3.08

PLAN COMMISSION

Sections:

3.08.010 Commission Created; Terms; Compensation

3.08.020 Qualification and Appointment of Members

3.08.030 Officers

3.08.040 Vacancies

3.08.050 Meetings; Quorum

3.08.060 Powers and Duties

Section 3.08.010 Commission Created; Terms; Compensation

A. Creation. There is created a Plan Commission for the Village, consisting of ten appointed members.

B. Terms. Each member of the Plan Commission shall be appointed for a term of three years and until a successor has been appointed.

C. Compensation. Members of the Plan Commission shall serve without compensation, except that the Village Council may provide a salary for the Secretary if the Secretary is not a member of the Commission or an employee of the Village.

(MC-8-2005, Amended, 12/20/2005)

Section 3.08.020 Qualification and Appointment of Members

A. Qualification of Members. In addition to being residents of the Village, the members of the Plan Commission shall have the following qualifications:

1. One member shall be a Village Trustee, who shall serve as an ex officio member of the Commission and shall not be a voting member.

2. One member shall be a member of the Business Community Development Commission created by Chapter 3.22 of this Code.

3. One member shall be a member of the Environmental and Forestry Commission created by Chapter 3.04 of this Code.

4. One member shall be a member of the Landmark Preservation Commission created by Chapter 3.40 of this Code.

8. The remaining six members shall be appointed from among the residents of the Village.

B. Appointment. All members of the Plan Commission shall be appointed by the Village President, with the advice and consent of the Village Trustees.

(MC-8-2009, Amended, 09/01/2009; MC-8-2005, Amended, 12/20/2005)

Section 3.08.030 Officers

A. Chairperson. The Village President shall designate one of the members of the Plan Commission to serve as Chairperson of the Commission. The Chairperson shall hold that office until the Village President designates another member to be Chairperson, or until the Chairperson is no longer a member of the Commission, whichever is later.

B. The Director of Community Development shall designate one or more employees of the Department of Community Development to serve as Secretary to the Commission.

C. The Plan Commission may elect from among its members such other officers as it deems necessary to facilitate the Plan Commission's performance of its duties.

(MC-8-2005, Amended, 12/20/2005)

Section 3.08.040 Vacancies

Any vacancy on the Plan Commission shall be filled for the remainder of the term of the member whose position has become vacant, in the same manner as for an original appointment.

(MC-8-2005, Amended, 12/20/2005)

Section 3.08.050 Meetings; Quorum

A. Meetings. Meetings of the Plan Commission shall be held once each month or at the call of the Chairperson. All meetings shall be open to the public and conducted in accordance with the Open Meetings Act and Chapter 3.02 of this code. The Plan Commission shall keep minutes of its proceedings and record the vote of each member on every question.

B. Quorum. A majority of the voting members of the Plan Commission shall constitute a quorum for the conduct of business and the holding of any hearing.

(MC-8-2007, Amended, 06/05/2007, Subsection A; MC-8-2005, Amended, 12/20/2005)

Section 3.08.060 Powers and Duties

A. The Plan Commission shall have the following powers and duties:

1. To prepare and recommend to the Council a Comprehensive Plan for the present and future development or redevelopment of the Village;

2. To assist the officials of the Village charged with the direction of projects for improvements embraced within the official plan, to further the making of such improvements, and generally to promote the realization of the official plan;

3. To conduct an annual review of Appendix 6 of the Comprehensive Plan and to submit proposals to the Council and to the Board of Local Improvements for specific improvements enumerated therein;

4. To prepare and recommend to the Council changes in the official Comprehensive Plan from time to time;

5. To consider and make recommendations to the Council on applications for land subdivisions as provided in Title 16 of this Code;

6. To consider and make recommendations to the Council on applications for special use permits, wireless telecommunications facilities and planned developments, as provided in Title 17 of this Code;

7. To adopt rules of procedure not inconsistent with this section;

8. To report to the Village Council from time to time on the work of the Commissions, including but not limited to (i) presenting a report to the Village Council in an open session of the Village Council at least once each calendar year, and (ii) submitting such other and additional reports as the Village Council, in the exercise of its discretion and authority, may direct from time to time; and

9. To perform such other duties and responsibilities as directed by the Village Council or as otherwise required by ordinance or statute.

(Ord. MC-228-99 § 4 (part), 1999: prior code § 6.02)

(MC-8-2005, Amended, 12/20/2005)

SECTION 5: Chapter 3.22 of Title 3 of the Winnetka Village Code, titled “Business Community Development Commission,” is hereby amended to provide as follows:

Chapter 3.22

BUSINESS COMMUNITY DEVELOPMENT COMMISSION

Sections:

- 3.22.010 Commission Created; Terms; Compensation.**
- 3.22.020 Appointment and Qualifications of Members.**
- 3.22.030 Officers.**
- 3.22.040 Vacancies.**
- 3.22.050 Meetings; Quorum.**
- 3.22.060 Powers and Duties.**

Section 3.22.010 Commission Created; Terms; Compensation.

A. Commission Created. There is created a Business Community Development Commission for the Village, consisting of nine appointed members, two of which shall be non-voting, ex officio members.

B. Terms. Of the members first appointed to the commission, three shall serve for terms of three years, three shall serve for terms of two years, and three shall serve for terms of one year. Thereafter, each succeeding member of the Commission shall be appointed for a term of three years. Members shall continue to serve after the expiration of their terms until a successor has been appointed and qualified.

C. Compensation. Members of the Business Community Development Commission shall serve without compensation.

Section 3.22.020 Appointment and Qualifications of Members.

A. Appointment. All members of the Business Community Development Commission shall be appointed by the Village President, with the advice and consent of the Village Trustees.

B. Qualifications of Members. The members of the Business Community Development Commission shall be appointed on the basis of experience, expertise or interest in retail development, urban design and planning, retail business operations, commercial real estate, or retail marketing. In addition, the members shall have the following qualifications:

1. One member shall be a Village Trustee, who shall serve as an ex officio member of the Commission and shall not be a voting member.
2. One member shall be the Director of Community Development, who shall serve as an ex officio member of the Commission and shall not be a voting member.
3. One member shall be a resident of the Village who is also either the Executive Director of the Winnetka-Northfield Chamber of Commerce or a member of the board of directors of the Chamber of Commerce.
4. One member shall be a resident and consumer.
5. Of the voting members other than the representative of the Chamber of Commerce, no more than three shall own or operate a retail business in the Village.
6. All other members shall either reside in the Village, or shall own commercial property in one of the Village's commercial zoning districts.

Section 3.22.030 Officers.

A. Chairperson. The Village President shall designate one of the members of the Commission to serve as Chairperson of the Commission. The Chairperson shall hold that office until the Village President designates another member to be Chairperson, or until the Chairperson is no longer a member of the Commission, whichever is later.

B. The Director of Community Development shall designate one or more employees of the Department of Community Development to serve as Secretary to the Commission.

Section 3.22.040 Vacancies.

Any vacancy on the Commission shall be filled for the unexpired term of the member whose position has become vacant, in the same manner as for an original appointment.

Section 3.22.050 Meetings; Quorum

Meetings of the Business Community Development Commission shall be held once each month or at the call of the Chairperson. All meetings shall be open to the public and shall be conducted in accordance with the Open Meetings Act and Chapter 3.02 of this code. The Business Community Development Commission shall keep minutes of its proceedings and record the vote of each member on every question. A majority of the seven voting members of the Business Community Development Commission shall constitute a quorum for the conduct of business.

(MC-8-2007, Amended, 06/05/2007; MC-3-2004, Added, 04/06/2004)

Section 3.22.060 Powers and Duties.

The Business Community Development Commission shall have the following powers and duties:

A. To collect information and report to the Village Council on opportunities for business and investment in the Village's commercial zoning districts;

B. To perform studies and make recommendations to the Village Council concerning business development in the Village, including but not limited to helping existing businesses grow, encouraging new businesses to be started and attracting businesses from outside the Village;

C. To identify grants and other financial resources available to the Village for business and economic development and, subject to the prior approval of the Village Council, to apply for such grants or financial resources;

D. To identify services and professional resources available to the Village for business and economic development;

E. To perform such other duties pertaining to the development and improvement of the Village's business districts as the Village Council, in the exercise of its discretion, may direct from time to time;

F. To report to the Village Council from time to time on the work of the Commissions, including (i) presenting a report to the Village Council in an open session of the Village Council at least once each calendar year, and (ii) submitting such other and additional reports as the Village Council, in the exercise of its discretion and authority, may direct from time to time; and

G. To perform such other duties and responsibilities as directed by the Village Council or as otherwise required by ordinance or statute.

(MC-8-2007, Amended, 06/05/2007, Paragraph 5 of Subsection A; MC-3-2004, Added, 04/06/2004)

SECTION 7: This Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 8: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this ___ day of _____, 2011, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of _____, 2011.

Signed:

Village President

Countersigned:

Village Clerk

Introduced: March 22, 2011

Posted:

Passed and Approved:

Posted:

Becky Hurley, Chair
Winnetka Plan Commission

Dear Becky –

Thank your for your e-mail reminding Plan Commission members that the Village Council is considering changes in the structure of its boards and commissions. I have spent some time evaluating the reasons and effects of the proposed restructuring, and have some observations I would like to share with you.

I am writing this note as a citizen and a member of the Plan Commission and the Winnetka-Northfield Public Library District board of trustees. However, I speak only for myself. I do not speak for the Library Board. The Library Board is aware of the restructuring discussions but has not taken any position on the matter.

Basically, I have three observations:

1. Personally, for me not to be on the Plan Commission would be a mixed blessing. On the one hand, it would free up several hours per month in attending meetings and doing the homework to prepare for them. It also would halt the growth of my files on PC matters, which will cheer my wife no end. On the other hand, it would end a period of service to our Village which I have enjoyed and found fulfilling.
2. (In passing, I have for a long time thought it curious that the representatives of the Zoning Board, Environmental and Forestry Commission, and Business Community Development Commission who are on the Plan Commission have, in effect, two votes. One vote is on the matters when they come before their originating boards or commissions and the second vote is as a plan commissioner.)
3. The observation that concerns me above all is the effect of removing a Library representative from the Plan Commission's deliberations on the many issues that link back to the Winnetka 2020 Plan. Although the main thrust of the 2020 Plan deals with land use, it also refers in many ways to the enriching qualities that this village offers its residents and visitors.

All through the report are reminders of Winnetka's special character, both in structures and in services, whether they are commercial, educational, religious, recreational, or cultural. People are at the center and a rich environment is treasured.

Portions of the Plan refer to library services, directly or indirectly: Section 2.6 states a goal to "Support educational excellence and the enrichment of Winnetka's religious and cultural environment" Section 4.3.6 C expresses concerns about the Library's cramped interior and parking lot and recommends that the Library's needs be considered when evaluating any business district redevelopment.

This goes to the heart of my concern. If the Library representative (whoever he or she is) is no longer present to speak for the cultural richness of our village and if the restructured Plan Commission consists mostly of business, development, and architectural representatives – as important as they are for a balanced view – no one, other than the representative of the Landmarks Commission, will be present who represents the intellectual bounty and the cultural values that are so important to our citizens.

An example is the current discussion of how to improve the Business Districts. This issue is of critical importance; no one can disagree with that. Yet, even in its very early stages, the accent has been on development or redevelopment – bricks and mortar. It has been suggested that the Urban Land Institute's recommendations for Wilmette's downtown area might be a good model for Winnetka. Almost lost in the fine print of the ULI plan for Wilmette is a proposal to squeeze a multi-story parking lot between the Wilmette Library and Post Office. This caused alarm among the library administrators, who apparently had not been consulted or asked to contribute to the plan.

The ULI might well be a good starting place for a Downtown study, but its report must be more balanced than what was produced for Wilmette.

A key quality that makes Winnetka the treasure it is is its cultural vibrancy. Our citizens are major supporters of the Chicago Symphony Orchestra, Lyric Opera, many Chicago Theatres, the Art Institute of Chicago, Writers' Theater in Glencoe and many other cultural venues. More than a quarter-million people a year visit the Winnetka Library, and the number is growing. Even the garden clubs have a vital interest in the life of the village, as witness their role in the post office study.

The social, educational, and cultural treasures that enrich our village should have a champion on the Plan Commission. Maybe some other group or agency might be better than the Library Board; it's worth considering. It's always good to review periodically the makeup of government entities. Let's hope that all aspects of our village are carefully balanced at the end of the process.

John F Jansson
199 Church Road

March 26, 2011

Agenda Report

Subject: Ordinance M-2-2011 – Establishing Special Service Area No. 4, Providing for Pavement and Stormwater Improvements to the Public Alley bounded by Elm-Oak-Locust-Rosewood

Ordinance M-3-2011 – Establishing Special Service Area No. 5, Providing for Pavement and Stormwater Improvements to the Public Alley bounded by Elm-Oak-Rosewood-Glendale

Prepared By: Steven M. Saunders, Director of Public Works/Village Engineer

Date: March 31, 2011

Ref: **April 20, 2010 Council Meeting**

Background

There are 1.9 miles of public alleys in the Village of Winnetka, which serve both commercial and residential properties. This includes four unpaved gravel alleys, having a total length of 0.34 miles (1,800 feet, or 17.9%). These four alleys have been unpaved since the neighborhoods in which they are located were originally developed. It appears to have been common practice when the Village was developed that in residential areas, the streets were paved, but the alleys were not.

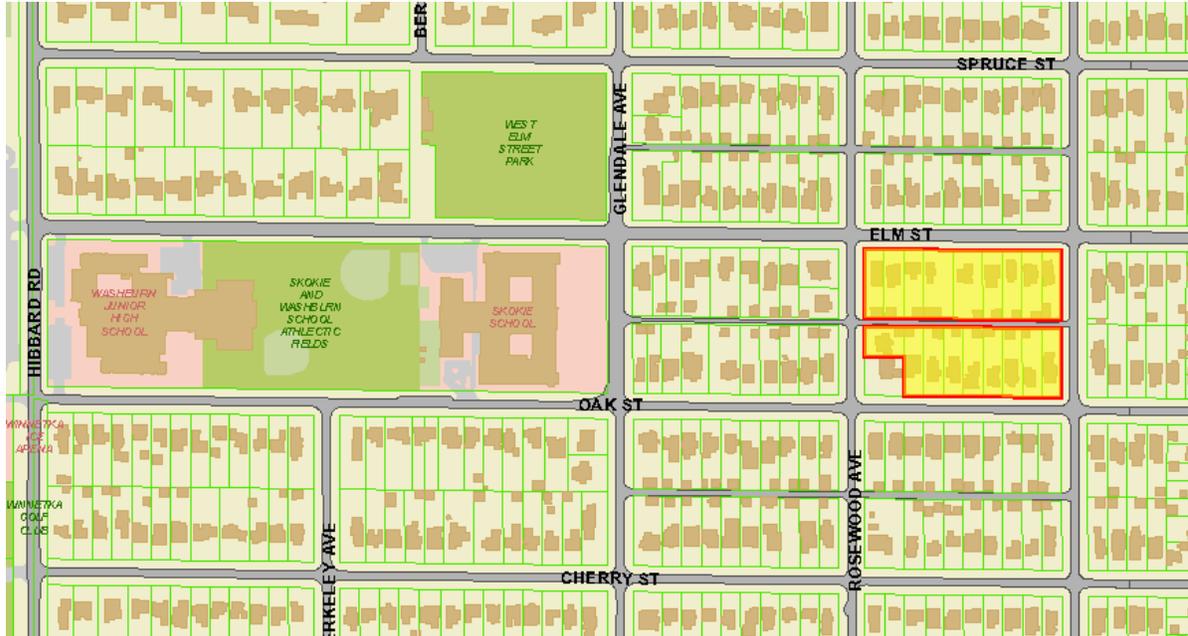
Over the years, many of the alleys in the Village, particularly those in the area bounded by Pine Street and Willow Road west of the downtown area, have been paved in concrete. For at least 40 years – and probably longer – the Village’s policy for improving these alleys has been that the Village pays 15% of the cost to initially pave an alley, and the adjacent residents pay 85% of the cost of the alley construction. Once an alley has been paved, the Village has always assumed the cost of maintenance and repairs.

The Village Council modified this policy at its April 20, 2010 meeting, to increase the Village’s share in alley paving projects to 75%, with the remaining 25% to be funded by adjacent property owners. This is more reflective of how the few other municipalities in the area with gravel alleys fund improvement projects. Subsequent to this policy modification, staff contacted and has been working with residents adjacent to the four unpaved alleys.

A majority of the homeowners of 18 properties adjacent to the alley bounded by Elm Street, Oak Street, Locust Street and Rosewood Avenue have expressed an interest in paving the alley, although this interest is not unanimous. A majority of the homeowners of 19 properties adjacent to the alley bounded by Elm Street, Oak Street, Rosewood Avenue, and Glendale Avenue have also expressed an interest in paving their alley, although their interest also is not unanimous.

Agenda Report
M-2-2011 and M-3-2011
Page 2

The highlighted area in the following map shows the Elm – Oak – Locust – Rosewood block and the parcels abutting the alley:



The highlighted area in the following map shows the Elm – Oak – Rosewood – Glendale block and the parcels abutting alley:



Project Description and Cost

The proposed project for each of the two new special service areas consists of excavating the existing gravel alley to re-establish its original grade, installing stormwater drainage, including possible connection points to facilitate connections from the adjacent properties, and constructing a 16-foot wide, 9-inch thick concrete alley within the 20-foot alley right-of-way.

Staff's estimate of the costs for constructing these improvements in the Elm – Oak – Locust – Rosewood alley is \$118,400. These costs would be paid through the establishment of Special Service Area No. 4.

Staff's estimate of the costs for constructing these improvements in the Elm – Oak – Rosewood – Glendale is \$129,000. These costs would be paid through the establishment of Special Service Area No. 5.

Special Service Areas

Since the property owners' interest in proceeding with the two paving projects is not unanimous, the only option available for securing the 25% private funding required by Council policy is to establish a Special Service Area (SSA) for each project. An SSA is a very commonly used means for municipalities to finance public improvements. Under this method of financing, the cost of a public improvement may be assessed to the property tax bills of those properties benefiting from the improvement. SSA revenues can be used to pay principal and interest for alternate revenue bonds that would fund the public improvement.

The process for establishing a Special Service Area requires several steps, summarized as follows:

1. An ordinance proposing the Special Service Area must be introduced, and a public hearing date set.
2. Public notice must be provided for the hearing, both in published form, and by direct mail to property owners within the proposed Special Service Area
3. A public hearing must be held on the proposed Special Service Area.
4. After the conclusion of the public hearing, a 60-day waiting period takes place, during which objections to the Special Service Area may be filed, in the form of a petition objecting to the establishment of the Special Service Area, signed by at least 51% of the electors and 51% of the property owners within the proposed Special Service Area.
5. After the 60-day waiting period, and if no objections have been filed, the Council may adopt the ordinance establishing the Special Service Area

Special Service Area No. 4: Elm – Oak – Locust – Rosewood

Ordinance M-2-2011 proposes establishing Special Service Area No. 4 to fund the 25% homeowners' share of the proposed improvements to the Elm – Oak – Locust – Rosewood alley. The proposed boundaries of Special Service Area No. 4, shown on Exhibit C of Ordinance M-2-2011, contain all 18 properties that abut the alley. The proposed Special Service Area No. 4 provides for the costs of the project to be financed over a 5-year period at an interest rate not to exceed 5.00% per annum. The amount to be financed is not to exceed 125% of the engineer's estimate of the estimated project cost, or \$148,000.

Ordinance M-2-2011 sets the time and place of the public hearing for 7:30 p.m. on June 7, 2011, in the Council Chambers at the Winnetka Village Hall.

Special Service Area No. 5: Elm – Oak – Rosewood – Glendale

Ordinance M-3-2011 proposes establishing Special Service Area No. 5 to fund the 25% homeowners' share of the proposed improvements to the Elm – Oak – Rosewood – Glendale alley. The proposed boundaries of Special Service Area No. 5, shown on Exhibit C of Ordinance M-3-2011, contain all 18 properties that abut that alley. The proposed Special Service Area No. 5 provides for the costs of the project to be financed over a 5-year period at an interest rate not to exceed 5.00% per annum. The amount to be financed is not to exceed 125% of the engineer's estimate of the estimated project cost, or \$161,250.

As with the ordinance for SSA No. 4, Ordinance M-3-2011 sets the time and place of the public hearing on SSA No. 5 for 7:30 p.m. on June 7, 2011, in the Council Chambers at the Winnetka Village Hall.

Budget

The total estimated cost of the project for SSA No. 4 is estimated to be \$118,400, with the Village's share being 75% or \$88,800. The total estimated cost of the project for SSA No. 5 is estimated to be \$129,000, with the Village's share being 75% or \$88,800.

Although these two projects are not separately identified in the FY 2011-2012 budget, it was anticipated in the budget process that they would be funded from Capital Account 10-30-640-139 (Street Rehabilitation), which account contains \$1,100,000.

Schedule

A preliminary schedule of activities for Special Service Areas Nos. 4 and 5 is shown in Attachment 1. Under this proposed schedule, construction would start in September and be complete by the end of the year.

Recommendation:

1. Consider introduction of Ordinance M-2-2011 establishing Special Service Area No. 4, providing for pavement and stormwater improvements to the alley bounded by Elm Street, Oak Street, Locust Street, and Rosewood Avenue.
2. Consider setting 7:30pm on Tuesday, June 7, 2011, in the Winnetka Village Council Chambers as the time and place for the public hearing for proposed Special Service Area No. 4.
3. Consider introduction of Ordinance M-3-2011 establishing Special Service Area No. 5, providing for pavement and stormwater improvements to the alley bounded by Elm Street, Oak Street, Rosewood Avenue, and Glendale Avenue.
4. Consider setting 7:30pm on Tuesday, June 7, 2011, in the Winnetka Village Council Chambers as the time and place for the public hearing for proposed Special Service Area No. 5.

**SPECIAL SERVICE AREAS Nos. 4 AND 5
PROCEDURAL OUTLINE**

**CONSTRUCT CONCRETE ALLEYS IN BLOCKS BOUNDED BY:
OAK-ELM-LOCUST-ROSEWOOD (SSA No. 4)
and
OAK-ELM-ROSEWOOD-GLENDALE (SSA No.5)**

Step	Description	Proposed Date
Introduce SSA Ordinance	Village Council to consider introducing an ordinance that proposes Special Service Areas Nos. 4 and 5 and sets a public hearing date of June 7, 2011.	April 7, 2011
Adopt SSA Ordinance	Village Council to consider adoption of an ordinance that proposes SSA Nos. 4 and 5 and sets a public hearing date of June 7, 2011.	April 26, 2011
Publish and Mail Legal Notice	A legal notice describing the special service area and noticing the public hearing must be published in a local newspaper of general circulation, and mailed to all property owners in the proposed SSAs.	May 5, 2011
Public Hearing	At least one public hearing must be held to discuss the creation of the SSA, including the proposed geographic area, budget, services, and tax levy.	June 7, 2011
60-day Waiting Period	State law prescribes a period of 60 days after the close of the public hearing during which time opponents are allowed to submit petitions in opposition to the ordinance. If an opposing petition is submitted to the Village Clerk within 60 days, AND carries the signatures of at least 51% or registered voters in the proposed SSA AND at least 51% of property owners of record in the proposed SSA, the SSA is defeated and cannot be resubmitted for two years.	June 8, 2011 through August 6, 2011
Introduce Ordinance Establishing SSA	Village Council to consider introducing an ordinance that establishes Special Service Areas Nos. 4 and 5.	August 16, 2011
Adopt Ordinance Establishing SSA	Village Council to consider adopting an ordinance that establishes Special Service Areas Nos. 4 and 5.	September 6, 2011
Award Bids	Village Council to consider awarding construction bids for SSA Nos. 4 and 5.	September 6, 2011
Construction	Construct proposed improvements.	Mid-September to mid-November, 2011

**AN ORDINANCE
PROPOSING THE ESTABLISHMENT OF THE
VILLAGE OF WINNETKA SPECIAL SERVICE AREA NO. 4 IN
THE VILLAGE OF WINNETKA
AND PROVIDING FOR A PUBLIC HEARING
AND OTHER PROCEDURES IN CONNECTION THEREWITH**

WHEREAS, the Village of Winnetka (“Village”) is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the public health, safety and welfare of its citizens; and

WHEREAS, it is in the public interest that a special service area (the “Winnetka Special Service Area No. 4) be established in the territory described in Exhibit B, which is attached to and made a part of this Ordinance (the “Territory”), which Territory is depicted on the map in Exhibit C, which is attached to and made a part of this Ordinance; and

WHEREAS, the Territory is a single family residential area consisting of the properties bounded by Elm Street, Oak Street, Locust Street, and Rosewood Avenue, which Territory constitutes a compact and contiguous residential territory; and

WHEREAS, the owners of the properties in the Territory have requested that the corporate authorities give consideration to the establishment of a special service area in order to provide for the construction of a storm sewer, a new concrete alley, and the construction of related appurtenances to the Area; and

WHEREAS, the public services proposed to be provided to Winnetka Special Service Area No. 4 (the “Services”) will supplement services currently or customarily provided by the Village to the Territory, in particular in connection with the alley and storm drainage infrastructure, in that the proposed Winnetka Special Service Area No. 4 is intended to improve stormwater drainage to the Territory and to construct a new concrete public alley to Village standards; and

WHEREAS, the Services proposed to be provided in Winnetka Special Service Area No. 4 are unique and in addition to the general municipal services provided to the Village as a whole and will be for the common interests and specific benefit of the Territory; and

WHEREAS, financing in an amount not to exceed \$148,000 and secured by the full faith and credit of the Territory is proposed to be provided for the purpose of paying the cost of providing the Services (“Financing”); and

WHEREAS, the Financing will be amortized over a period of not to exceed 5 years from the issuance thereof and shall bear interest at a rate or rates not to exceed five per cent (5%) per annum or the maximum rate then permitted by law; and

WHEREAS, the Financing is to be retired by the levy of a direct annual tax, sufficient to pay the interest and principal on the Financing as the same comes due, upon all taxable property within the Territory for a period of not to exceed 5 years, and the tax levied for the retirement of the Financing shall be unlimited as to the rate or amount in addition to all other taxes permitted by law; and

WHEREAS, it is in the public interest of the Village that a special service area (the “Winnetka Special Service Area No. 4”) be established in the Territory and the services to be provided to the Territory be paid for by the issuance of the Financing and the related levy of a special tax against all property located within the Territory; and

WHEREAS, the corporate authorities, having given consideration to the proposal, deem it advisable to initiate proceedings under the applicable laws of the State of Illinois in connection with such proposal; and

WHEREAS, Article VII, Section 6(i) of the Illinois Constitution provides, in pertinent part, that "the General Assembly may not deny or limit the power of home rule units ... to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services."

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

SECTION 1: The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby incorporated into this Ordinance by reference as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: The Village proposes the establishment of Winnetka Special Service Area No. 4 for the purpose of providing the Services within the Territory and the issuance of the Financing, together with the levy to pay therefor. Winnetka Special Service Area No. 4, if established, shall terminate not later than the 5th anniversary of the date of its establishment, unless prior to such date the Village enacts an ordinance extending the duration of the proposed Winnetka Special Service Area No. 4.

SECTION 3: A public hearing shall be held on June 7, 2011, at the Winnetka Village Hall, 510 Green Bay Road, Winnetka, Illinois, to consider the creation of Winnetka Special Service Area No. 4 for the Territory.

SECTION 4: At the public hearing, consideration will be given to borrowing an amount not to exceed \$148,000.00 (125% of the engineer's estimate of project costs), (the "Financing"). The proceeds of the Financing shall be used to pay part of the cost of the proposed Winnetka Special Service Area No. 4. The Financing is to be retired over a period not to exceed 5 years and are to bear interest at a rate not to exceed 5.00% per annum. The Financing, if issued, shall be retired by the levy of a direct tax on all taxable real property within the Territory to discharge the principal as it matures and the interest thereon, and said tax shall be in addition to all other taxes presently levied by any taxing district within the Territory.

SECTION 5: The notice of public hearing ("Notice") shall be published at least once not less than 15 days prior to the public hearing in the Winnetka Talk, a newspaper in general circulation in the Village. In addition, notice by mailing shall be given by depositing the Notice in the United States mail, addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the proposed Winnetka Special Service Area No. 4. The Notice shall be mailed not less than ten (10) days prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, the Notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of such property. The notice shall be in substantially the form as set forth in Exhibit A, which is attached to and made a part of this Ordinance.

SECTION 6: Every section and provision of this Ordinance shall be separable, and the invalidity of any portion of this Ordinance shall not affect the validity of any other portion of this Ordinance

SECTION 7: This Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 8: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this _____ day of April, 2011, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this _____ day of April, 2011.

Signed:

Village President

Countersigned:

Village Clerk

Introduced: April 7, 2011

Posted:

Passed and Approved:

Posted:

Exhibit A

**NOTICE OF PUBLIC HEARING
VILLAGE OF WINNETKA
PROPOSED SPECIAL SERVICE AREA NUMBER 4
Elm-Oak-Locust-Rosewood Alley Improvements**

NOTICE IS HEREBY GIVEN that on June 7, 2011, at 7:30 p.m. in the Winnetka Village Hall, 510 Green Bay Road, Winnetka, Illinois, a public hearing will be held by the Village of Winnetka (“Village”) to consider forming a special service area (the “Winnetka Special Service Area No. 4”) consisting of the real property known by the property index numbers and the approximate common street addresses described below (hereinafter collectively referred to as the “Territory”):

P.I.N.	STREET ADDRESS
05-20-110-001	1050 Elm
05-20-110-002	1044 Elm
05-20-110-003	1040 Elm
05-20-110-024	1036 Elm
05-20-110-022	1026 Elm
05-20-110-008	1020 Elm
05-20-110-009	1016 Elm
05-20-110-010	1010 Elm
05-20-110-011	1004 Elm
05-20-110-026	511 Rosewood
05-20-110-014	1041 Oak
05-20-110-015	1037 Oak
05-20-110-016	1035 Oak
05-20-110-017	1031 Oak
05-20-110-018	1025 Oak
05-20-110-019	1015 Oak
05-20-110-020	1011 Oak
05-20-110-021	1005 Oak

Winnetka Special Service Area No. 4 is to be established to provide certain public services (the “Services”) to the Territory that will supplement the services currently or customarily provided by the Village to the Territory, in particular the for the construction of a storm sewer, a new concrete alley, and the furnishing of all necessary labor and materials in connection therewith, and any other similar types of amenities and improvements that shall be compatible with the proposed improved plan for the Territory. The proposed Winnetka Special Service Area No. 4 is intended to improve stormwater drainage to the Territory and construct a new concrete alley to Village standards. The Services proposed to be provided in Winnetka Special Service Area No. 4 are unique and in addition to the general municipal services provided to the Village as a whole and will be for the common interests and specific benefit of the Territory.

At the hearing, consideration shall also be given to financing an amount not to exceed \$148,000.00 (125% of the engineer's estimate of project costs), (the "Financing"). The proceeds of the Financing shall be used to pay part of the costs of the proposed Winnetka Special Service Area No. 4. The Financing is to be retired over a period not to exceed 5 years and are to bear interest at a rate not to exceed 5.00% per annum or the maximum rate permitted by law. The Financing, if issued, shall be retired by the levy of a direct tax on all taxable real property within the Territory for a maximum period of 5 years, to discharge the principal as it matures and the interest thereon, and said tax shall be in addition to all other taxes presently levied by any taxing district within the Territory.

All interested persons affected by the formation of the Winnetka Special Service Area No. 4, including, but not limited to, all persons owning taxable real property located within the Territory, will be given an opportunity to be heard regarding the formation and the boundaries of the proposed Winnetka Special Service Area No. 4, and will be given an opportunity to file objections to the formation of Winnetka Special Service Area No. 4, the issuance of Financing, and the related levy of taxes affecting the Winnetka Special Service Area No. 4.

The public hearing may be adjourned by the Village to another date without further notice other than a motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment.

If a petition signed by at least 51 % of the electors residing within the Territory and by at least 51% of the owners of record of the land included within the Territory is filed with the Village Clerk within 60 days following the final adjournment of the public hearing objecting to the establishment of the proposed Winnetka Special Service Area No. 4, the enlargement thereof, the levy or imposition of a tax or the issuance of the Bonds for the provision of the Services to the Area, or to a proposed increase in the tax rate, then the proposed Winnetka Special Service Area No. 4 may not be created or enlarged, nor the tax levied or imposed, nor the rate increased, and the Financing may not be issued.

Dated this 5th day of May, 2011.

Robert M. Bahan, Village Clerk
Village of Winnetka, Cook County, Illinois

Exhibit B

PROPOSED WINNETKA SPECIAL SERVICE AREA NO. 4
Elm-Oak-Locust-Rosewood Alley Improvements

Legal Description.

That portion of land in Section 20, Township 42 North, Range 13 East of the third Principal Meridian, in the Village of Winnetka, Cook County, Illinois, described as follows: Lots 1, 2, 3, 4, 5, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19 20, and the east ½ of Lot 6, in Block 5 of Groveland Addition to Winnetka;

and

Lot 1 in Fox’s Consolidation of Lot 7 and the West ½ of Lot 6 in Block 5 of the Groveland Addition to Winnetka in Section 20, Township 42 North, Range 13 East of the third principal meridian, in the Village of Winnetka, Cook County, Illinois;

and

Lot 1 of the Myefski, Cook, & Cummins I Subdivision, a Resubdivision of Lots 11 and 12 in Block 5 of the Groveland Addition to Winnetka in Section 20, Township 42 North, Range 13 East of the third principal meridian, in the Village of Winnetka, Cook County, Illinois.

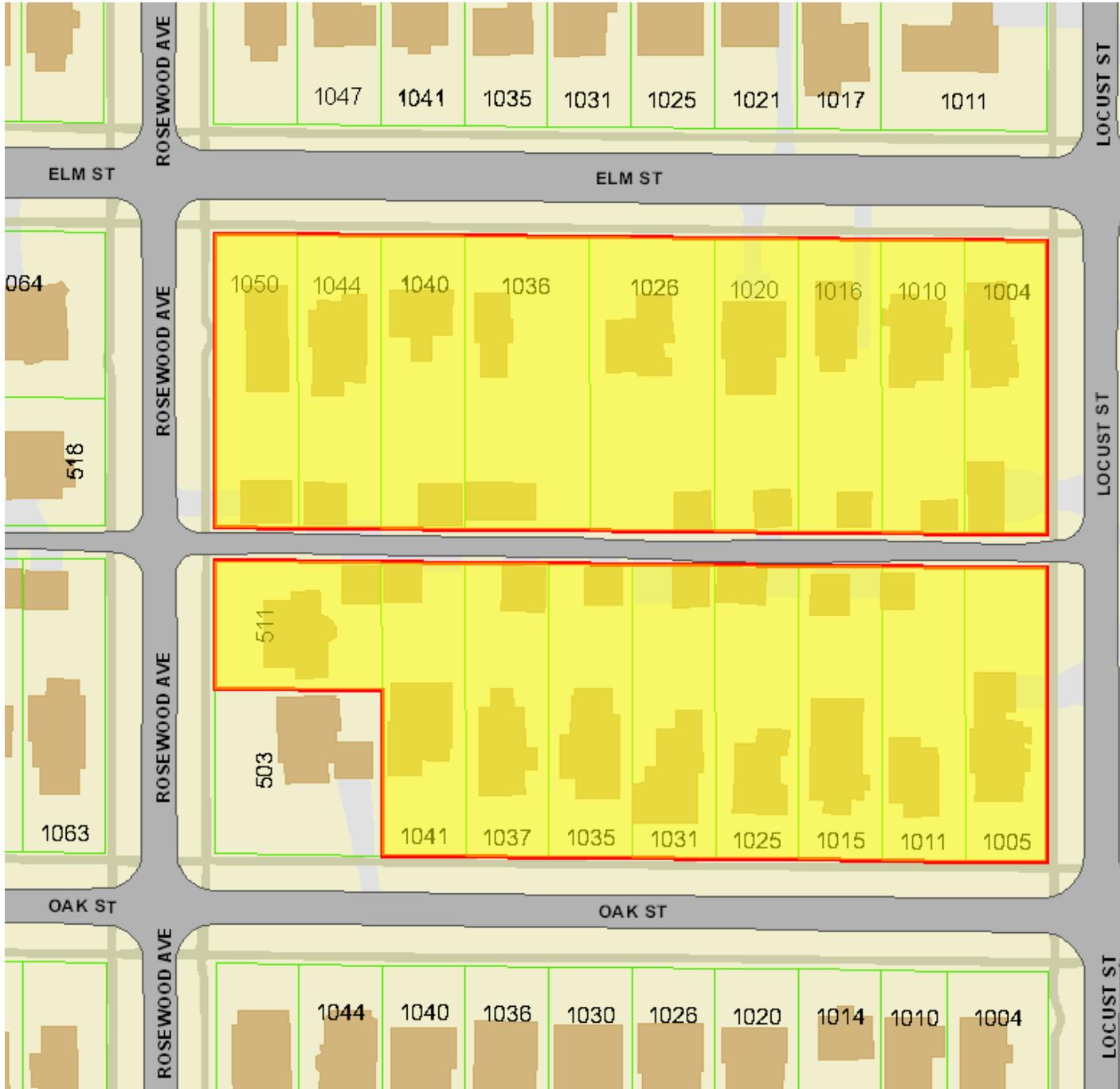
Common Description.

Said territory is bounded by Elm Street on the north, Oak Street on the south, Locust Street on the east, and Rosewood Avenue on the west, and consists of eighteen (18) properties which have the following common addresses:

P.I.N.	STREET ADDRESS
05-20-110-001	1050 Elm
05-20-110-002	1044 Elm
05-20-110-003	1040 Elm
05-20-110-024	1036 Elm
05-20-110-022	1026 Elm
05-20-110-008	1020 Elm
05-20-110-009	1016 Elm
05-20-110-010	1010 Elm
05-20-110-011	1004 Elm
05-20-110-026	511 Rosewood
05-20-110-014	1041 Oak
05-20-110-015	1037 Oak
05-20-110-016	1035 Oak
05-20-110-017	1031 Oak
05-20-110-018	1025 Oak
05-20-110-019	1015 Oak
05-20-110-020	1011 Oak
05-20-110-021	1005 Oak

EXHIBIT C

Project Location Map



**AN ORDINANCE
PROPOSING THE ESTABLISHMENT OF THE
VILLAGE OF WINNETKA SPECIAL SERVICE AREA NO. 5 IN
THE VILLAGE OF WINNETKA
AND PROVIDING FOR A PUBLIC HEARING
AND OTHER PROCEDURES IN CONNECTION THEREWITH**

WHEREAS, the Village of Winnetka (“Village”) is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the public health, safety and welfare of its citizens; and

WHEREAS, it is in the public interest that a special service area (the “Winnetka Special Service Area No. 5) be established in the territory described in Exhibit B, which is attached to and made a part of this Ordinance (the “Territory”), which Territory is depicted on the map in Exhibit C, which is attached to and made a part of this Ordinance; and

WHEREAS, the Territory is a single family residential area consisting of the properties bounded by Elm Street, Oak Street, Glendale Avenue, and Rosewood Avenue, which Territory constitutes a compact and contiguous residential territory; and

WHEREAS, the owners of the properties in the Territory have requested that the corporate authorities give consideration to the establishment of a special service area in order to provide for the construction of a storm sewer, a new concrete alley, and the construction of related appurtenances to the Area; and

WHEREAS, the public services proposed to be provided to Winnetka Special Service Area No. 5 (the “Services”) will supplement services currently or customarily provided by the Village to the Territory, in particular in connection with the alley and storm drainage infrastructure, in that the proposed Winnetka Special Service Area No. 5 is intended to improve stormwater drainage to the Territory and to construct a new concrete public alley to Village standards; and

WHEREAS, the Services proposed to be provided in Winnetka Special Service Area No. 4 are unique and in addition to the general municipal services provided to the Village as a whole and will be for the common interests and specific benefit of the Territory; and

WHEREAS, financing in an amount not to exceed \$161,250 and secured by the full faith and credit of the Territory is proposed to be provided for the purpose of paying the cost of providing the Services (“Financing”); and

WHEREAS, the Financing will be amortized over a period of not to exceed 5 years from the issuance thereof and shall bear interest at a rate or rates not to exceed five per cent (5%) per annum or the maximum rate then permitted by law; and

WHEREAS, the Financing is to be retired by the levy of a direct annual tax, sufficient to pay the interest and principal on the Financing as the same comes due, upon all taxable property within the Territory for a period of not to exceed 5 years, and the tax levied for the retirement of the Financing shall be unlimited as to the rate or amount in addition to all other taxes permitted by law; and

WHEREAS, it is in the public interest of the Village that a special service area (the “Winnetka Special Service Area No. 5”) be established in the Territory and the services to be provided to the Territory be paid for by the issuance of the Financing and the related levy of a special tax against all property located within the Territory; and

WHEREAS, the corporate authorities, having given consideration to the proposal, deem it advisable to initiate proceedings under the applicable laws of the State of Illinois in connection with such proposal; and

WHEREAS, Article VII, Section 6(i) of the Illinois Constitution provides, in pertinent part, that "the General Assembly may not deny or limit the power of home rule units ... to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services."

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

SECTION 1: The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby incorporated into this Ordinance by reference as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: The Village proposes the establishment of Winnetka Special Service Area No. 5 for the purpose of providing the Services within the Territory and the issuance of the Financing, together with the levy to pay therefor. Winnetka Special Service Area No. 5, if established, shall terminate not later than the 5th anniversary of the date of its establishment, unless prior to such date the Village enacts an ordinance extending the duration of the proposed Winnetka Special Service Area No. 5.

SECTION 3: A public hearing shall be held on May 3, 2011, at the Winnetka Village Hall, 510 Green Bay Road, Winnetka, Illinois, to consider the creation of Winnetka Special Service Area No. 4 for the Territory.

SECTION 4: At the public hearing, consideration will be given to borrowing an amount not to exceed \$161,250.00 (125% of the engineer's estimate of project costs), (the "Financing"). The proceeds of the Financing shall be used to pay part of the cost of the proposed Winnetka Special Service Area No. 5. The Financing is to be retired over a period not to exceed 5 years and are to bear interest at a rate not to exceed 5.00% per annum. The Financing, if issued, shall be retired by the levy of a direct tax on all taxable real property within the Territory to discharge the principal as it matures and the interest thereon, and said tax shall be in addition to all other taxes presently levied by any taxing district within the Territory.

SECTION 5: The notice of public hearing ("Notice") shall be published at least once not less than 15 days prior to the public hearing in the Winnetka Talk, a newspaper in general circulation in the Village. In addition, notice by mailing shall be given by depositing the Notice in the United States mail, addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the proposed Winnetka Special Service Area No. 5. The Notice shall be mailed not less than ten (10) days prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, the Notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of such property. The notice shall be in substantially the form as set forth in Exhibit A, which is attached to and made a part of this Ordinance.

SECTION 6: Every section and provision of this Ordinance shall be separable, and the invalidity of any portion of this Ordinance shall not affect the validity of any other portion of this Ordinance

SECTION 7: This Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 8: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this _____ day of April, 2011, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this _____ day of April, 2011.

Signed:

Village President

Countersigned:

Village Clerk

Introduced: April 7, 2011

Posted:

Passed and Approved:

Posted:

Exhibit A

**NOTICE OF PUBLIC HEARING
VILLAGE OF WINNETKA
PROPOSED SPECIAL SERVICE AREA NUMBER 5
Elm-Oak-Glendale-Rosewood Alley Improvements**

NOTICE IS HEREBY GIVEN that on June 7, 2011, at 7:30 p.m. in the Winnetka Village Hall, 510 Green Bay Road, Winnetka, Illinois, a public hearing will be held by the Village of Winnetka (“Village”) to consider forming a special service area (the “Winnetka Special Service Area No. 4”) consisting of the real property known by the property index numbers and the approximate common street addresses described below (hereinafter collectively referred to as the “Territory”):

P.I.N.	STREET ADDRESS
05-20-109-001	1110 Elm
05-20-109-002	1108 Elm
05-20-109-003	1106 Elm
05-20-109-025	1096 Elm
05-20-109-027	1086 Elm
05-20-109-007	1082 Elm
05-20-109-008	1078 Elm
05-20-109-009	1072 Elm
05-20-109-024	518 Rosewood
05-20-109-013	1111 Oak
05-20-109-014	1107 Oak
05-20-109-015	1101 Oak
05-20-109-028	1097 Oak
05-20-109-017	1087 Oak
05-20-109-018	1083 Oak
05-20-109-019	1077 Oak
05-20-109-020	1073 Oak
05-20-109-021	1067 Oak
05-20-109-022	1063 Oak

Winnetka Special Service Area No. 5 is to be established to provide certain public services (the “Services”) to the Territory that will supplement the services currently or customarily provided by the Village to the Territory, in particular the for the construction of a storm sewer, a new concrete alley, and the furnishing of all necessary labor and materials in connection therewith, and any other similar types of amenities and improvements that shall be compatible with the proposed improved plan for the Territory. The proposed Winnetka Special Service Area No. 5 is intended to improve stormwater drainage to the Territory and construct a new concrete alley to Village standards. The Services proposed to be provided in Winnetka Special Service Area No. 5 are unique and in addition to the general municipal services provided to the Village as a whole and will be for the common interests and specific benefit of the Territory.

At the hearing, consideration shall also be given to financing an amount not to exceed \$161,250.00 (125% of the engineer's estimate of project costs), (the "Financing"). The proceeds of the Financing shall be used to pay part of the costs of the proposed Winnetka Special Service Area No. 5. The Financing is to be retired over a period not to exceed 5 years and are to bear interest at a rate not to exceed 5.00% per annum or the maximum rate permitted by law. The Financing, if issued, shall be retired by the levy of a direct tax on all taxable real property within the Territory for a maximum period of 5 years, to discharge the principal as it matures and the interest thereon, and said tax shall be in addition to all other taxes presently levied by any taxing district within the Territory.

All interested persons affected by the formation of the Winnetka Special Service Area No. 5, including, but not limited to, all persons owning taxable real property located within the Territory, will be given an opportunity to be heard regarding the formation and the boundaries of the proposed Winnetka Special Service Area No. 5, and will be given an opportunity to file objections to the formation of Winnetka Special Service Area No. 5, the issuance of Financing, and the related levy of taxes affecting the Winnetka Special Service Area No. 5.

The public hearing may be adjourned by the Village to another date without further notice other than a motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment.

If a petition signed by at least 51 % of the electors residing within the Territory and by at least 51% of the owners of record of the land included within the Territory is filed with the Village Clerk within 60 days following the final adjournment of the public hearing objecting to the establishment of the proposed Winnetka Special Service Area No. 5, the enlargement thereof, the levy or imposition of a tax or the issuance of the Bonds for the provision of the Services to the Area, or to a proposed increase in the tax rate, then the proposed Winnetka Special Service Area No. 5 may not be created or enlarged, nor the tax levied or imposed, nor the rate increased, and the Financing may not be issued.

Dated this 5th day of May, 2011.

Robert M. Bahan, Village Clerk
Village of Winnetka, Cook County, Illinois

Exhibit B

PROPOSED WINNETKA SPECIAL SERVICE AREA NO. 5
Elm-Oak-Locust-Rosewood Alley Improvements

Legal Description.

Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19 and 20, in Block 6 of Groveland Addition to Winnetka in Section 20, Township 42 North, Range 13 East of the third Principal Meridian, in the Village of Winnetka, Cook County, Illinois;

and

The east 30 feet of Lot 14, in Block 6 of Groveland Addition to Winnetka in Section 20, Township 42 North, Range 13 East of the third Principal Meridian, in the Village of Winnetka, Cook County, Illinois;

and

The south 77 feet of Lots 1 and 2 in Block 6 of Groveland Addition to Winnetka in Section 20, Township 42 North, Range 13 East of the third Principal Meridian, in the Village of Winnetka, Cook County, Illinois;

and

Lot 1 of Cross' Consolidation of all of Lot 13 and Lot 14 except the east 30 feet thereof in Block 6 of the Groveland Addition to Winnetka; all Section 20, Township 42 North, Range 13 East of the third Principal Meridian, in the Village of Winnetka, Cook County, Illinois.

Common Description.

Said territory is bounded by Elm Street on the north, Oak Street on the south, Glendale Avenue on the west, and Rosewood Avenue on the east, and consists of nineteen (19) properties which have the following common addresses:

P.I.N.	STREET ADDRESS
05-20-109-001	1110 Elm
05-20-109-002	1108 Elm
05-20-109-003	1106 Elm
05-20-109-025	1096 Elm
05-20-109-027	1086 Elm
05-20-109-007	1082 Elm
05-20-109-008	1078 Elm
05-20-109-009	1072 Elm
05-20-109-024	518 Rosewood
05-20-109-013	1111 Oak
05-20-109-014	1107 Oak
05-20-109-015	1101 Oak
05-20-109-028	1097 Oak
05-20-109-017	1087 Oak
05-20-109-018	1083 Oak
05-20-109-019	1077 Oak
05-20-109-020	1073 Oak
05-20-109-021	1067 Oak
05-20-109-022	1063 Oak

EXHIBIT C

Project Location Map

