

Winnetka Village Council
REGULAR MEETING
Village Hall
510 Green Bay Road
Tuesday, October 16, 2012
7:30 p.m.

Emails regarding any agenda item are welcomed. Please email contactcouncil@winnetka.org, and your email will be relayed to the Council. Emails for a 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) Thursday, November 8, 2012, Rescheduled Regular Meeting
 - b) November 13, 2012, Study Session
 - c) November 20, 2012, Regular Meeting
- 4) Approval of Agenda
- 5) Consent Agenda
 - a) Village Council Minutes
 - i) September 11, 2012, Study Session3
 - ii) September 18, 2012, Regular Meeting6
 - b) Warrant Lists Nos. 1769 and 177010
 - c) Ordinance M-13-2012: Land Rover Lease Renewal – Adoption11
 - d) Ordinance MC-7-2012: Sign Code Amendments – Adoption.....22
- 6) Stormwater
 - a) Stormwater Monthly Summary Report.....28
 - b) Sanitary Sewer Anti-Backup Program: Request for Additional Funding.....40
 - c) Change Order: Primary Cable, Okonite Company42
- 7) Ordinances and Resolutions
 - a) Ordinance M-16-2012: 528 Maple Landmark Designation – Adoption44
- 8) Public Comment
- 9) Old Business: None.
- 10) New Business
 - a) Underground Tank Closure Bids81
 - b) Change Order: Pioneer Environmental Services84
- 11) Appointments
- 12) Reports

13) Executive Session

14) Adjournment

NOTICE

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

Videos of the Village Council meetings are televised on Channel 10 and AT&T Uverse Channel 99 every night at 7 PM. Videos of the meeting may also be viewed on the Internet via a link on the Village's web site: 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 – Megan Pierce, at 510 Green Bay Road, Winnetka, Illinois 60093, 847.716.3543; T.D.D. 847.501.6041.

MINUTES

WINNETKA VILLAGE COUNCIL STUDY SESSION September 11, 2012

(Approved: xx, 2012)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in Village Hall on Tuesday, September 11, 2012, at 7:30 p.m.

- 1) Call to Order. President Tucker called the meeting to order at 7:30 p.m. Present: Trustees Pat Corrigan, Richard Kates, Jennifer Spinney, Stuart McCrary, and Arthur Braun. Absent: Trustee Jack Buck. Also present: Village Manager Robert Bahan, Village Attorney Katherine Janega, Public Works Director Steven Saunders, Assistant to the Village Manager Megan Pierce, and approximately 12 persons in the audience.
- 2) Discussion.
 - a) Willow Road Stormwater Tunnel Project: Feasibility Report. Steve Saunders, Director of Public Works and Village Engineer, distributed handouts and presented a report on the study of the feasibility of constructing a large diameter tunnel to route stormwater to Lake Michigan, as a potential relief for significant storm events in five of eight identified drainage areas: North of Willow Road, South of Willow Road, Provident Area, Cherry Street Outlet, and the Winnetka Road Underpass. The Tunnel evaluation addressed increasing storm sewer size, adding stormwater storage, and ensuring stormwater quality through a single solution rather than developing multiple detention properties. Staff found the Tunnel project would generally cost \$8 million to \$10 million less than other possibilities considered, though this estimate does not include land acquisition costs.

Mr. Saunders reported that Staff has spent time with regulatory bodies to understand the requirements for permitting, including: Illinois Environmental Protection Agency (IEPA), United States Army Corps of Engineering, North Cook County Soil and Water Conservation District (NCCSWCD), and Metropolitan Water Reclamation District of Greater Chicago (MWRDGC). No agencies indicated this project would not work. Staff also investigated potential infrastructure and utility conflicts with the United Pacific Railroad, Comcast, Nicor, AT&T, and Winnetka Water & Electric, and found only minor conflicts.

With the assistance of Christopher B. Burke Engineering, Ltd. (CBBEL) and Kenny Construction, the initial estimate for the Willow Road Tunnel project has been revised from \$32,498,697 to \$34,597,912. This is estimated to be a \$7 million savings over alternative methods of stormwater relief, outside of constructing an underground tunnel. Another source of savings may come from consideration of an alternate tunnel route—using Ash Street rather than Willow Road and employing alternative construction methods. Of the areas that have already been identified, the capital budget has planned \$38.9 million in stormwater improvements. There are six additional areas being studied by consulting engineer Baxter & Woodman that are not included in this budget estimate. Information on these additional areas should be available to the Council in October.

Mr. Saunders responded to Council questions about the project timeline and Trustee Kates suggested that changing the level of protection at the Underpass might save up to \$2 million. Mr. Saunders noted that the 100-year flood model for the underpass is 7 feet deep, but that it was impassable in the July 2011 floods. Trustees inquired as to what will be done to assist people in the event of a storm prior to these projects being constructed. Saunders cited improvements to the Winnetka Avenue Pump Station and the Ash Street Pump Station that will benefit residents and also invited people to attend upcoming flood seminars on September 19 and 22. There was discussion of infrastructure maintenance and the proposed improvement of Willow Road and how this related to the Tunnel. Council asked that staff consider the aesthetics of any outfall structures proposed for the Lake.

Council and Saunders then heard and responded to public comment and questions. Responding to a comment by Responding to a comment from Ron White (Berkeley and Cherry Street), who suggested cleaning of the Skokie Ditch to help alleviate flash flooding, Mr. Saunders stated that the Village has a project in place to clean out this area in the coming winter.

The Council agreed that staff should proceed to conduct additional investigation to understand any substantial cost savings that might be achieved by alternate methods for project design and construction.

- b) Forest Glen/Northwest Winnetka Engineering Study. Thomas Burke, of CBBEL, distributed a handout and delivered a presentation. Following the July 2011 flood, CBBEL was engaged to perform a detailed study and propose stormwater mitigation solutions, including the Northwest Winnetka/Greenwood area, generally along Tower Road west of Vernon Avenue. The study was subsequently expanded to evaluate stormwater impacts of the Forest Glen area. CBBEL explained the results of the study and recommended new storm sewers along Forest Glen Drive and Tower Road, which required no additional improvements to those already outlined for Greenwood. The current budget contains funding for engineering the improvements recommended in the October 2011 CBBEL report, which outlined engineering to be performed in 2012 and construction to be completed in 2013.

The Council, Saunders, and Burke then heard and responded to public comment and questions:

Responding to comments from Steve Knaus (905 Greenwood), who expressed concern that work has slowed down, Mr. Saunders stated that tonight's proposal, if approved, would move this work forward and that construction for these improvements would take approximately four months.

Ken Lodge (1324 Forest Glen), who lives near the 15-foot historic drainage, supported improvements that benefit his neighbors, but expressed concern that the Village not shift the problem, as he has not historically experienced flooding. Saunders and Burke noted that high capacity inlets are envisioned to be constructed along the new storm sewer lines and that small berms will be constructed to protect homes from overland run-off. In these improvements, streets will be designed to take on water and flood before diverting to any

homes. Saunders added that the Village would notify impacted residents and provide for additional public comment once the plans are about 70% complete.

Bob Wataska (1295 Forest Glen Drive South), related expenses he has incurred to keep water out of his basement and noted that his is the only property that would have new storm sewer inlets. Burke noted they want to stop the water from getting to this outlet, but when and if it does reach it, the water needs to be drained. He added that the new storm sewer lines would be in addition to the existing ones.

Shevonlee Bukari (1418 Forest Drive South), stated she had not experienced flooding in her home but that they see overland water in the yard and asked why berms have not been planned for Forest Glen Drive South. Saunders and Burke explained that the modeling done to date did not show the need for berms, but would be analyzed again as part of surveying work for final engineering.

Responding to concerns expressed by Elise Covey (1503 Edgewood Lane), about flooding along Edgewood Lane, Saunders stated that the improvements will be designed to use gravity to direct the flow into the lagoon.

The consensus of the Council was to add the Forest Glen Improvements into the proposed Northwest Winnetka/Greenwood improvements so that engineering can be completed and work proceed in the next season.

- 3) Adjournment. Trustee Corrigan, seconded by Trustee Braun, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 10:10 p.m.

Recording Secretary

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
September 18, 2012**

(Approved: xx)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Council Chambers at Village Hall on Tuesday, September 18, 2012, at 7:30 p.m.

- 1) Call to Order. President Tucker called the meeting to order at 7:30 p.m. Present: Trustees Arthur Braun, Jack Buck, Richard Kates, Stuart McCrary and Jennifer Spinney. Absent: Trustee Patrick Corrigan. Also present: Village Manager Robert Bahan, Village Attorney Katherine Janega, Police Chief Patrick Kreis, Community Development Director Mike D’Onofrio, Planning Assistant Ann Klaassen, Director of Public Works Steve Saunders, Assistant to the Village Manager Megan Pierce, Landmark Preservation Commission Chair Louise Holland, and approximately 25 persons in the audience.
- 2) Pledge of Allegiance. President Tucker led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) October 2, 2012, Regular Meeting. All of the Council members present indicated that they expected to attend.
 - b) October 9, 2012, Study Session. All of the Council members present indicated that they expected to attend.
 - c) October 16, 2012, Regular Meeting. All of the Council members present indicated that they expected to attend.
- 4) Approval of the Agenda. President Tucker announced that Item 5(d), Police Department Roof Restoration, would be removed from the agenda for consideration at a later date. Trustee Kates, seconded by Trustee McCrary, moved to approve the Agenda as amended. By roll call vote the motion carried. Ayes: Trustees Braun, Buck, Kates, McCrary and Spinney. Nays: None. Absent: Trustee Corrigan.
- 5) Consent Agenda
 - a) Village Council Minutes.
 - i) August 21, 2012, Regular Meeting.
 - b) Warrant Lists Nos. 1765 and 1766. Approving Warrant List No. 1765 in the amount of \$674,955.12, and Warrant List No. 1766 in the amount of \$216,863.79.
 - c) Holiday Lighting Bid. Approving a bid to Kinnucan for the 2012 Holiday Lighting of public trees throughout the Village, in the amount of \$46,255.
 - d) Police Department Roof Restoration. This item was removed from the agenda.
 - e) Ordinance M-17-2012: 310 Walnut Variations – Adoption. Granting variations from front and side yard setback requirements to permit construction of a detached garage for a single family residence on the Subject Property.

Trustee McCrary, seconded by Trustee Braun, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Braun, Buck, Kates, McCrary and Spinney. Nays: None. Absent: Trustee Corrigan.

- 6) Landmark Preservation Awards. Louise Holland reviewed the history of Landmark Preservation in Winnetka, and explained that there are three award categories for the Preservation Awards: rehabilitation, restoration and new construction. She presented the awards as follows:

1125 Gage St. (Rehabilitation)

Owners: Christopher and Christine Donnelly

Architect: Dean Botes, Dean Botes Architects, Lake Zurich

321 Linden St. (Rehabilitation)

Owners: Andrew and Elizabeth Parkinson

Architect: Mark Ver Bryck, Ver Bryck Architects, Northfield

931 Oak St. (Rehabilitation)

Owners: David and Lisbeth Scharf

Architect: Mark Ver Bryck, Ver Bryck Architects, Northfield

400 Sheridan Rd. (Rehabilitation)

Owners: Gary and Linda Stephans

Architect: Healy M. Rice, Wilmette

411 Linden St. (Restoration)

Owners: Winnetka Historical Society

Contractor: Rob Bozarth, Lynch Construction, Lake Bluff

58 Warwick Rd. (New Construction)

Owners: Giff and Paula Zimmerman

Architect: Steve Munson, Biondi + Munson Architects, Highland Park

Ms. Holland encouraged residents to apply for the 2013 Preservation Awards next spring.

President Tucker thanked the Landmark Preservation Commission for their efforts to preserve the character of the Village.

- 7) Stormwater Update.

- a) Stormwater Utility Feasibility Study Proposal. Mr. Saunders said a Request for Proposals for a stormwater utility feasibility study was issued to help the Village evaluate the mechanisms available for financing stormwater improvements. He reviewed the qualifications of the recommended bidder, Municipal and Financial Services Group (MFSG), and explained that a final draft report is anticipated in January, 2013.

The Council asked questions and had a thorough discussion about issues associated with stormwater funding.

Bernard Hammer, 1455 Tower Road, said he was against a stormwater utility concept and added that every resident should have equal flood protection.

After another brief discussion, Trustee McCrary, seconded by Trustee Spinney, moved to authorize the Village Manager to enter into an agreement with Municipal & Financial Services Group in an amount not to exceed \$72,100 to perform a Stormwater Utility Feasibility study. By roll call vote, the motion passed. Ayes: Trustees Braun, Buck, Kates, McCrary and Spinney. Nays: None. Absent: Trustee Corrigan.

- b) Stormwater Monthly Summary Report. Mr. Saunders reported that Staff has created a schedule containing status updates for each stormwater project, which will be updated for the Council on a monthly basis to help them keep track of the budget and work schedules.

The Council discussed using tax revenues to gather some of the needed stormwater improvement revenues, and requested that another column be added to the budget chart to show the original FY2011-12 budgeted amounts.

- c) Amendment to Engineering Services Agreement – Strand Associates Sanitary Sewer Evaluation Survey. Mr. Saunders reported that the Village’s sanitary sewer consultant, Strand Associates, has recommended detailed field investigations in the three priority drainage basins and the remaining five cluster areas identified from the flow monitoring study completed last summer. He said the additional study would allow the Village to design improvements to try to eliminate inflow and infiltration in the targeted high priority areas.

Trustee Kates said he thought too much money has already been spent and he added that the contract is not specific enough. He said he is in favor of further survey work with the homeowners who responded to the Village’s 2011 sanitary sewer survey.

Mr. Saunders explained that a sanitary sewer evaluation was approved by the Village Council in December, 2011, and that Strand Associates was the firm chosen to perform the study. He said their evaluation provided information about which areas of the Village’s sanitary sewer system are susceptible to inflow/infiltration (I/I), and that this information was intended to be used for planning future flood prevention efforts. He explained that the clusters indicated on the survey maps represent homes that reported flooding in the Village’s informal sanitary sewer survey, and that this information, together with the Strand report, was used to provide recommendations for prioritizing the basins that needed further study. He said the goal is to use Strand’s empirical data to target areas where I/I is occurring, so the Village’s sanitary sewer system can be tightened up in advance of requesting homeowners to make improvements to their private sewer lines.

Mr. Saunders explained that the next level of testing will show where problems are in the Village’s sewer system, and that more proposals from other firms can be solicited if the Council does not mind delaying the project until spring of 2013. He added that budget projections for sanitary sewer improvements would also be impacted by delaying further testing of the priority basins.

After an extensive discussion, the Council decided to table the project for the time being.

8) Ordinances and Resolutions.

- a) Ordinance MC-8-2012: Code Amendment: Vehicle Impoundment & Towing -- Introduction. Attorney Janega reviewed technical amendments to the Village Code that clarify language about the scope of the impoundment and towing procedures.

There being no questions or comments, Trustee Braun, seconded by Trustee Buck, moved to introduce Ordinance MC-8-2012. By voice vote, the motion carried.

9) Public Comment and Questions. Bernard Hammer, 1455 Tower, commented about the Village's sign ordinance.

10) Old Business. None.

11) New Business.

- a) Proclamation: Winnetka No Text on Board Day. President Tucker said that AT&T and the Illinois Municipal League have partnered to raise awareness of the dangers of texting and driving, and have asked municipalities to pass resolutions in support of their efforts. She added that Winnetka Girl Scout Troop 41059 has also initiated a safe driving campaign to fight distracted driving.

Trustee Braun, seconded by Trustee McCrary, moved adopt the Proclamation proclaiming Winnetka No Text on Board Day. By roll call vote, the motion carried. Ayes: Trustees Braun, Buck, Kates, McCrary and Spinney. Nays: None. Absent: Trustee Corrigan.

12) Reports

- a) Village President. President Tucker invited residents to attend the Village's upcoming stormwater management seminars.

b) Trustees.

- i) Trustee Braun reported that the EFC is working to establish their 2012-13 charter and prioritize issues.
- ii) Trustee McCrary reported that the Historical Society is planning their benefit, and may experiment with hosting several activities over the course of the year instead of one big one.
- iii) Trustee Kates reported that the BCDC continues to investigate actions to benefit the business community and they are interested in finding innovative ideas that work in other communities.

c) Attorney. None.

- d) Manager. Manager Bahan reported that he was scheduled to meet with the Chair of the BCDC on Thursday and added that he wanted to ensure that an economic development position would be used in conjunction with specific commercial expansion strategies so that the position can be successful.

13) Appointments. None.

14) Executive Session. None.

15) Adjournment. Trustee Braun, seconded by Trustee McCrary, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 10:15 p.m.

Recording Secretary

AGENDA REPORT

TO: Village Council
FROM: Robert M. Bahan, Village Manager
DATE: October 10, 2012
SUBJECT: **Warrant Lists Nos. 1769 and 1770**

Warrants Lists Nos. 1769 and 1770 are enclosed in each Council member's packet.

Recommendation: Consider approving Warrants Lists Nos. 1769 and 1770.

Agenda Report

Subject: Ordinance M-13-2012 - Land Rover Lease

Prepared by: Katherine S. Janega, Village Attorney

Reference: October 2, 2012 Council Meeting, pp. 49 – 66

Date: October 10, 2012

Ordinance M-13-2012 approves a short-term lease with Fields PAG, Inc., doing business as Land Rover Winnetka (Land Rover). The lease would allow Land Rover to continue to occupy and use the parcel of land at the southeast corner of Green Bay Road and Winnetka Avenue, 93 Green Bay Road, for light repairs, and for vehicle display and parking.

The parcel abuts the north end of the Village parking lot that lies alongside the Union Pacific right-of-way south of Winnetka Avenue. The Village acquired the property from G&W Auto Repair in November of 2001, in furtherance of the Comprehensive Plan, *Winnetka 2020*, which identifies the site as a future gateway park and made acquisition a priority.

Land Rover has leased the property from the Village since January 9, 2002. Pursuant to that lease, Land Rover has paid the annual property taxes levied against the parcel, and has paid a total of \$415,800 in rental fees, at a monthly rate of \$3,223.00 for the first 5-year term and \$3,707.00 for the second 5-year term.

The 2001 lease reserved the Village's right to use a portion of the property for traffic signal improvements. As anticipated, the Village was required to convey approximately 0.024 acres of the 0.2478 parcel to the State of Illinois as part of the traffic signal and intersection improvements at Green Bay Road and Winnetka Avenue.

Ordinance M-13-2012, which was introduced at the October 2, 2012, Council meeting, authorizes a new lease with Land Rover, substantially in the form provided in Exhibit A to the Ordinance. As negotiated by Village staff, the proposed lease reflects the reduced parcel size by reducing the base rent to an initial monthly rent of \$3,300, allowing for off-site vehicle parking at the northernmost part of the Indian Hill Parking Lot on the east side of Green Bay Road. The lease also calls for a one-year term with automatic one-year extensions, and 180-day notice of intent to terminate the lease at the end of any given year. The remainder of the lease is essentially the same as the original Land Rover lease.

Recommendation:

Consider passing Ordinance M-13-2012, authorizing a property lease with Fields PAG, Inc., d/b/a Land Rover Winnetka, substantially in the form presented in Ordinance Exhibit A.

ORDINANCE NO. M-13-2012

**AN ORDINANCE
AUTHORIZING A SHORT TERM LEASE OF VILLAGE PROPERTY
TO LAND ROVER WINNETKA (93 Green Bay Road)**

WHEREAS, on November 1, 2001, pursuant to Ordinance M-22-2001, the Village of Winnetka purchased the property commonly known as 93 Green Bay Road (the “Property”), which is legally described as follows:

Lot 1 of the Woyner’s Subdivision in the North Half of Section 28, Township 42 North, Range 13, East of the Third Principal Meridian, in the Village of Winnetka, in Cook County, Illinois; and

WHEREAS, on January 9, 2002, pursuant to Ordinance M-33-2001, the Village of Winnetka entered into a lease agreement that allowed M.E. Fields, Inc., a Delaware corporation authorized to do business in the State of Illinois, and doing business as Land Rover Winnetka, use the Property for the storage and servicing of vehicles in conjunction with its retail sales of new automobiles from its main showroom at 80 Green Bay Road; and

WHEREAS, Fields PAG, Inc., is a Florida corporation authorized to do business in the State of Illinois, and is the successor to M.E. Fields, doing business as Land Rover Winnetka; and

WHEREAS, the Village and Land Rover Winnetka have agreed to the terms and conditions of a new short-term lease, which is attached hereto as Exhibit A; and

WHEREAS, leasing the Property to Land Rover Winnetka subject to the terms and conditions set forth in Exhibit A is in the public interest, in that it allows the Village to recover some of the costs of acquiring the property, keeps the property on the tax rolls and assures that Land Rover Winnetka will remain on Green Bay Road within the Village of Winnetka, thereby securing continuing sales tax revenues and anchoring the Indian Hill commercial district; and

WHEREAS, Section 11-76-1 of Article 11 of the Illinois Municipal Code authorizes municipalities to lease municipally owned property for a term of up to 99 years; 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, pursuant to which the Village 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; and

WHEREAS, the Village Council find and determine that the leasing of property owned by the Village of Winnetka is a matter pertaining to the government and affairs of the Village.

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: The Council of the Village of Winnetka hereby approve an agreement for the lease of the Property to Fields PAG, Inc., doing business as Land Rover Winnetka, for the period from January 9, 2012, to and including December 31, 2014, with options for successive one-year extensions, said lease agreement being substantially in the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 3: From and after the effective date of this Ordinance, the Village President and Village Clerk are hereby authorized and directed to execute the Lease and to do all things necessary and essential to carry out the provisions of the Lease.

SECTION 4: 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 5: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this 16th day of October, 2012, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this 16th day of October, 2012.

Signed:

Village President

Countersigned:

Village Clerk

Introduced: October 2, 2012

Posted: October 3, 2012

Passed and Approved: October 16, 2012

Posted:

PROPERTY LEASE

THIS LEASE AGREEMENT (“Lease”), dated January 9, 2012, is made by and between the **VILLAGE OF WINNETKA**, an Illinois special charter municipal corporation, and **FIELDS PAG, INC.**, a Florida corporation, authorized to do business in the State of Illinois, and doing business as **LAND ROVER WINNETKA**.

RECITALS

A. The Village of Winnetka (the “Village”) is an Illinois special charter municipality located in the County of Cook. Pursuant to Ordinance M-22-2001, the Village, on November 1, 2001, purchased the property commonly known as 93 Green Bay Road (the “Property”), which is legally described as follows:

Lot 1 of the Woyner’s Subdivision in the North Half of Section 28, Township 42 North, Range 13, East of the Third Principal Meridian, in the Village of Winnetka, in Cook County, Illinois.

B. The Property is located at the southeast corner of Winnetka Avenue and Green Bay Road and has been identified in the Comprehensive Plan, Winnetka 2020, as a location for a future Village park. The Property is bordered on the east by the Union Pacific Railroad right-of-way and is bordered on the south by the South Indian Hill Parking Lot, which is owned by the Village of Winnetka.

C. The Property is the former site of G & W Auto Repair and is improved with a service garage, air compressor, underground lift and a 3-tank waste oil heating system.

D. Fields PAG, Inc., (“Lessee”) is a Florida corporation authorized to do business in the State of Illinois, and now does business as Land Rover Winnetka, a retail automobile sales and services business located at 80 Green Bay Road, Winnetka, Illinois, pursuant to a special use permit and license agreement authorized by Ordinance M-456-96.

E. Lessee is also the successor lessee of the Property, which was leased to M.E. Fields, Inc., effective January 9, 2001, pursuant to a lease approved by Ordinance M-33-2001 (“2001 Lease”).

F. Pursuant to Section 7.C of the 2001 Lease, the Property has been reduced by 0.024 acres, as depicted in the shaded area of Exhibit A to this Lease, to allow for the improvements to the roadway and traffic signals at the intersection of Green Bay Road and Winnetka Road.

G. The Village and Lessee have agreed to terms and conditions whereby the Village will continue to lease the Property, as depicted in Exhibit A, to Lessee for the storage and servicing of vehicles in conjunction with Lessee’s retail sales of new automobiles from its main showroom at 80 Green Bay Road.

NOW, THEREFORE, in consideration of the rent and other covenants and agreements set forth herein, the Village of Winnetka (the “Village”) and Fields PAG, Inc., d/b/a Land Rover Winnetka (the “Lessee”) agrees as follows:

SECTION 1: Scope of Lease.

A. Subject to the terms and conditions hereinafter set forth, the Village hereby leases the property commonly known as 93 Green Bay Road, as depicted in the survey attached hereto as Lease Exhibit A, subject to the exclusion of the shaded area in said Lease Exhibit A, but including all improvements on the Property (collectively, the “Lease Premises”), to Lessee for the storage, minor servicing and cleaning of vehicles in conjunction with Lessee’s retail sales of new automobiles from its main showroom at 80 Green Bay Road.

B. In addition to the Lease Premises, the Village agrees to provide parking for approximately 14 vehicles at the north end of the public parking lot located on the east side of Green Bay Road and north of Winnetka Avenue, adjacent to the METRA right of way, in the area depicted in the attached Lease Exhibit B (“Sunset Parking Area”). Lessee shall be entitled to park vehicles in the striped spaces of the Sunset Parking Area 24 hours a day. During the hours that Lessee is open for business, Lessee shall also be entitled to park vehicles in the aisle located directly north of the Sunset Road entrance to the Sunset Parking Area.

SECTION 2: Limitation of Rights Granted. This lease does not grant any rights to the Lessee other than those specifically stated herein. This lease is not intended in any way to modify the terms and conditions of Ordinance M-456-96 and the 1996 License Agreement for the use of the public alley in conjunction with the special use permit granted pursuant to said Ordinance M-456-96.

SECTION 3: Alterations, Maintenance and Condition of Property.

A. Lessee acknowledges that it is taking the Lease Premises as-is and that any alterations, modifications or improvements made to the Lease Premises will be made at Lessee’s own expense.

B. No structural changes shall be made to the building on the Lease Premises without the prior written approval of the Village Manager.

C. The Lessee shall be responsible for obtaining, at its own expense, such permits and approvals as may be required under applicable Village of Winnetka ordinance for work done on the building or any part of the Lease Premise. If any proposed work is subject to the certificate of appropriateness requirements of the Winnetka Village Code, the Design Review Board shall consider the Lessee’s application and submit a recommendation to the Village Council, which shall make the final determination as to whether the certificate shall be issued.

D. Lessee shall maintain the Lease Premises in good order and repair as long as Lessee remains in possession of the Property.

E. Lessee’s use of the Lease Premises shall at all times be in compliance with all federal, State and local environmental laws, rules, regulations and standards. Lessee shall not permit any pollutant, toxic substance or hazardous material to be released or discharged from the Lease Premises into the public way or onto any other property, and the Lessee shall be solely responsible for the cost of any remedial action that may be necessary to clean up any such pollutant, toxic substance or hazardous material. A violation of this paragraph by the Lessee shall be a material breach of this lease and shall entitle the Village to terminate this Lease for default.

SECTION 4: Term. This Lease shall be in effect from January 9, 2012, to and including December 31, 2014 (“Initial Lease Term”), unless otherwise terminated as provided in this Lease. This Lease shall automatically be extended for successive one-year terms (each of which shall be referred to as “Additional Lease Term”), unless either party notifies the other, as provided in Section 10, below, at least 180 days before the end of the Initial Lease Term or any Additional Lease Term, as the case may be, of the notifying party’s intent to terminate the Lease at the end of the then-current lease term.

SECTION 5: Rent and Taxes.

A. During the Initial Lease Term, and for any Additional Lease Term through December 31, 2014, Lessee agrees to pay Lessor a monthly rental fee of \$3,300.00, which shall be paid to the Village on or before the first day of each month. For each Additional Lease Term that begins on or after January 1, 2015, the monthly rental fee shall be increased by 5% over the monthly rental fee of the previous lease term.

B. The Lessee shall pay, when due, all applicable taxes levied against the Property. Lessee understands that property tax bills are issued in the year following the property tax levy and that Lessee’s obligation to pay any taxes associated with this Lease shall continue until Lessee has paid all such taxes levied against the Property for the period of time this Lease, including all extensions, is in effect.

C. The failure of Lessee to pay the monthly rent or any applicable taxes when due shall be a material breach of this lease and shall entitle the Village to terminate this Lease for default.

SECTION 6: Liability, Indemnification and Insurance.

A. The Lessee hereby waives any and all claims that it, its employees, agents, successors and assigns may now have or may have in the future against the Village, its officers, employees, agents, successors or assigns, arising in whole or in part from the Lessee’s use of the Lease Premises under this Lease.

B. The Lessee shall defend and hold harmless the Village, its officers, employees, agents, successors and assigns, from and against any and all claims, losses, liabilities and costs, including but not limited to reasonable attorneys' fees, incurred by the Village, its officers, employees, successors and assigns for any damage or injury to property or persons, including third parties, arising in any way out of the applicant's use of the Lease Premises. The Lessee’s duties under this paragraph shall not be limited by any limitations on insurance policies obtained by the Lessee.

C. At all times while this Lease remains in effect, the Lessee shall procure and maintain liability insurance in the amount of at least \$2,000,000 to secure Lessee’s performance of its obligations under the preceding paragraph.

D. At all times while this Lease remains in effect, the Lessee shall procure and maintain fire and extended coverage insurance upon the Lease Premises to their full insurable value.

E. The Village shall be named as an additional insured on all insurance policies required under this Lease. Lessee shall maintain on file with the Village current certificates of insurance, in a form acceptable to the Director of Finance, as evidence that the required insurance has been procured and remains in full force.

SECTION 7: Reservation of Rights.

A. The Village reserves the right to adopt, from time to time, in addition to the provisions contained herein, such ordinances, rules and regulations as the Village Council may deem necessary in the exercise of the police power for the protection of the health, safety and welfare of the Village's citizens and their properties;

B. The Village reserves the right to enforce reasonable regulations concerning access to or use of the public ways or public property, including access to the Lease Premises, as may from time to time be provided by ordinance; and

C. In addition to any other remedies the Village may have, the Village reserves the right to terminate this lease if Lessee fails to comply with all of the terms of this Lease and with all of the terms of Ordinance M-456-96 and the 1996 License Agreement between the Village and Lessee.

D. The Village reserves the right to waive any breach by Lessee of any of the covenants contained in this Lease. Such waiver shall not be deemed or considered as a continuing waiver and shall not operate to bar or prevent the Village from declaring that the Lessee is in default under this Lease for any succeeding breach of this Lease, whether the breach is of the same condition or covenant, or of another condition or covenant.

SECTION 8: Termination. This Lease shall be subject to termination by the Village in the event that the Lessee is in default of the performance of any of its obligations under this agreement and fails to cure the default within ten days after receiving written notice from the Village.

SECTION 9: Assignment and Transfer. The Lessee shall not assign, transfer, sublease, pledge, surrender or otherwise encumber or dispose of this Lease or any estate created by this Lease or any interest in any portion of the Lease, or permit any other person(s), company or corporation to occupy the premises without first obtaining the written consent of the Village.

SECTION 10: Notices. All notices to any party shall be in writing and shall be served by first class postage to the parties at the following address:

If to the Village: Village of Winnetka
510 Green Bay Road
Winnetka, Illinois 60093
Attention: Village Manager

If to Fields PAG, Inc.: Fields PAG, Inc., d/b/a
Land Rover Winnetka
80 Green Bay Road
Winnetka, Illinois 60093
Attention: Centre Manager

SECTION 11: Miscellaneous Provisions.

A. The Lessee shall not allow or cause any lien or encumbrance to be recorded against the Property at any time.

B. The Lessee shall allow the Lessor's authorized representatives access to the Lease Premises at all reasonable hours, for the purpose of examining and inspecting the premises, for the purposes necessary or connected with the performance of its obligations under this Lease or in the exercise of its governmental functions.

C. It is understood and agreed that the only relationship intended to be created by this Lease between the Village and Lessee is that of lessor and lessee, or landlord and tenant, and that nothing in this Lease is intended or should be construed as creating or establishing any other relationship between the parties, such as partners or joint venturers, or as constituting either party as the agent, representative or employee of the other party, for any purpose or in any manner.

D. Lessee's use of the Lease Premises shall at all times be in compliance with all applicable ordinances, rules and regulations of the Village of Winnetka and with all laws, statutes, rules and regulations of any other governmental entity having jurisdiction over the Property and/or Lessee's operations. Lessee shall obtain and maintain all permits and licenses necessary for it to lawfully operate the Lease Premises.

E. Lessee shall pay to the Village all fees for municipal services provided to the Lessee or to the Lease Premises during the term of this Lease, including but not limited to, water and electric services.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly signed and sealed in duplicate counterparts by their authorized officers, effective as of the date first written above.

VILLAGE OF WINNETKA

By: _____
Village President

Attest:

Village Clerk

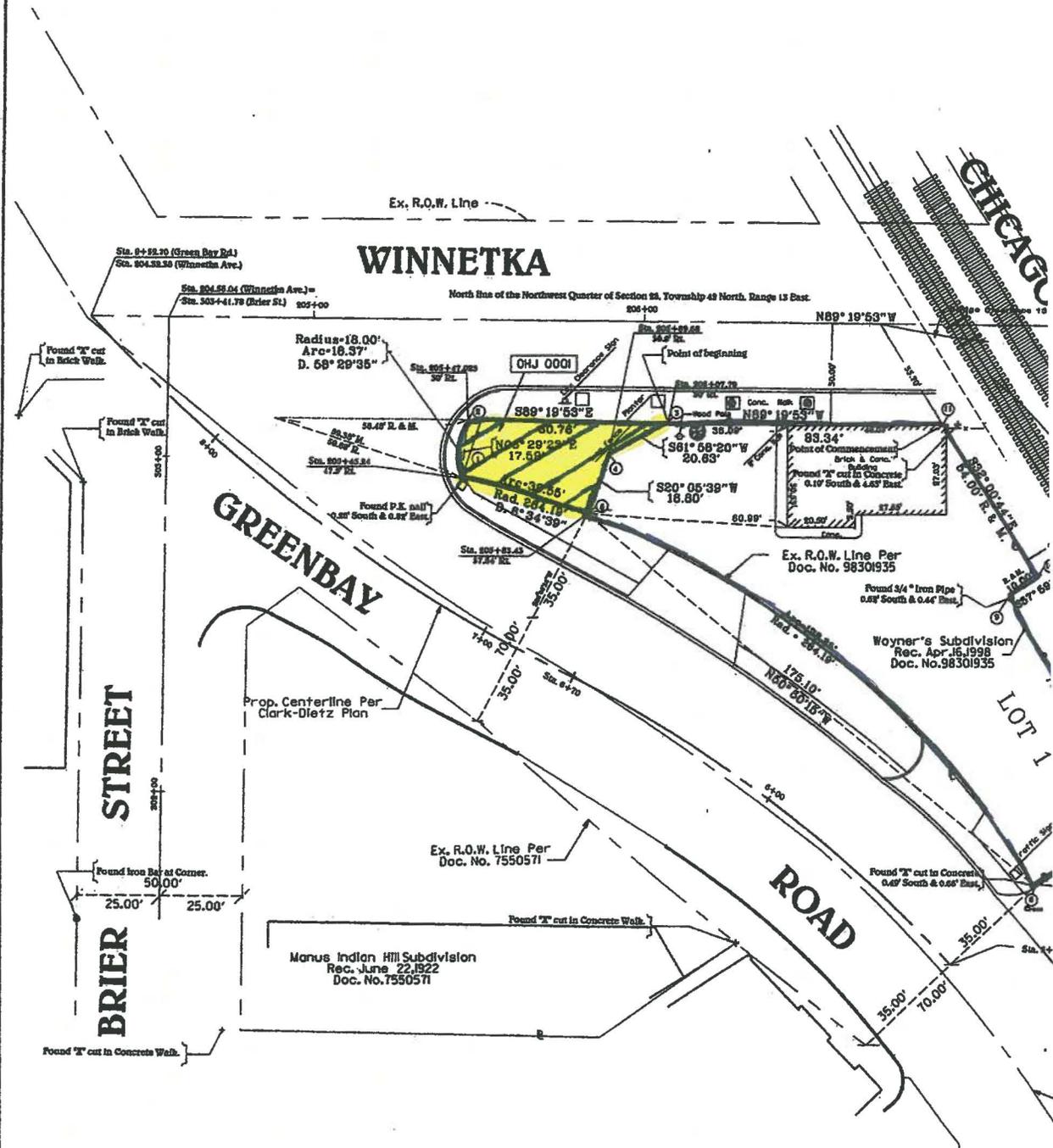
FIELDS PAG, INC.,
D/B/A LAND ROVER WINNETKA

By: _____
Title:

Attest:
(Seal)

Secretary

PART OF THE NE 1/4 & NW 1/4 OF SECTION 28, TWP. 42 N., R. 13 E. OF T

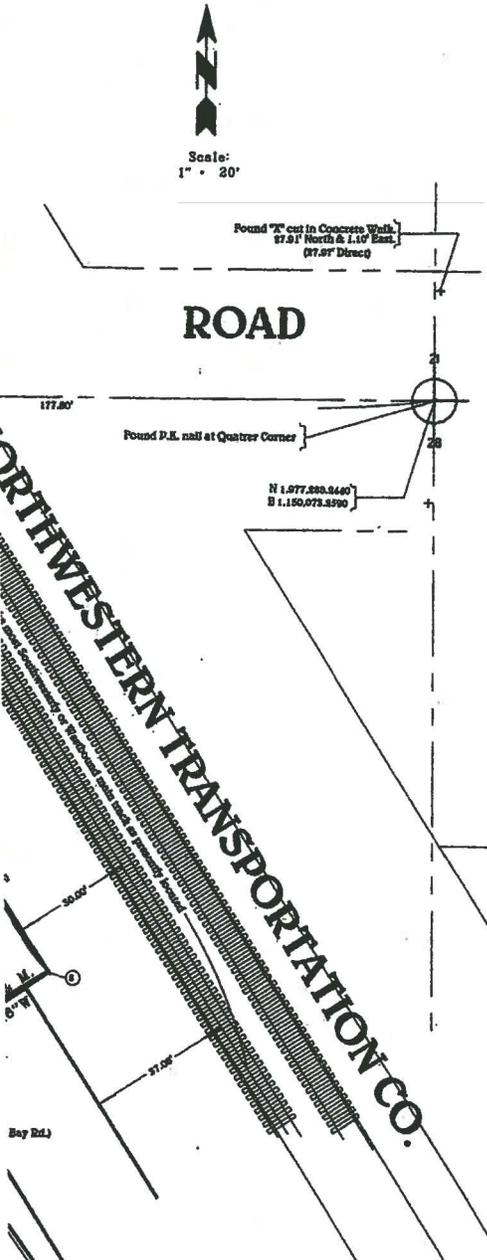


PARCEL NUMBER	OWNER	TOTAL HOLDINGS ACRES	PART TAKEN ACRES	AREA IN EXISTING R.O.W. ACRES	REMAINDER AREA ACRES	EASEMENT	AREA SQUARE FEET	EASEMENT PURPOSE	PERMANENT INDEX NUMBER	AC
						ACRES				
OHJ 0001	Village of Winnetka	0.2478	0.024	—	0.224	—	—	—	05-28-103-129-0000	—

ROUTE NAME SECTION COUNTY JOB NO. REVISION DATE

..U2_ROW_IDOT_w-hpo.dgn 2/17/2011 8:37:58 AM

RD. P.M., IN COOK COUNTY, ILLINOIS.



LEGEND

SECTION CORNER: 9 10 16 15

QUARTER SECTION CORNER: 16 15

SECTION LINE

QUARTER SECTION LINE

QUARTER, QUARTER SECTION LINE

PLATTED LOT LINES

PROPERTY (DEED) LINE

APL APPARENT PROPERTY LINE

CENTERLINE

EXISTING RIGHT OF WAY LINE

PROPOSED RIGHT OF WAY LINE

PROPOSED EASEMENT

MEASURED DIMENSION: 129.32'

COMPUTED DIMENSION: 129.32' (COMP)

RECORDED DIMENSION: 129.32'

EXISTING BUILDING

GRAPHIC SCALE FEET

SCALE: 1" = 20'

- Bearings are referenced to the Illinois Coordinate System, NAD83, East Zone, as provided by the Illinois Department of Transportation.
- IRON PIPE OR ROD FOUND
 - ⊕ 'MAG' NAIL SET
 - + CUT CROSS FOUND OR SET
 - 5 / 8" REBAR SET
 - T1 THESE STAKES REFERENCE FOUND OR SET MONUMENTATION SET 5/8 INCH IRON ROD FLUSH WITH GROUND TO TIE FOUND IRON STAKE IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.
 - T2
 - T3
 - BT1 THESE STAKES, IN CULTIVATED AREAS, REFERENCE FOUND OR SET MONUMENTATION, BURIED 5/8 INCH IRON ROD 20 INCHES BELOW GROUND TO TIE FOUND IRON STAKE IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.
 - BT2
 - BT3
 - STAKING OF PROPOSED RIGHT OF WAY, SET DIVISION OF HIGHWAYS SURVEY MARKER TO MONUMENT THE POSITION SHOWN IDENTIFIED BY INSCRIPTION DATA AND SURVEYORS REGISTRATION NUMBER.
 - M STAKING OF PROPOSED RIGHT OF WAY IN CULTIVATED AREAS, BURIED 5/8 INCH METAL ROD 20 INCHES BELOW GROUND TO MARK FUTURE SURVEY MARKER POSITION IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.
 - ⊙ PERMANENT SURVEY MARKER, I.D.O.T. STANDARD 205 (TO BE SET BY OTHERS)
 - RIGHT OF WAY STAKING PROPOSED TO BE SET

STATE OF ILLINOIS)
 COUNTY OF COOK)

THIS IS TO CERTIFY THAT I, JEFFREY D. CARLSON, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED THE PLAT OF HIGHWAYS SHOWN HEREON IN SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PLAT CORRECTLY REPRESENTS SAID SURVEY, THAT ALL MONUMENTS FOUND AND ESTABLISHED ARE OF PERMANENT QUALITY AND OCCUPY THE POSITIONS SHOWN THEREON AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, MADE FOR THE DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS.

DATED AT NORTHBROOK, ILLINOIS THIS 7TH DAY OF FEB. 2018 A.D.

Jeffrey D. Carlson
 JEFFREY D. CARLSON
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2538
 LICENSE EXPIRATION DATE: November 30, 2012

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DANIEL CREANEY COMPANY
 CONSULTING CIVIL ENGINEERS
 450 SKOKIE BLVD, SUITE 105
 NORTHBROOK, ILLINOIS
 (847) 480 - 5757
 FAX (847) 480 - 7209
 JOB NO.: 5525

Interline Per Improvement Plan for FAU 1291 (Green Bay Rd.) dated May 24th, 1979. Project M-5003 (433)

1	N 1.977.844.8240	S 1.149.768.8900
2	N 1.977.861.1261	S 1.149.771.694
3	N 1.977.861.8900	S 1.149.838.4900
4	N 1.977.861.8900	S 1.149.814.8900
5	N 1.977.861.8900	S 1.149.807.7700
6	N 1.977.188.8440	S 1.149.844.188
7	N 1.977.188.1870	S 1.149.845.8900
8	N 1.977.145.8900	S 1.149.876.8900
9	N 1.977.861.8900	S 1.149.864.891
10	N 1.977.814.8910	S 1.149.844.8900
11	N 1.977.861.8900	S 1.149.814.891

NOTES:
 Bearings and Coordinates are based on State Plane coordinates from Monument Record located at the intersection of Wilson St. and Winnetka Ave. in Sect. 28, Twp 42 North, Range 13 E. of the 3rd Principal Meridian in Cook County, Illinois.

PLAT OF HIGHWAYS
 STATE OF ILLINOIS
 DEPARTMENT OF TRANSPORTATION
 ROAD NAME

SECTION: Winnetka Rd. & Green Boy Rd. COUNTY: Cook
 PROJECT: Winnetka Rd. & Green Boy Rd. JOB NO.: R-90-005-11
 STATION TO STATION
 SCALE: 1" = 20' SHEET 2 OF 3

BUREAU OF LAND ACQUISITION
 201 WEST CENTER COURT
 SCHAUMBURG, ILLINOIS 60196

RECORDING: RECORDED ON



MapOffice™ Land Rover Option 1



Lease Exhibit 2

AGENDA REPORT

SUBJECT: Ordinance MC-7-2012 – Amending Sections 15.60.080 and 15.60.090 of the Winnetka Sign Code

PREPARED BY: Katherine S. Janega, Village Attorney

REFERENCE: September 21, 2010 Council Meeting, pp. 73 – 76
January 18, 2011 Council Meeting, pp. 18 – 23
February 8, 2011 Council Meeting, pp. 3 – 8
October 2, 2012 Council Meeting, pp. 39 – 48

DATE: October 10, 2012

Ordinance MC-7-2012 amends the Village’s Sign Ordinance (Village Code Chapter 15.60) to provide greater consistency in the regulation of the size of certain signs. Section 15.60.080 enumerates the types of signs that are permitted without a permit and without time limitations, while Section 15.60.090(A) lists the types of temporary signs that are permitted without a permit. Both sections contain size limitations and other conditions for the display of the signs that fall within their scope.

In early 2011, Sections 15.60.080 and 15.60.090 were amended to bring the Sign Ordinance into compliance with Public Act 96-904, which had amended Item 12 of Section 11-13-1 of the Illinois Municipal Code. (65 ILCS 5/11-13-1) Under the amended Item 12, “no municipality may prohibit the display of outdoor political signs on residential property,” except for “reasonable restrictions as to size.” The prohibition applies to home rule and non-home rule municipalities, alike.

The 2011 amendments addressed Public Act 96-904 by moving the provision regarding political signs on residential properties to Section 15.60.080, which lists signs that are allowed without a permit and without a time limitation. The 2011 amendments also lowered the maximum size for all outdoor political signs from 8 square feet to 6 square feet, and amended Section 15.60.090(A)(4) by similarly reducing the allowable size both for political signs on non-residential properties and for off-premises event signs. The amendments did not alter the requirement that all event signs, wherever located, and political campaign signs on non-residential properties be removed no more than 7 days after the event or election. (Public Act 96-904 did not address political signs on non-residential properties.)

Ordinance MC-7-2012 addresses concerns that have been raised over the last few months about whether the differing size standards improperly regulate based on their content. This is done by amending Sections 15.60.080 and 15.60.090 to set 8 square feet as the maximum size for all political signs, as well as for all off-premises event signs in residential districts. This provides consistency of size in residential districts for political signs and such other signs as garage sale signs, real estate sale signs and off-premises event signs.

Recommendation:

Consider passing Ordinance MC-7-2012, amending Chapter 15.60 of the Winnetka Village Code as it pertains to the size of signs.

**AN ORDINANCE
AMENDING CHAPTER 15.60 OF THE WINNETKA VILLAGE CODE
AS IT PERTAINS TO POLITICAL SIGNS**

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, pursuant to which it has the authority, except as limited by said Section 6 of Article VII, to adopt ordinances, to promulgate rules and regulations and to exercise any power and perform any function pertaining to the government and affairs of the Village and that protect the public health, safety and welfare of its citizens; and

WHEREAS, in the exercise of its home rule powers, the Village has enacted Chapter 15.60 of the Winnetka Village Code, titled “Signs,” which contains comprehensive regulations of signs within the Village; and

WHEREAS, item (12) of Section 11-13-1 of the Illinois Municipal Code, 65 ILCS 5/11-13-1, as amended by Public Act 96-904, limits the exercise of home rule authority in the regulation of certain political signs; and

WHEREAS, on February 8, 2011, the Council of the Village of Winnetka (“Village Council”) enacted Ordinance MC-1-2011, which amended Chapter 15.60 to bring it into compliance with Public Act 96-904 and to otherwise clarify the requirements for political signs and for certain other signs allowed without a permit; and

WHEREAS, the Village Council find and determine that Chapter 15.60 should be amended further to clarify its regulations pertaining to certain political signs and to assure that its sign regulations are content neutral.

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: Section 15.60.080, “Signs allowed without a permit,” of Chapter 15.60, “Signs,” of Title 15 of the Winnetka Village Code, “Buildings and Construction,” is hereby amended to provide as follows:

Section 15.60.080 Signs allowed without a permit.

The following signs shall be allowed without a permit; provided that, the sign is not prohibited by Section 15.60.060 of this chapter; and ~~provided that, the sign it~~ complies with Section 15.60.130 of this chapter.

A. Permitted, nonilluminated temporary signs, ~~as provided described~~ in Section 15.60.090; ~~provided, the area of any such sign does not exceed the size limitations established therein;~~

B. Permitted, nonilluminated signs on single and two-family dwellings, as ~~described provided~~ in Section 15.60.100(A);

C. Permitted, nonilluminated signs of organizations, ~~as provided described~~ in Section 15.60.110; provided, the area of any such sign does not exceed eight (8) square feet;

D. (Repealed.)

E. Memorial plaques, building markers, cornerstones, historical plaques and similar designations displayed for noncommercial purposes; provided that, the area of any such signs does not exceed six (6) square feet;

F. Signs and pavement markings required by the police, fire or other governmental departments for the safety and convenience of the public;

G. Street or house number signs not exceeding one and one-half square feet in area;

H. Nonilluminated directional signs ~~which that~~ do not contain a commercial message, logo or illustration, and ~~which that~~ do not exceed three square feet in area;

I. Incidental signs; ~~provided that, they shall that do~~ not exceed one square foot in area.

(Ord. MC-209-98 § 2 (part), 1998; prior code § 27.08)

J. Self-supporting portable menu board signs displayed at restaurants or other food service establishments that offer food service for consumption on the premises, subject to the following limitations:

1. The signs shall be no more than 24 inches wide and 36 inches high, including support elements.

2. No restaurant or food service establishment shall be allowed more than one such sign.

3. The signs may be displayed only during the hours that the business is open to the public.

4. The signs may be placed on a public sidewalk, provided they do not extend more than two feet from the face of the building.

5. The signs may only be displayed between May 1 and November 30 of each year.

6. The proposed location of a sign for a restaurant with outdoor seating shall be depicted on the site plan submitted with the application for the outdoor seating permit and the sign shall be placed only in the location specified on the approved outdoor seating plan.

7. Notwithstanding the foregoing, the Village reserves the right to order the relocation or removal of any menu board sign if the Director determines that the sign poses a safety hazard for pedestrian or vehicular traffic.

K. Any outdoor sign located on residential property that pertains to an elections or political campaigns; ~~and that is located on residential property;~~ provided, that no such sign shall be ~~no~~ more than six (6) feet eight (8) square feet in area.

L. Subject to the approval of the Village Council, banners displayed on any utility pole, street light or lamp post in the Hubbard Woods or Elm Street business districts, provided the Village Council determines that the banner is not a commercial or political advertisement.

(Amended MC-7-2002 § 4, 08/06/02; Amended MC-3-2003, 03/04/03; Amended MC-1-2011, 2/8/11)

SECTION 3: Subsection A of Section 15.60.090, “Permitted temporary signs,” of Chapter 15.60, “Signs,” of Title 15 of the Winnetka Village Code, “Buildings and Construction,” is hereby amended to provide as follows:

Section 15.60.090 Permitted temporary signs.

A. Signs Permitted. The following temporary signs shall be allowed without a permit; provided, they meet the requirements of this section; and provided further, that, unless specifically provided otherwise, the area of the sign shall not exceed eight (8) square feet:

1. Nonilluminated real estate signs, advertising the sale or lease of the lot or premises on which they are located; provided that, any such sign shall be less than six feet in height. No more than one such sign shall be allowed on the lot or premises, except that on corner lots, there may be one such sign facing each street. All such signs shall be removed within seven days after the sale or lease of the premises.

2. Nonilluminated construction-site signs identifying the parties engaged in the design and construction on the lot or premises on which they are displayed, subject to the following conditions.

a. Any sign in a residential zoning district shall have an area of no more than eight square feet in area nor shall the top of the sign be more than six feet above grade.

b. Any such sign in a nonresidential zoning district shall be no more than sixteen (16) square feet in area nor shall the top of the sign be more than twelve (12) feet above grade.

c. No more than one such sign shall be allowed on the lot or premises.

d. All such signs shall be removed within seven days after completion of the work to which the sign pertains, as determined by the Director.

3. Decorations displayed in connection with civic, patriotic or religious holidays, except that they shall be removed within seven days after the specific holiday.

4. Certain signs pertaining to elections or political campaigns, and signs displayed by civic, philanthropic, religious or educational organizations regarding an event sponsored by the organization, subject to the following conditions:

a. No outdoor sign on non-residential property that pertains to elections or political campaigns ~~and that is located on non-residential property~~ shall be more than ~~six (6) feet~~ eight (8) square feet in area;

b. No sign that is for an event sponsored by a civic, philanthropic, religious or educational organization and that is located on the exterior of the premises of the organization sponsoring the event shall be more than thirty-two (32) square feet in area;

c. No sign that is for an event sponsored by a civic, philanthropic, religious or educational organization and that is located in an exterior location other than on the premises of the organization sponsoring the event shall be more than ~~six (6) feet~~ eight square (8) feet in area; and

d. Any sign subject to this paragraph 4 shall be removed no later than seven days after the election or event for which it was displayed.

5. Window signs displayed on nonresidential premises located in a commercial zoning district to advertise special sales of merchandise or special commercial events, subject to the following conditions:

a. No such sign may be illuminated,

b. No such sign shall be more than eight square feet in area and the total area of all window signs, both temporary and permanent, shall not exceed the ten (10) percent limitation for window signs as provided in Section 15.60.120(B)(1)(d),

c. No such sign shall be displayed for more than thirty (30) days;

6. Nonilluminated garage sale signs displayed on the residential property on which the sale is conducted, subject to the following conditions:

a. No such sign shall be more than eight square feet in area,

b. No more than one such sign shall be permitted on the lot or premises, except that on corner lots one such sign may face each street,

c. No such signs shall be displayed for more than seventy-two (72) hours.

7. Signs such as banners, balloons, and similar devices that are displayed on residential property in a single-family residential zoning district to announce a birth, birthday, anniversary or similar special occasion; provided, no such sign shall be displayed more than twelve (12) hours before the occasion, and no such sign shall be displayed for more than forty-eight (48) hours.

SECTION 4: 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 5: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this 16th day of October, 2012, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this 16th day of October, 2012.

Signed:

Village President

Countersigned:

Village Clerk

Introduced: October 2, 2012

Posted: October 3, 2012

Passed and Approved: October 16, 2012

Posted:

Agenda Report

Subject: **Stormwater Monthly Summary Report**

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

Date: October 10, 2012

The Village's Stormwater Project Manager has prepared a monthly report for the Village Council that brings together status, cost, and schedule information, for each separate stormwater project, in one place. The report consists of four documents, explained below:

AT Group Project Summary Report (Attachment #1)

This report provides a brief outline and summary of each major stormwater project currently being undertaken by the Village.

One Year Look-Ahead Schedule (Attachment #2)

This document provides an overview schedule for each project.

Program Budget (Attachment #3)

This report provides financial information for the stormwater and sanitary sewer improvement programs.

Program Organization Chart (Attachment #4)

This document presents a one-page "snapshot" view of the status of each project, and how each project fits into the overall stormwater and sanitary sewer management program.

Recommendation:

Informational Report

Attachments:

1. AT Group Project Summary Report
2. One Year Look-Ahead Schedule
3. Program Budget
4. Program Organization Chart

Attachment #1
AT Group Project Summary Report



MEMORANDUM

DATE: October 10, 2012
TO: Steven Saunders, P.E.
Village of Winnetka
SUBJECT: Project Summary

Spruce Outlet (Tower)

Activity Summary CBBEL is collecting utility information (e.g., phone, cable, gas electric) and proceeding with the final design. Based on the Baxter & Woodman drainage study of the Merrill Street area, there is no need to modify the CBBEL plans. Construction is scheduled for the summer of 2013.

Budget Summary The Village budgeted \$90,000 for engineering and committed \$111,429. The total project cost estimate remains \$1,162,853.

6-Month Look Ahead The project team will:

1. Proceed with final engineering
2. Prepare construction documents for bidding
3. Prepare and submit the required permits
4. Let the contract with Village Council approval
5. Conduct a neighborhood meeting on the project

Spruce Outlet (Lloyd)

Activity Summary CBBEL is proceeding with the final design and permitting. Construction is scheduled for the summer of 2013.

Budget Summary The Village budgeted \$90,000 for engineering and committed \$37,143. The total project cost estimate remains \$398,786.

6-Month Look Ahead The project team will:

1. Complete the final engineering
2. Prepare construction documents for bidding
3. Prepare and submit the required permits
4. Let the contract with Village Council approval
5. Conduct a neighborhood meeting on the project

Winnetka Avenue Pump Station

Activity Summary The project team will participate in a site visit with the FPDCC to observe the operation of a trash rack system similar to the one proposed for this project by CBBEL. If the selected trash rack is acceptable to the FPDCC, the project team will finalize engineering and prepare the required submittal for the FPDCC to permit the project. Although the engineering and construction for the project are included in the Village's current year budget, construction will most likely occur in early 2013.

Budget Summary The Village budgeted \$750,000 for the total project cost and committed \$29,300 for engineering.

Significant Items The FPDCC decision on whether to require a new license as opposed to amending the existing license may have a schedule and budget impact due to a longer review time and additional license fees, respectively. Though the FPDCC has not provided clear direction, it is the project team's intention to prepare an amended license submittal and proceed accordingly.

6-Month Look Ahead The project team will:

1. Complete the final engineering
2. Submit an application for an amended license to the FPDCC
3. Prepare construction documents for bidding
4. Prepare and submit the required permits
5. Let the contract with Village Council approval

NW Winnetka (Greenwood/Forest Glen)

Activity Summary The Village Council approved an engineering agreement with CBBEL to perform design engineering services. CBBEL started detailed surveys of the area and will proceed with preliminary engineering.

Budget Summary The Village budgeted \$250,000 for engineering and committed \$226,874 for engineering. The total project cost estimate - including the Forest Glen improvements - is \$4,266,924.

6-Month Look Ahead The project team will:

1. Proceed with fieldwork and start preliminary engineering
2. Brief the Council on the preliminary engineering
3. Prepare construction documents for bidding
4. Prepare and submit the required permits
5. Let the contract with Village Council approval
6. Conduct a neighborhood meeting on the project



Willow Road Tunnel

Activity Summary The project team had a preliminary meeting with CBBEL and Kenny to discuss routes and construction methods. The team plans to meet with the Union Pacific regarding the tunnel below the railroad, will refine the cost estimates as necessary, and will present a finalized project scope to the Village Council.

Budget Summary The Village budgeted \$800,000 for engineering and committed \$70,350. The total project cost estimate is \$34,369,048.

6-Month Look Ahead The project team will:

1. Continue with pre-engineering review
2. Brief the Council on the final project scope and estimated cost reductions
3. Procure the services of an engineering consultant for design and permitting
4. Commence preliminary engineering

Stormwater Master Plan

Activity Summary Village staff continues to meet monthly with Baxter & Woodman representatives to discuss the status of the project. In addition to B&W, CBBEL also attended for project coordination.

Budget Summary The Village budgeted \$50,000 and committed \$101,220.

6-Month Look Ahead The project team will:

1. Present additional drainage area studies to the Council
2. Prepare the draft Stormwater Master Plan

Stormwater Utility Feasibility Study

Activity Summary The Village approved an agreement with Municipal and Financial Services Group (MFSG), who is proceeding with the Study.

Budget Summary The Village budgeted \$50,000 and awarded an agreement in the amount of \$72,100. No payments have been processed to date.

6-Month Look Ahead The project team will:

1. Conduct a project kick-off meeting and obtain a project schedule
2. Proceed with the Feasibility Study
3. Discuss financing methods at a Study Session (November 13)
4. Present the findings to the Council



Sanitary Sewer Evaluation

Activity Summary Strand completed the Sanitary Sewer Evaluation Study and presented the findings to the Council on August 21, 2012. At staff's request, Strand prepared a proposal to conduct additional detailed studies of specific basins and areas based on the findings. Staff is collecting additional information to clarify areas for further study.

Budget Summary The Village budgeted \$100,000 and committed \$107,857.

6-Month Look Ahead The project team will:

1. Present the alternate study scope to the Council
2. Complete the additional studies
3. Report findings to the Council

Public Outreach

Activity Summary The Village hosted public meetings on September 19 and 22 to engage with interested residents and local stakeholders on Stormwater and Floodplain Management. In addition, the project team, in conjunction with B&W, developed a website for the Village's Stormwater Management Program (www.winnetkastormmasterplan.com).

Budget Summary There is no separate budget associated with this project, as it is included in the B&W Master Plan agreement.

6-Month Look Ahead There are no planned activities.

Attached are the following documents:

1. One-Year Look-Ahead Schedule including Council Meeting Presentations
2. Program Budget
3. Program Organization Chart

If you have any questions or need additional information, please call me at 847-691-9832, or send an e-mail to jjohnson@theatgrp.com.



Attachment #2
One Year Look-Ahead Schedule

Village of Winnetka
Stormwater Management Program

One-Year Look Ahead Schedule

10/10/2012

	Oct 12	Nov 12	Dec 12	Jan 13	Feb 13	Mar 13	Apr 13	May 13	Jun 13	Jul 13	Aug 13	Sep 13
Tower/Foxdale												
Preliminary Engineering												
Permitting												
Final Engineering												
Construction												
Lloyd Outlet												
Preliminary Engineering												
Permitting												
Final Engineering												
Construction												
Tunnel (Willow North, Willow South, Provident, Cherry Outlet, Underpass)												
Feasibility Study												
Preliminary Engineering												
NW Winnetka (Greenwood/Forest Glen)												
Preliminary Engineering												
Permitting												
Final Engineering												
Construction												
Winnetka Avenue Pump Station												
Preliminary Engineering												
Permitting												
Final Engineering												
Construction												
Sanitary Sewer												
Pilot Study												
Stormwater Master Plan												
Drainage Studies												
Develop SMP												
Water Quality Sampling												
Community Outreach												
Village Council Meeting Presentations												
CBBEL Greenwood/Forest Glen Engineering Agreement												
Anti-Backup Program Status												
Stormwater Monthly Report												
SSES Status												
Tunnel Project Update (Route)												
Stormwater Funding Mechanisms												
Stormwater Monthly Report												
Baxter & Woodman Additional Drainage Study Areas												
Stormwater Monthly Report												
Stormwater Master Plan Status												
Stormwater Utility Feasibility Study Status												
Stormwater Monthly Report												
Stormwater Monthly Report												
Lloyd Outlet Bid Award												
Winnetka Avenue Pump Station												
Stormwater Master Plan Status												
NW Winnetka 65% Engineering												
Stormwater Monthly Report												
Stormwater Monthly Report												
Tower/Foxdale Bid Award												
Stormwater Master Plan Draft Report												
Stormwater Monthly Report												
NW Winnetka Bid Award												
Stormwater Master Plan Final Report												
Stormwater Monthly Report												
Stormwater Monthly Report												
Stormwater Monthly Report												
Stormwater Monthly Report												
Stormwater Monthly Report												

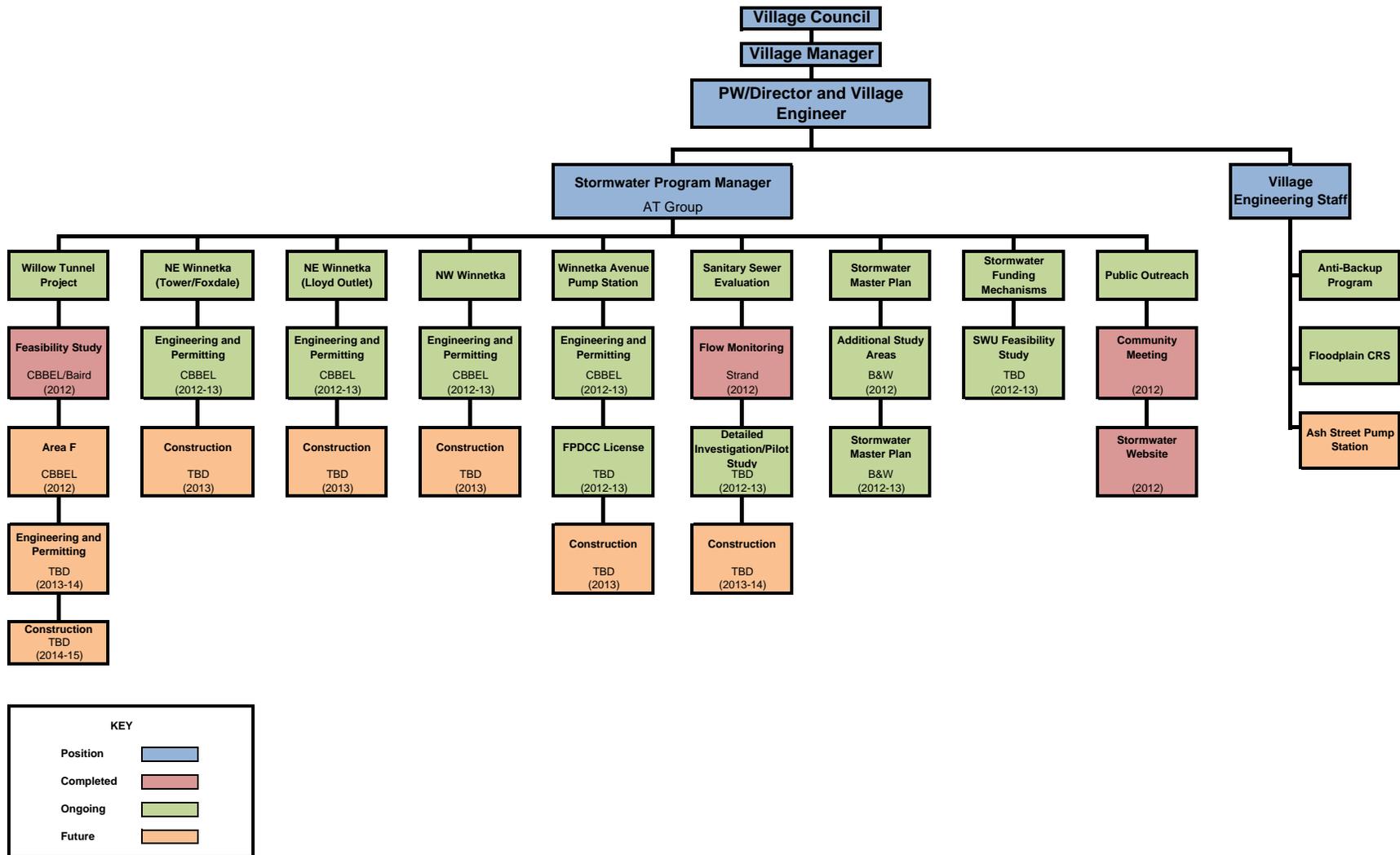
Attachment #3 Program Budget

**Village of Winnetka
Stormwater Management Program Budget**

Project	Initial Estimated Project Costs	Curent Estimated Project Costs	2012/2013 Budget	Council Authorized	Spent	Comments
<u>Stormwater Fund</u>						
<u>58.75.640.601</u>						
Winnetka Ave. pump station	\$ 750,000	\$ 750,000	\$ 750,000	\$ 29,300	\$ 15,440	Based on DPW 2011/12 Budget
Tower Road/Foxdale	\$ 1,419,544	\$ 1,162,853	\$ 90,000	\$ 111,429	\$ 53,971	Decrease based on 65% construction drawings
Lloyd Park/Spruce Street	\$ 601,030	\$ 398,786	\$ 90,000	\$ 37,143	\$ 17,990	Decrease based on 65% construction drawings
NW Winnetka Greenwood/Forest Glen	\$ 2,880,887	\$ 4,266,924	\$ 250,000	\$ 226,874	\$ -	Added Forest Glen and included utilities from different line item
Willow Rd tunnel <i>Proposed Area F</i>	\$ 32,498,697	\$ 34,369,048	\$ 800,000	\$ 37,750 \$ 17,600	\$ 32,422 -	CBBEL October 2011 budget w/Kenny and Baird estimates
Stormwater rate study	\$ 50,000	\$ 72,100	\$ 50,000	\$ 72,100	\$ -	DPW 2011/12 Budget vs proposal
Stormwater master plan	\$ 50,000	\$ 101,220	\$ 50,000	\$ 101,220	\$ -	DPW 2011/12 Budget vs proposal (added 6 drainage areas)
Total Stormwater Costs	\$ 38,250,158	\$ 41,120,930	\$ 2,080,000	\$ 633,416	\$ 119,823	
<u>Sanitary Sewer Fund</u>						
<u>54.70.640.201</u>						
Sanitary Sewer Studies	\$ 100,000	\$ 107,857	\$ 100,000	\$ 107,857	\$ 107,857	Additional monitoring
Trenchless lining	\$ 150,000	\$ 166,237	\$ 150,000	\$ 166,237	\$ -	DPW 2011/12 Budget vs bid
System I & I repairs	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	\$ -	
Total Sanitary Sewer Costs	\$ 350,000	\$ 374,094	\$ 350,000	\$ 274,094	\$ 107,857	



Attachment #4
Program Organization Chart



Agenda Report

Subject: Sanitary Sewer Anti-Backup Program: Request for Additional Funding

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

Date: October 9, 2012

In 2006, the Village implemented a cost-sharing program to encourage and assist homeowners to install anti-backup protective systems on their sanitary sewer service lines as a means of reducing the incidences of sanitary sewer backup. Installations of anti-backup devices or conversions to overhead sewer are the only activities eligible under the program, which is limited to unprotected single-family residential buildings. The program contributes 50% of the cost up to \$3,500 (\$5,000 for overhead sewer installations) up to the funding limit set annually by the Village Council when the budget is adopted.

The Village has traditionally budgeted \$15,000 each year for this program since its inception, which was sufficient to cover requests for participation in the program. However, interest in the program has increased significantly in the aftermath of the July 2011 flood event. Based on this increased interest in the program, the Village provided a one-time additional \$50,000 funding for last year's program, and increased the budget from \$15,000 to \$30,000 this year.

The following table illustrates the fiscal status of this year's program:

# Inquiries Received 2012	26
# of Reimbursed Projects	9
Amount of Reimbursement Paid	\$31,165.50 (Budget \$30,000)
# Completed Projects Awaiting Reimbursement	3
Amount of Reimbursement Pending	\$11,375
Maximum additional amount needed if half of remaining requests* install overhead sewer by 3/31/13	\$35,000+\$11,375= <u>\$46,375</u>
Maximum additional amount needed if half of remaining requests* install anti-backup devices by 3/31/13	\$24,500+11,375= <u>\$35,875</u>

* Based on typical timeline of project from initial contact to request for reimbursement

Staff has evaluated the status of several projects in the Sewer Fund and proposes allocating an additional \$40,000 to the anti-backup program to cover all requests currently in process. The additional funding would be allocated based on the following:

FY 2012-2013 Sewer Fund Capital Funding – Budget Account 54-70-640-201

Item	FY 2012-13 Budget	Estimated	Over/(Under) Budget
Sanitary Sewer Evaluation Studies	\$100,000	\$107,857	\$7,857
Trenchless Lining	\$150,000	\$166,237	\$16,237
System I/I Repairs	\$100,000	35,000*	(\$65,000)
Additional Funding for Anti-Backup Program	N/A	\$40,000	\$40,000
TOTALS	\$350,000	\$349,094	(\$906)

* Available for direct smoke testing, manhole inspections, CCTV inspection of areas identified in August 2012 Strand Report, if authorized by Council.

Recommendation:

Consider authorizing expenditure of an additional \$40,000 on the Sewer Anti-Backup Cost Sharing Program, for a total authorization of \$70,000, for FY 2012-2013.

AGENDA REPORT

SUBJECT: **Change Order for Primary Cable, The Okonite Company**

PREPARED BY: Brian Keys, Director Water & Electric

REF: October 2, 2012 Village Council Meeting, pp. 13-38
 April 3, 2012 Village Council Meeting, pp. 35-42

DATE: October 10, 2012

On October 2, 2012, the Village Council authorized the Village Manager to sign an agreement with Christopher B. Burke Engineering, Ltd. to perform professional engineering services for the storm water improvements in the Forest Glen and Greenwood Avenue study areas. The proposed large-diameter storm sewer under Tower Road conflicts with the existing concrete encased electric duct line containing the Village's three 12kV tie lines served from ComEd. This conflict was identified and anticipated during the development of the stormwater plan. Funding for utility relocation is shown in the FY2013-2014 Capital Budget for the Storm Water Fund. Water & Electric is requesting permission to order the cable at this time to insure the three cable circuits are relocated prior to the summer of 2013.

The utility conflict occurs at the location where the duct line crosses the road at 1556 Tower Road. The duct line will need to be lowered to resolve the utility conflict. The proposed plan is to install one new manhole and several conduits with long radius bends to transition below the depth of the proposed storm sewer. The proposed conduit relocation will require approximately 3,100 feet of 15kV, single conductor 1000 kcmil aluminum cable. Manufacturing lead time for this cable is currently 14-16 weeks upon receipt of an order. The Village has approximately 6,800 feet of this cable in stock for emergency use. Staff is reluctant to utilize the emergency stock for a planned project.

In order to insure that the tie lines are available during summer months and to avoid a potential delay to the start of the storm water project, staff has developed a project plan to have the tie lines re-routed by May 1, 2013. Parallel to the manufacturing of the cable, the Water & Electric Department will be developing a bid package for the contractor resources required to install the conduit and manhole. Bids for the construction work are tentatively planned for the Village Council's consideration in January 2013. Contractor resources will be required in February - March 2013 to install the manhole and new duct line crossing.

The Water & Electric Department issued Bid Number 12-002 for the purchase of cable during the timeframe of April 1, 2012 through March 31, 2013. At the April 3, 2012 Village Council meeting, the Village Manager was authorized to award Bid #12-002 to the Okonite Company for the purchase of primary cable at the unit prices bid in an amount not to exceed \$374,019.

The storm water project will utilize approximately 3,100 feet of 15kV, single conductor 1000 kcmil aluminum cable. The minimum order quantity for 15kV, 1000 kcmil cable is 10,000 feet of single conductor or 3,500 of three conductor cable, or a combination of thereof. Minimum order quantities of this length are not unique to the Okonite Company. The next lowest bidder required a similar minimum order quantity with a 24-26 week lead time.

Staff is proposing to meet the minimum order quantity by purchasing a combination of single conductor cable and three conductor cable. Water & Electric staff has reviewed existing inventory levels of the larger tie line cable and recommends stocking any unused cable by the storm water project for emergency repairs to the tie lines.

The requested change order amount is \$77,510. The change order amount includes additional funds for manufacturing length tolerances as noted below.

15kV 1000 kcmil Aluminum Cable			
Quantity 3-1/c: 920 ft. 1/c: 7,240 ft.	Metals Escalation	Shipping Length Tolerance (5%) & Packaging	Requested Amount
\$73,818.64	\$0	\$3,690.93	\$77,509.57
			↓ \$77,510

Cost allocation for the proposed cable purchase will be allocated between the Storm Water capital fund and the Electric Fund. Based on the preliminary design of the conduit package, it is estimated that the Storm Water Program will fund \$24,015 and the Electric Department will fund \$53,495.

The FY2012-2013 Storm Water Fund contains \$800,000 (account #58-75-640-601) for engineering on the proposed Willow Road tunnel project, which is unlikely to be expended this year. The Storm Water capital program anticipated utility relocation expenses for the three northern projects (East and West Tower Road, and the Lloyd outlet) at \$591,000 occurring in the FY2013-2014 budget. However, staff is recommending purchasing the cable this year to accommodate the long lead time on the cable.

The Electric Fund FY2012-13 Budget contains \$793,000 (account #50-47-640-209) for the purchase and installation of cable. The Village Council has previously approved purchase orders for \$462,346 of cable purchases and \$189,000 of wire pulling services.

Recommendation:

Consider authorizing the Village Manager to award a change order to the Okonite Company in the amount of \$77,510 for the purchase of 15kV, 1000 kcmil aluminum primary cable at the unit prices bid, subject to the contract conditions.

AGENDA REPORT

TO: Village Council

PREPARED BY: Ann Klaassen, Planning Assistant

DATE: October 11, 2012

SUBJECT: Ordinance No. M-16-2012
528 Maple St. Landmark Designation

REF: September 6, 2012 Council Meeting, pp. 42-93

On July 2, 2012 the Landmark Preservation Commission (LPC) voted 5-0 to recommend the Village Council designate 528 Maple St. as a Winnetka Landmark. Section 15.64.030 of the Village Code provides for evaluation of general considerations, architectural significance and historical significance, and also requires the application of the System for Evaluation of Landmarks. Resolution 1122-91, adopted December 3, 1991, established the System for the Evaluation of Landmarks. Based upon the adopted System for Evaluation of Landmarks, the LPC assigned an overall score of 69.4 points, resulting in a “Significant” rating (Attachment 1).

The home was built c. 1895 in the Foursquare style. It sits at the southwest corner of Maple and Elm streets directly across from the Village Green. The home has been renovated and expanded over the years, by owners previous to Rick and Jen McQuet who submitted this landmark nomination. Most notably, the front porch was added in 1996 after approval of a zoning variation in 1995 by Ordinance M-436-95. The existing porch was principally a restoration of an earlier porch that had been removed years earlier. There are photos attached to this report that show the older porch and how the new porch replicates the original style (Attachments 4 and 5). Two subsequent additions were built in 1999 and 2004; a two-story addition and a small kitchen addition. Given the expansion of the home over the years, the property is nearly built to the maximum permitted gross floor area (GFA). More specifically, the maximum permitted GFA for the property is 4,439.65 s.f. and the existing GFA is approximately 4,382 s.f.

The LPC found 528 Maple St. satisfies the criteria for local landmark designation based upon a variety of factors, most significantly that the home is an established and familiar visual feature located directly across from the Village Green. The home is part of a cohesive grouping of older houses around the Village Green, as a corner property it is a familiar fixture in the context of the neighborhood and the Village. The Commission feels it is important to recognize the prominent homes on the Village Green, 528 Maple St. being one of them. Two other homes on the Village Green are also local landmarks: 500 Maple St. (designated in 1994 by Ordinance M-406-94) and 507 Cedar St. (designated in 2009 by Ordinance M-8-2009).

In addition to being an established and familiar visual feature, the Commission found the originality of the home to be a significant factor in making their recommendation for local landmark status. Recognizing the fact that the home has been altered and expanded,

the Commission found the additions to be sensitive to the original design which have upheld the original design integrity. Besides the front porch, which replicated an earlier porch, the two-story addition built in 1999 was located towards the rear of the property and is heavily landscaped so it is not a primary feature of the historic portion of the home seen from public view. Also, the original circular stained-glass window remains today on the north elevation along Elm St.

A report from the LPC is attached providing full details on all the categories considered by the LPC (Attachment 1).

Ordinance M-16-2012 designates 528 Maple St. as a local Winnetka landmark. The ordinance was introduced by the Council at its Sept. 6, 2012 meeting. Adoption of the ordinance requires the concurrence of a majority of the Council.

Recommendation:

Consider adoption of Ordinance M-16-2012, which would designate 528 Maple St. as a local landmark.

The following materials are attached after Ordinance M-16-2012:

- Attachment 1: Report on Public Hearing
- Attachment 2: Excerpt of Minutes of July 2, 2012 LPC meeting
- Attachment 3: Landmark Nomination Form
- Attachment 4: Exterior photos of existing residence
- Attachment 5: Early photos of residence, with note from Mrs. T. Mandeville Woolson
- Attachment 6: 2010 plat of survey
- Attachment 7: GIS site maps
- Attachment 8: Correspondence

ORDINANCE NO. M-16-2012

**AN ORDINANCE
DESIGNATING A LANDMARK
PURSUANT TO CHAPTER 15.64 OF THE
WINNETKA VILLAGE CODE (528 Maple)**

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, pursuant to which it 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; and

WHEREAS, the Council of the Village of Winnetka (“Village Council”) find that the identification, designation and preservation of buildings and structures in the Village that are historically, culturally, and architecturally significant, and the encouragement of the restoration and rehabilitation of those buildings and structures are matters pertaining to the affairs of the Village; and

WHEREAS, Chapter 15.64 of Title 15 of the Winnetka Village Code, titled “Landmark Preservation,” establishes standards and procedures for preserving, protecting, enhancing, rehabilitating and regulating buildings, structures, objects, and places of historical, cultural or architectural importance; and

WHEREAS, the property commonly known as 528 Maple Street, Winnetka, Illinois (the “Subject Property”), is legally described as follows:

Lot 1 in Townsend Resubdivision of the North 211 Feet of the East 125 Feet of Block 24 in Winnetka, a subdivision of the Northeast ¼ of Section 20, and the North ½ of Fractional Section 21, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois; and

WHEREAS, the owner of the Subject Property has submitted an application seeking Village of Winnetka landmark designation of the Subject Property, which is improved with a single family residence known as the Dr. Arthur and Helen Murdow House (“Murdow House”); and

WHEREAS, pursuant to the provisions of Chapter 15.64 of the Winnetka Village Code (“Landmark Ordinance”) and notice duly published and sent, the Landmark Preservation Commission (“Commission”) held a public hearing on July 2, 2012, to consider the owner’s application for landmark designation and, applying the Village’s System for the Evaluation of Landmarks to the information received into the record, gave the Murdow House an overall score of 69.4 points, resulting in a rating of Significant; and

WHEREAS, the Commission found the architectural type, style and period of the home to be somewhat rare in that the Murdow House, constructed in 1895, is an example of the Foursquare style, that there are no longer many examples of this style in the Village, and that the renovations and expansions to the Murdow House have been sensitive to its original style, including the 1996 restoration of an original wraparound porch that is shown in vintage photos of the home but had been removed some years before; and

WHEREAS, the Commission found that due to the home's prominent presence on the Village Green at the southwest corner of Maple and Elm Streets, the home is a "symbol of the Village as a whole," and gave the home a score of 5 points for being an Established and Familiar Visual Feature because: (a) the home is part of a cohesive grouping of older houses around the Village Green, and (b) as a corner property it is a familiar fixture in the context of the neighborhood and the Village; and

WHEREAS, the Commission gave the home a rating of 4 points for Originality, regardless of alterations made to the home, as (a) the additions were sensitive to the original design and have upheld the original design integrity of the home; and (b) the original circular stained-glass window remains in a prominent location on the north elevation along Elm Street; and

WHEREAS, the Commission gave the building the maximum score of 5 points for the Age of Structure, which was constructed in 1895, and another 5 points for Structural Condition, which the Commission found to be exceptional; and

WHEREAS, the Commission found the Alteration of Surrounding Properties was "minor" and gave the home a score of 3 for the overall condition of the surrounding area; and

WHEREAS, pursuant to the findings and ratings entered by the Commission at its February 6, 2012, meeting, the cumulative total for the Murdow House yielded an overall rating of significant, and the five members who were then present unanimously found that the Murdow House therefore meets the Landmark Ordinance's criteria, and recommended that the Murdow House be designated a Winnetka landmark; and

WHEREAS, the Council of the Village of Winnetka have considered the recommendation of the Landmark Preservation Commission and have determined that it is in the best interest of the Village and its residents to accept the findings and recommendation of the Commission and to establish 528 Maple Street as a designated landmark, because of its

prominent location on the Village Green and its excellent original design integrity and structural condition.

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: The building located on the property at 528 Maple Street, having a permanent real estate index number 05-21-109-021-0000, and known as the Dr. Arthur and Helen Murdow House, is hereby designated a Village of Winnetka landmark under Section 15.64.070 the Landmark Preservation Ordinance, in accordance with the findings and recommendations of the Landmark Preservation Commission.

SECTION 3: 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 4: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this ___ day of _____, 2012, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of _____, 2012.

Signed:

Village President

Countersigned:

Village Clerk

Introduced: September 6, 2012

Posted: September 7, 2012

Passed and Approved:

Posted:



REPORT ON PUBLIC HEARING JULY 2, 2012

CONSIDERATION OF LANDMARK ELIGIBILITY

*Dr. Arthur and Helen Murdow House
528 Maple St., Winnetka*

This report is an integral part of the July 2, 2012 Landmark Preservation Commission meeting minutes and is also compiled based on the submitted application for landmark designation.

Findings of the Commission

Based on the System for the Evaluation of Landmarks contained in the Landmark Preservation Ordinance (see attached rating sheet) 528 Maple St. was rated a "Significant" property with a score of "69.4."

Architectural Type, Style & Period. It is believed that the Murdow House was built in 1895. The home is an example of the Foursquare style and has been renovated and expanded over the years. In 1995 Ordinance M-436-95 granted a front setback variation to allow the front wraparound porch that exists there today. The porch was principally a restoration of an earlier porch that had been removed years earlier. The photos included in the agenda materials identify the older porch and how the existing porch replicates the original style. The Commission felt that although the Foursquare style was common throughout the country in the early 20th century, there aren't too many in the Village.

Based on these facts, the architectural type, style and period of the home were judged to be "somewhat rare," with a rating of "2."

Method of Construction. The Murdow House is frame construction with clapboard siding. The entrance of the home faces the Village Green and an original circular stained-glass window is a distinctive feature on the Elm St. elevation.

With regard to rarity in method of construction, the home was judged to be "common" and therefore rated "0."

Association with an Historical Event, Person, or Cultural Activity. In 1843 John Happ located his blacksmith shop at the southwest corner of Maple (then Green Bay Rd.) and Elm streets. The need for blacksmiths along the Green Bay Trail lessened in the early 1850's as the railroad expanded

along the north shore. It is likely that Mr. Happ sold this property in 1850. Even though the existing residence at 528 Maple St. is not directly related to Mr. Happ it is interesting to note that he was a well-known and respected citizen. He is credited with naming the township of New Trier. In 1849 he was elected the first Justice of the Peace for this area of Cook County and Happ Road was named in his honor.

Mr. and Mrs. Miller, the parents of Mrs. Helen Murdow, commissioned the home for their daughter and her husband, Dr. Arthur Murdow in 1895. Dr. Murdow was a dentist. It is said that many north shore children came to his office on the north side of the home for dentistry in the early 1900's. Mrs. Murdow's younger brother, Louis A. Miller and his wife, Gladys, remodeled the home and resided in the home as late as 1976. The current owners, Rick and Jen McQuet, purchased the home from Michael and Wendy Graham in 2010.

Because the history of John Happ is not directly related to the existing residence at 528 Maple St. the Commission rated the home as a "0," no significant association with regard to association with an historical event, person or cultural activity.

Association with an Architect or Master Builder. The architect for the Murdow House is unknown. The original building permit is not on record in the Village. Even if the permit was available it is possible that the architect would still not have been identified, as the Foursquare style was practical for mail order house kits from Sears and other catalog companies. The Commission rated the home as a "0," "architect or builder unknown."

Established or Familiar Visual Feature. The Murdow House sits at the southwest corner of Maple and Elm streets directly across from the Village Green. The home is part of a cohesive grouping of older houses around the Village Green, as a corner property it is a familiar fixture in the context of the neighborhood and the Village. The Commission found that due to the home's prominent presence on the Village Green the home is a "symbol of the Village as a whole," warranting a score of "5."

Originality. In 1947 a building permit was issued to alter and add to the residence; S.S. Beman was the architect of record. Subsequent building permits were issued over the years to remodel the home. As noted previously in this report, the wraparound porch was built in 1996 and replicated an earlier porch that had been removed. In 1999 a two-story addition and detached garage were constructed. Lastly, in 2004 a small kitchen addition was constructed on the west side of the home. Recognizing the fact that the home has been altered and expanded, the Commission found the additions to be sensitive to the original design which have upheld the original design integrity. The Commission felt that since the two-story addition was located towards the back of the property and is so heavily landscaped that the addition is not a primary feature of the historic portion of the home seen from public view. Also, the original circular stained-glass window remains today on the north elevation along Elm St. Therefore, the Commission rated the home's alterations of design integrity as "Good," warranting a score of "4."

Age of Structure. The Murdow House is circa 1895, therefore, the home warrants a score of "5."

Alteration of Surrounding Properties (View from Property). The lot to the south of 528 Maple St. was subdivided from the original property and a new home built in 1989 at 520 Maple St. Although having a new home built next door is a major alteration, the Commission determined the overall existing condition of the surrounding area to consist of “minor alterations,” which warranted a score of “3.”

Alteration of Original Site (View of Property). The most historic elevation of the home is the north elevation along Elm St. as it still retains the original circular stained-glass window. The only alteration to the historic north elevation is the new kitchen door. However, in total there have been significant alterations to the home. Therefore, the Commission determined the condition of the site to consist of “major alterations,” which warranted a score of “0.”

Structural Condition. The Commission determined the structural condition to be “exceptional,” which warranted a score of “5.”

Resolution

The Landmark Preservation Commission provides this recommendation of landmark status to the Dr. Arthur and Helen Murdow house at 528 Maple St. They were happy to recommend landmark status to such a prominent property on the Village Green that has upheld its original design integrity. The Commission feels it is important to recognize such prominent homes on the Village Green. The Commission found the home to more than satisfy the criteria for local landmark designation.

Based upon these considerations and the System for Evaluation rating of “Significant,” with a score of “69.4,” the five members of the Commission then present unanimously voted to recommend that the Village Council designate 528 Maple St. a local landmark.

Respectfully Submitted,

Louise Holland
Marilyn Garcia
Laura Good
Anne Grubb
Beth Ann Papoutsis

SYSTEM FOR THE EVALUATION OF LANDMARKS

TIER 1

CATEGORY	FACTORS	POINT VALUE	WEIGHT*	SCORE
Rarity: Architectural Type, Style and Period	-Extremely Rare	5	<u>1</u>	<u>2</u>
	-Rare	4		
	-Somewhat Rare	<u>2</u>		
	-Common	0		
Rarity: Method of construction and its application	-Extremely Rare	5	<u>1</u>	<u>0</u>
	-Rare	4		
	-Somewhat Rare	2		
	-Common	<u>0</u>		
Association with an Historical Event, Person, or Cultural Activity	-National	5	<u>1</u>	<u>0</u>
	-State, County or Local	5		
	-None	<u>0</u>		
Association with an Architect or Master Builder	-National	5	<u>1</u>	<u>0</u>
	-State, County or Local	5		
	-Architect or builder identified but of no known importance	1		
	-Architect or builder unknown	<u>0</u>		
Established or Familiar Visual Feature	-Symbol of Village as a whole	<u>5</u>	<u>10</u>	<u>50</u>
	-Symbol of a neighbor- hood or a conspicuous and familiar structure in the context of the entire Village	4		
	-A conspicuous and familiar structure in the context of a neighborhood	3		
	-Not particularly conspicuous or familiar	0		

Tier 1 Score 52
(Add Above 5 lines)

*The (or a) category with the highest point value is given a weight of 10. All other categories are weighted 1.

TIER 2

CATEGORY	FACTORS	POINT VALUE	WEIGHT	SCORE
Alteration of (Originality) Design Integrity	-Excellent	5		
	-Good	4	x	10 = <u>40</u>
	-Fair	3		
	-Poor	0		
Age of Structure	-pre-1900	5		
	-1900-1930	3	x	4 = <u>20</u>
	-1931-1950	2		
	-1951 to present	1		
Alteration of Surrounding Properties (View from Property)	-Original	5		
	-Minor Alterations	3	x	4 = <u>12</u>
	-Major Alterations	0		
Alteration of Original Site (View of Property)	-Original	5		
	-Minor Alterations	3	x	3 = <u>0</u>
	-Major Alterations	0		
Structural Condition	-Exceptional	5		
	-Good	3	x	3 = <u>15</u>
	-Fair	1		
	-Deteriorated	0		

Tier 2 Score 87
 (Add Above 5 Lines)
 Avg. Tier 2 Score 17.4
 (Divide Total by 5)

$$\begin{array}{rcl}
 \underline{52} & + & \underline{17.4} \\
 \text{Tier 1 Score} & & \text{Avg. Tier 2 Score}
 \end{array}
 = \underline{69.4}$$

Total Score

Level of Significance

Total Points	Category
80-94	Unique
<u>65-79</u>	<u>Significant</u>
50-64	Important

DRAFT

**LANDMARK PRESERVATION COMMISSION
EXCERPT OF MINUTES
JULY 2, 2012 MEETING**

Members Present: Louise Holland, Chairperson
Marilyn Garcia
Laura Good
Anne Grubb
Beth Ann Papoutsis

Members Absent: Hugh Brower
Susan Curry

Village Staff: Ann Klaassen, Planning Assistant

Review of Landmark Designation Application: 528 Maple St.

Chairperson Holland referred to the review of the home and stated that she has read the history of it.

Jen McQuet informed the Commission that they purchased the home two years ago from the Grahams and that it was the Happ Blacksmith's home. She then stated that with regard to research, the home has undergone updates and improvements internally and that the footprint was maxed out. Mrs. McQuet stated that they had some reservations about getting landmark status and that there are perceived notions that you cannot do anything to it once it is landmarked. She noted that they cannot do anything with the footprint as is.

Chairperson Holland stated that when the Grahams rebuilt the porch, time and effort was put in with regard to the way it looked.

Mrs. McQuet stated that the home does not have the sleeping porch as it once did.

Chairperson Holland added that they continued the porch around and that the addition was not there. She then stated that as the Commission went through the application, there is a matrix for granting landmark status. Chairperson Holland commented that structurally, there is certainly significant character. She also stated that it is closely identified with contributing to the development of the Village. Chairperson Holland noted that it was the site of the blacksmith shop and that the unique location of the structure made it an established and important visual feature. She described the home as a current and former focal point of the Village. Chairperson Holland then stated that the Commission would go through the system of evaluation to come up with a score and asked the Commission if they felt comfortable doing that.

The Commission members agreed that would be fine.

Chairperson Holland stated that there is a two tier system with different categories. She referred to the first category which represented Rarity - Architectural Type, Style and Period. Chairperson Holland called the home a four square home.

The Commission determined this category to be somewhat rare with a score of 2.

Chairperson Holland stated that the next category related to Rarity - Method of Construction. She noted that the home has clapboard siding.

Ms. Grubb described it as common.

The Commission determined this category to be rated common with a score of 0.

Chairperson Holland stated that the next category related to Association with an Historical Event, Person or Cultural Activity.

Chairperson Holland stated that the Happs did not live in the home.

Mr. McQuet confirmed that they did live in it.

Chairperson Holland reiterated that it was the site of the blacksmith shop. She also stated that the first school was located across the street on the Village Green.

The Commission determined this category to be none with a score of 0.

Chairperson Holland stated that the next category related to Association with an Architect or Master Builder. She indicated that they do not know the architect.

The Commission determined this category to be architect or builder unknown with a score of 0.

Chairperson Holland stated that the next category related to Established or Familiar Visual Feature.

The Commission determined this category to be a symbol of the Village as whole with a score of 5.

Chairperson Holland stated that the Tier 1 score totaled 52. She stated that now the Commission would review Tier 2 and that the first category related to Alteration of (Originality) Design Integrity. Chairperson Holland stated that the addition is set so far back and that the property is so heavily landscaped, you cannot see it.

The Commission determined this category to be good with a score of 4.

Chairperson Holland stated that the next category related to Age of the Structure.

The Commission determined this category to be pre-1900 with a score of 5.

Chairperson Holland stated that the next category related to Alteration of Surrounding Properties (View from Property). She stated that half of the property was sold off to the new home next door and that the property did not have its original view.

The Commission determined this category to be minor alterations with a score of 3.

Chairperson Holland stated that the most historic elevation is to the north which has not changed at all except for the door to the kitchen. She added that the home has the original stained glass windows.

Chairperson Holland stated that the next category related to Alteration of Original Site (View of Property).

The Commission determined this category to be major alterations with a score of 0. Chairperson Holland stated that the next category related to Structural Condition.

The Commission determined this category to be exceptional with a score of 5.

Chairperson Holland stated that the Tier 2 total is 17 with a total score of 69. The home was determined to fall under the "Significant" category in terms of level of significance.

Chairperson Holland thanked the applicants for their application. She confirmed that the Commission would recommend to the Village Council the landmarking of the home.

Ms. Klaassen informed the Commission that a motion is needed.

Chairperson Holland then asked for a motion to recommend the landmarking of 528 Maple as a Winnetka landmark to the Village Council.

Ms. Grubb moved to recommend to the Village Council the landmarking of 528 Maple as a Winnetka landmark. Ms. Garcia seconded the motion. A vote was taken and the motion was unanimously passed.

AYES: Garcia, Good, Grubb, Holland, Papoutsis

NAYS: None

RECEIVED
JUN - 1 2012



LANDMARK NOMINATION FORM

Thank you for considering landmark status for your property. If you have questions about landmark designation or about this form, please call Ann Klaassen, Department of Community Development at Village Hall, telephone: 847.716.3525 or email aklaassen@winnetka.org

Pics of house emailed 6/1/12

Please use another piece of paper to answer the questions on this form. If you do not know the answer or if the question does not relate to your property, simply write, "don't know" or "not applicable."

To help you, we have enclosed How to Research Your House, a page of useful resources for learning more about your property. Both the Department of Community Development at Village Hall and the Winnetka Historical Society (phone: 847.501.6025) can answer many of your questions.

1. Property owner's name(s) Jen & Rick McQuet

2. Street Address 528 Maple St.

3. Property Identification Number (P.I.N.) 05-21-109-021-0000
(on your tax bill or can be requested from Community Development, Village Hall)

If available please attach a plat of survey

4. How long have you owned this property? ~ 2 years

If you know, list the previous owners of the house and when they owned it. Do you know whether any of the owners had a particular influence on the village's history?

Michael & Wendy Graham (most recently) ... previously the original Village blacksmith -> The Happs

5. Date of construction, if known 1887

In the next section, we ask about information that is important in evaluating landmark requests. For questions that are not relevant, write "none" or "not known". Please provide sources for your information. Referring to the title and page number of a book is fine. For other documents, it would help to include a photocopy of your source. If the source is Village Hall, simply write what the reference is, for example: "Water hook up - Village Hall."

1. If known, give the name of the architect _____
Architectural firm _____
Designer Not known
And/or builder _____
Do you have original plans? No

Is the property associated with a historical person or group?
Please explain.

Yes. House is on historic corner of original Green Bay Trail was the site of Happ Blacksmith shop in 1850's

Is the property associated with a notable historic event? If so, explain.

Famous for Large 4th of July parties.

2. Alteration History: Please include current photos of all sides of the house and older photos, if available. The "structure files" at the Winnetka Historical Society, may have older photos.

If known, describe changes made to the outside of the building since it was built. Have important changes been made to the property as viewed from the street in the last fifty years? Please include descriptions of alterations, dates and architects, if known. (Note: Building permit records at Village Hall are helpful)

See enclosed.

If known, describe changes over the last fifty years to the original property, not including alterations to the building itself. These changes could include subdivision, fences or new structures added to the property. (Note: Sanborn maps at Village Hall are helpful. Also, many buildings in the Village have been moved from their original sites.)

See enclosed.

3. Do you have any other information about the property or anecdotes you'd like to share? This information can be based upon hear-say, so long as you tell us the source.

Yes. See enclosed.

4. I (We) hereby certify that I (We) am (are) the owner(s) of the property described in the form and wish to make application for designation of this property as a landmark by the Village of Winnetka.

Name(s): Jen & Rick McQuet
Signature(s): 
Date: 6/26/12
Phone:  Fax: 0 Email: 
or 

Please forward your completed nomination to:

**Winnetka Landmark Preservation Commission
Village Hall
510 Green Bay Road
Winnetka, Illinois 60093**

city. Commerce boomed and the population exploded. By 1867 Chicago became the largest center for lumber distribution in the world and likewise with grain handling, 60 million bushels in 1870. "As many as 300 vessels arrived in Chicago in a single twelve hour period." (Mayer & Wade Chicago, *Growth of a Metropolis*)

As Chicago grew so did most of the communities along the North Shore. The city provided a ready market for the hay and grain grown by the farmers nearby. When the Happ family arrived in Winnetka (Winnetka), Illinois we see Mr. Happ had purchased 80.83 acres of land on the shores of Lake Michigan. Mr. Alexander McDaniel had purchased this property from the government in 1841. (70 acres NW $\frac{1}{4}$ of NW $\frac{1}{4}$ & NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and 10 83/100 acres S and adj to NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sect 21, Twp 42N, 13E, 3M, New Trier Twp. ASSESSMENT RECORDS 1850, Evanston Historical Society, Rosemary Schmitt.) This property extended from about Ridge Avenue to the shores of Lake Michigan. The property would probably include what is known today as the Village Green. The property being on the Lake was subject to erosion and not quit as ideal for farming as it was for his blacksmith shop. Of the location Laura Townsend Dickenson, in her *History of Winnetka* writes:

John Happ, in 1843, chose a strategic site. His Smithy was located 'in a grove of flowering locust trees at the southwest corner of the present Maple (then Green Bay Road) and Elm streets. John Happ and his family came to stay, their intention evidenced by his log house, shop, and the surrounding log buildings-sheds for wagons, vegetable storage, implements-all part of the Happ settlement. In a real and lasting sense the Happ family were the first permanent settlers in the region. Here he established himself as the area blacksmith. Servicing the smithy needs of the settlers in the area and those of the stagecoaches and horses of the travelers that used the 'Green Bay' Trail.

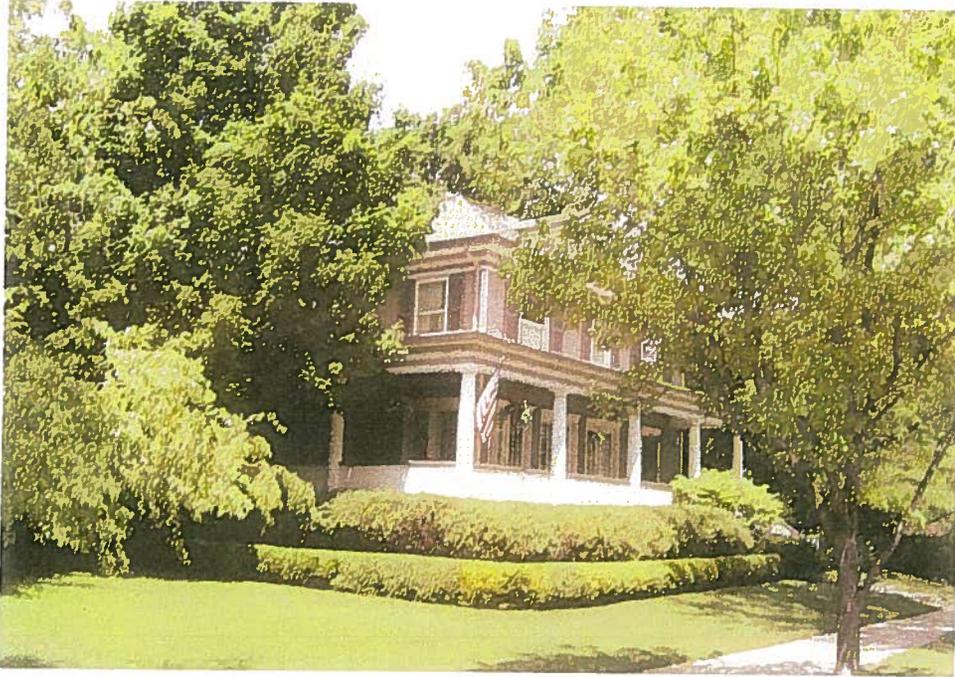
In the early 1850's John Happ had a setback. We see the beginnings of the railroad along the north shore and this lessened the need for blacksmiths along the trail. It was probably in 1850 when John Happ sold his property in Winnetka. The property tax rolls for New Trier Township for that year show his owning 120 acres just west of his original property. This property is at Happ and Winnetka roads and is where the family and several generations of their descendents lived. (SW $\frac{1}{4}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sect 19)

John Happ was a well known and respected citizen. He is credited with naming the township of New Trier. He helped organize the building of the first wooden church at St. Joseph in Wilmette. In 1849 he was elected the first Justice of the Peace for that area of Cook County and Happ Road was named in his honor. John Happ passed away in 1863 several years before his wife Gertrude. His daughter and three of his sons married, had families and remained mostly in the area. Three other sons went to California, married and had families. Three others moved to Chicago.

Over the years there have been articles written that report Johann Happ to have purchased original Government Land Grants of 200 and 300 acres with it extending to Tower Road. The writer has not found any records to support these statements. It is not likely because at the time the property up to Tower Road was owned by several others, the Garlands, Taylors, Gage and even his son-in-law, Peter Peterman, had 40 acres north of the Happ property and south of Tower Road. However when Mr. Happ moved from his first homestead he did purchase 120 acres in sec 19 so there was a time in early 1850's when he owned both properties and it could be said he owned 200 acres (80.83+120).

Gerard E. Happ

Wow!





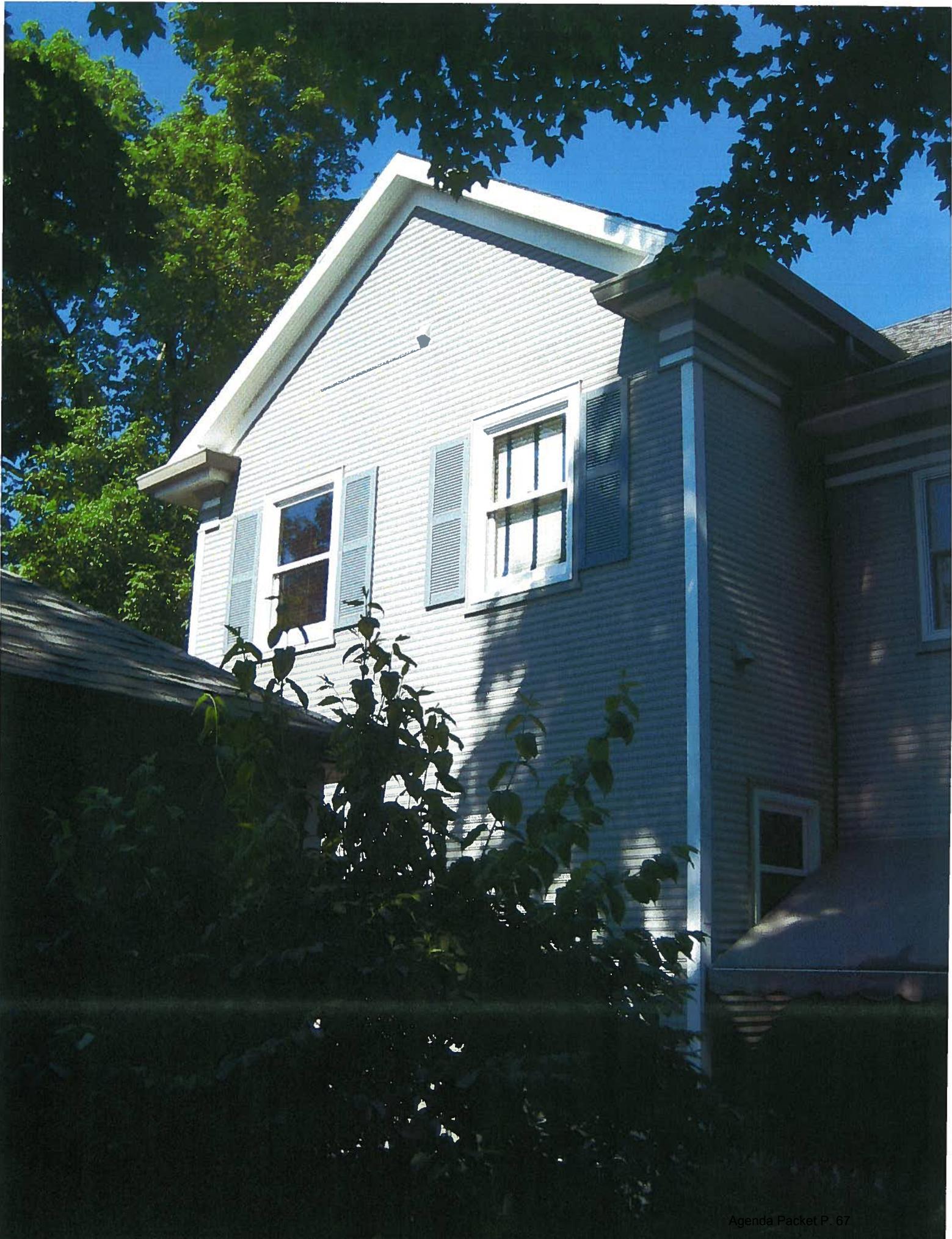
RATE
FREEDOM
WITH A PARADE
& THE FLAG

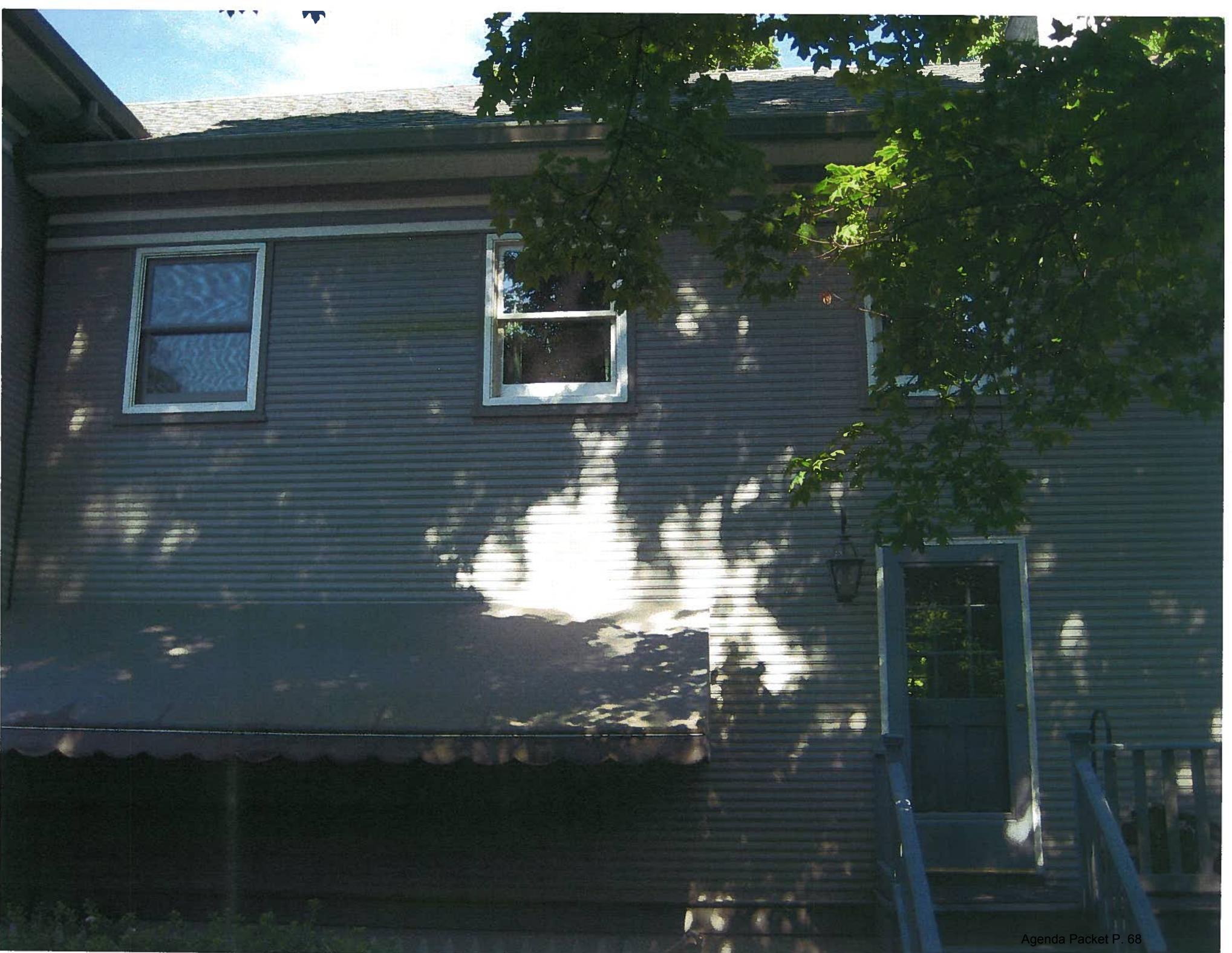




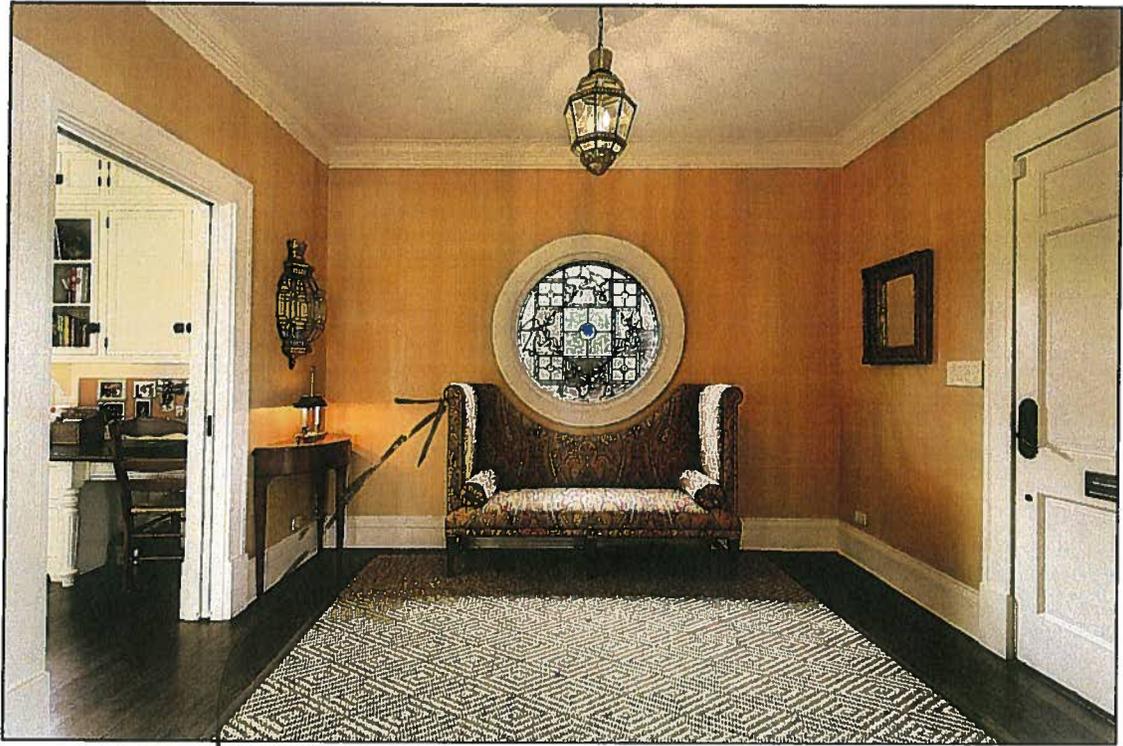










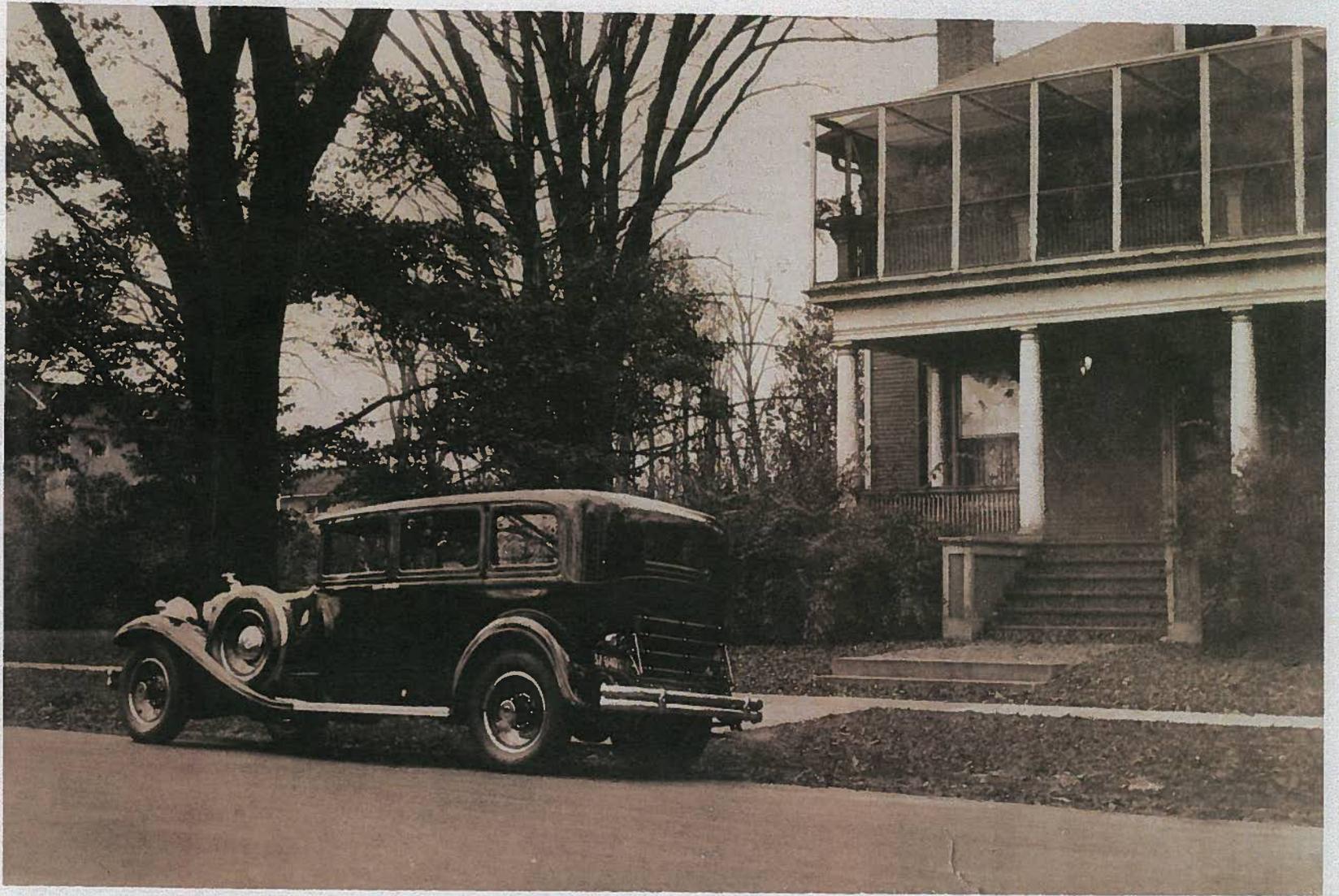


Gracious Foyer

Original
Window
to the
house!

528 Maple (see window!)

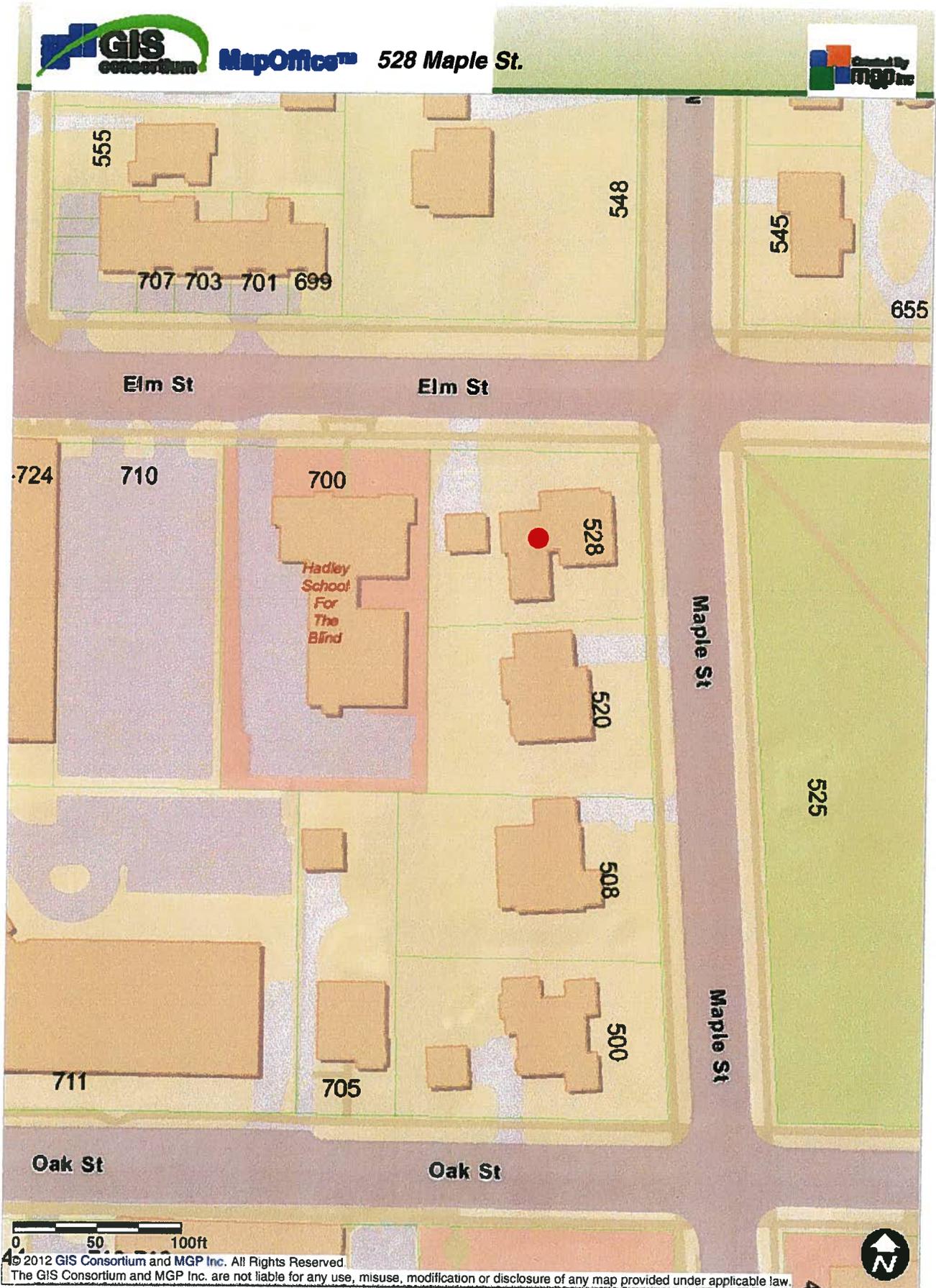




Mrs. T. Mandeville Woolson
527 Winnetka Avenue
Winnetka, Illinois 60093

Early picture of Dr. Purdow (Dentist) home at
528 Maple Street. Facing Village Green - about 1905
Built in 1895 by the Senior Pillers. In their
daughter and her bridegroom. Dr. Purdow, with whom
they were most pleased. All Dr. Purdow's children
or many came to his office on the north side
of the house for dentistry in the early 1900s -

The Senior's younger brother Louis A. Piller^{92 yrs} & his
wife Gladys remodelled the house and are living
in it now in 1976 -





Ann Klaassen

From: [REDACTED]
Sent: Thursday, September 13, 2012 10:36 PM
To: Ann Klaassen; Michael D'Onofrio
Subject: Re: 528 Maple St. Landmarking

Ms. Ann Klaassen
Mr. Michael D'Onofrio
Staff Liaisons
The Village of Winnetka

Dear Ms. Klaassen and Mr. D'Onofrio,

I am writing to urge respectfully the attentive consideration of landmark approval for the property at 528 Maple St. here in Winnetka.

Conserving our heritage sites is vitally important to the preservation and promotion of our village's historical and cultural resources for future generations. What's more, the story of Winnetka is an important part of the larger story of the settling of the North Shore during a pivotal time in our nation's history, when rapid industrialization, increased mobility, and changes in transport catalyzed breathtaking changes in social organization and community life. Our story as a village is told most visibly and powerfully through our material culture and the aesthetic details of our heritage homes.

The McQuets have quite generously offered their home for landmarking, when many others would shy away from such a commitment. Note that they have voluntarily waved any kind of "tax freeze" in doing so. They do so because they care deeply about being good stewards to a home that for many generations has embodied a celebration of the rich history of Winnetka. Many in Winnetka still remember the previous owners making the house at 528 Maple a graceful and beautiful part of the Village's annual Independence Day festivities. In this spirit, the McQuets have carried on that tradition, even posting the antique 4th of July placards on their porch steps that they inherited with the house for passersby to enjoy.

When historic homes such as that at 528 Maple, especially ones of such graceful lines and charming detail, are lost, not only does our quality of life in the Village suffer, but it also negatively impacts our economic vitality as a community, our appeal to visitors, and our desirability to new families. We have all experienced the heartbreak of witnessing a lovely historic home carelessly replaced by a McMansion. There is an understated beauty in the architecture and detail of 528 Maple that teaches us about a bygone era and provides us an invaluable and intriguing window into the vibrant history of our nineteenth-century predecessors.

These are irreplaceable historic landmarks with character-defining values, and their care and protection play a critical role in maintaining the cultural vitality of our unique community. The central location of this house to locus of the Village green, and thus to our most unifying and core community-building collective ceremonies, makes its aesthetic preservation even that much more critical to our continuity and community identity.

I hope you will consider carefully the proposal before you and the benefits for residents and visitors alike provided by conserving this important cultural resource for generations to come.

Sincerely,

Sarah Rountree
[REDACTED] Garland Avenue.

Ann Klaassen

From: jan bawden <[REDACTED]>
Sent: Wednesday, September 12, 2012 10:29 PM
To: Michael D'Onofrio; Ann Klaassen
Cc: [REDACTED]
Subject: In support of Landmark Status for 528 Maple

Dear Mike and Ann;

I am writing to support Landmark Status for the property at 528 Maple.

Is there a problem here? The LPC did an extensive job vetting this residence. According to the photos and documents submitted and the LPC report, the homeowners and their predecessors have done a remarkable job respecting and glorifying the traditional values of this home and the original intent of the architect. In addition, the present homeowners have stated that they are applying for honorary status only, not a "tax freeze," which Attorney Janega makes clear is merely a 12-year assessment freeze.

This should be a slam dunk.

It's generally agreed upon that people move to Winnetka in a search for better schools and a more traditional way of life. An "authentic" American experience. Over the past 20 years or so, new construction in our village has been very successful filling that emotional need with "instantly traditional" home designs. Isn't it ironic that at the same time, Winnetka homeowners and the LPC have had to fight to preserve a housing stock that is already "traditional" - authentically so? While we're at it, isn't it ironic that more recently, the LPC - the very group that is helping us uncover, understand our heritage and preserve it - has come under question?

Communities must stand for something. And while there are many more fundamental elements (air, water, retail, etc.), there is no more readily apparent expression than a community's housing stock. These homeowners are proud of their home and want to celebrate its heritage. Winnetka should be proud of it, too, and award them the darn plaque!

Sincerely,
Jan Bawden
[REDACTED] DeWindt
Winnetka, IL

Ann Klaassen

From: Honey Skinner [REDACTED]
Sent: Wednesday, June 20, 2012 8:10 AM
To: Ann Klaassen; Brian Norkus
Cc: skimmers@gtlaw.com
Subject: McQuet Landmark Status Application

Dear Ms. Klaassen and Mr. Norkus:

We are writing this email to express our support for Jen and Rick McQuet's application for landmark status for their home (528 Maple, Winnetka). Like the McQuets, we sought and received landmark status for our home. We are appreciative that Winnetka supports the preservation of deserving residences.

We regret that we will be unable to attend the July 2nd meeting. Thank you for your consideration of our expression of support.

Very truly yours,

Honey and Sam Skinner

Ann Klaassen

From: Judy Larrimore [REDACTED]
Sent: Tuesday, June 19, 2012 1:54 PM
To: Ann Klaassen; Brian Norkus; Jessica Tucker
Subject: McQuet Landmark Status Application

Dear Village Leaders (PLEASE CIRCULATE TO TRUSTEES),

I understand that the McQuets have applied for landmark status for their 528 Maple home. I'll be out of town on July 2nd and therefore unable to attend that Village meeting, but wish to relay to you my support for the McQuets. As a long-time homeowner of a landmarked property, it means a lot to me to see older Village buildings and residences preserved. Please give this young family the honorific designation their historic home deserves.

Sincerely,

Judy Larrimore
[REDACTED] Sheridan (The Lloyd House)

AGENDA REPORT

Subject: Bids, Underground Tank Closure

Prepared by: Brian Keys, Director Water & Electric

Ref: February 21, 2012 Budget Presentation

Date: October 10, 2012

The Water & Electric Department requested bids (Bid No. 012-020) for the closure of five (5) twenty thousand gallon underground fuel storage tanks located at 1021 Tower Court. The fiberglass tanks were installed in 1978 to provide a long term fuel supply for the Village's Electric generating plant. Fuel oil was transported by buried lines from the tank farm to the Electric Plant. In 2006, the fuel lines were taken out of service due to the absence of leak detection. In January 2012, the Village was notified by the Office of the State Fire Marshal that the tanks must be removed due to their inactive status.

Pioneer Environmental Services was retained to provide professional services for the closure of the underground storage tanks. Soil sampling was performed around the perimeter of the tanks. One of the boring sites on the north east side of the site contained petroleum odors and an elevated PNA concentration. It is currently unknown if the elevated reading is attributed to the underground storage tanks or an "off-site" source. This cannot be determined without removal of the tanks or additional excavation and sampling.

Bid No. 012-020 was issued for the removal of the underground storage tanks. Removal of the tank farm control building will be recommended in a future budget. The scope of the work contained in the bid document is summarized as follows:

- Removal and salvage of the existing 60,000 gallons of fuel in the tanks.
- Removal of the concrete pad over the tanks.
- Excavation, removal and disposal of the underground storage tanks
- Reconstruction of the existing storm sewer.
- Reconstruction of the electric conduit.
- Backfilling of the excavation site.
- Asphalt paving of the project site.

In order to stage equipment, the parking lot to the south of the tanks will be closed. The bid document requires the contractor to insure that one lane of traffic can proceed through the work area. However, it is anticipated that traffic will need to be delayed for short periods of time to permit the unloading of backfill material, repositioning equipment, etc. Access through the site is particularly important due to the one-way thru-traffic to Gage Street and ingress to the Tower Court businesses.

The bid notice was published in the Winnetka Talk and bid notices were sent to eleven companies. Six companies attended the mandatory pre-bid meeting at the project site. As shown on the following page, three companies submitted bids.

Contractors	Construction Activities	Salvage Value of Fuel (based on 60,000 gallons)	Lump Sum Project Price
Robinette Demolition, Inc.	\$107,791.00	(\$75,000.00)	\$32,791.00
Stiles Inc.	\$82,100.00	(\$90,000.00)	(\$7,900.00)
Technica Environmental Services, Inc.	\$122,600.00	(\$78,000.00)	\$44,600.00

Additional bid detail for each Contractor has been provided in Exhibit A. Contractors were asked to provide a salvage value for the fuel currently in the tanks. The final credit will be based on an actual salvaged quantity of fuel. Bids received are predicated on the excavation work showing the tank(s) did not experience a leak. In the event that a leak has occurred, additional soil removal would be required. As a contingency to this situation, bidders were asked to provide bids for contaminated soil removal, backfill, and asphalt (Reference Exhibit A).

Neither the Village nor Pioneer Environmental Services has previously utilized Stiles Inc. The contractor is licensed to perform UST removals in the state of Illinois. The contractor provided references for tank removals. Each of the parties provided positive feedback on the company's work. Prior to the start of work, the contractor will need to provide a performance bond for the full amount of the construction activities.

The Electric Fund FY2012-13 Budget contains \$125,000 (account #50-41-540-223) for the decommissioning of the tank farm. Of these funds, \$31,923 has been allocated toward professional services.

Recommendation:

Consider authorizing the Village Manager to award a purchase order to Stiles Inc. for the removal of the underground fuel storage tanks at 1021 Tower Court in accordance with the terms and conditions of Bid No. 012-020.

Exhibit A

Bid Detail

Work Activity	Stiles Inc.	Robinette Demolition Inc.	Technica Environmental Services Inc.
Project Management	\$1,500.00	\$2,500.00	\$4,500.00
Mobilization	\$4,000.00	\$5,320.00	\$2,000.00
Concrete Pad Removal	\$1,000.00	\$2,000.00	\$2,650.00
Excavation	\$6,000.00	\$13,720.00	\$7,800.00
UST Removal	\$15,000.00	\$20,000.00	\$12,200.00
UST Disposal	\$2,500.00	\$2,880.00	\$4,550.00
Concrete Disposal	\$1,000.00	\$2,600.00	\$1,500.00
Backfill	\$20,500.00	\$19,536.00	\$36,150.00
Sewer Reconstruction	\$2,100.00	\$2,500.00	\$6,550.00
Electric Conduit Reconstruction	\$1,000.00	\$2,500.00	\$2,500.00
Asphalt	\$24,000.00	\$26,235.00	\$35,000.00
Traffic Control	\$500.00	\$1,000.00	\$4,300.00
Temporary Fencing	\$3,000.00	\$7,000.00	\$2,900.00
Other as specified by bidder:			
		If required, pumping and disposal of contaminated ground water: \$0.85 per gallon	

LUMP SUM CONSTRUCTION ACTIVITIES PRICE:

\$82,100.00	\$107,791.00	\$122,600.00
-------------	--------------	--------------

LESS SALVAGE VALUE OF FUEL (Based on 60,000 gallons):

\$90,000.00	\$75,000.00	\$78,000.00
-------------	-------------	-------------

Unit Price for salvage value of fuel:

\$1.50 per gallon	\$1.25 per gallon	\$1.30 per gallon
-------------------	-------------------	-------------------

LUMP SUM PROJECT PRICE:

(\$7,900.00)	\$32,791.00	\$44,600.00
--------------	-------------	-------------

Contingency - Soil Remediation Activities

Removal of contaminated soil	\$64.00 per cubic yard	\$85.00 per cubic yard	\$70.00 per cubic yard
Additional backfill per specification requirements	\$43.00 per cubic yard	\$35.00 per cubic yard	\$50.00 per cubic yard
Asphalt replacement	\$98.00 per square yard	\$47.00 per square yard	\$55.00 per square yard

AGENDA REPORT

Subject: Change Order, Pioneer Environmental Services

Prepared by: Brian Keys, Director Water & Electric

Ref: February 21, 2012 Budget Presentation

Date: October 10, 2012

The Water & Electric Department requested proposals (RFP #012-005) for professional services required for the closure of five (5) twenty thousand gallon underground fuel storage tanks located at 1021 Tower Court. The fiberglass tanks were installed in 1978 to provide a long term fuel supply for the Village's Electric generating plant. Fuel oil was transported by buried lines from the tank farm to the Electric Plant. In 2006, the fuel lines were taken out of service due to the absence of leak detection. In January 2012, the Village was notified by the Office of the State Fire Marshal that the tanks must be removed due to their inactive status.

Based on the evaluation of proposals, the Village Manager authorized a purchase order with Pioneer Environmental Services in an amount not to exceed \$24,065. The project to remove the tanks is proceeding and additional professional services beyond the original scope are anticipated. Staff is requesting approval to continue using Pioneer Environmental Services on the project.

To date, the Village has paid Pioneer Environmental Services \$14,635.25 for the project work. The project budget is summarized below.

Project Budget Summary

Task Description	Budget	Expenditures through 10/3	Remaining Budget
Project Kick Off and Data Collection	\$1,080.00	\$656.25	\$423.75
Field Investigation	\$7,955.00	\$5,905.00	\$2,050.00
Assessment	\$6,500.00	\$4,907.50	\$1,566.25
Specification Development	\$3,290.00	\$2,527.50	\$762.50
Bidding Services	\$3,065.00	\$630.00	\$2,435.00
Construction Services	\$2,175.00	\$0.00	\$2,175.00
Totals:	\$24,065.00	\$14,635.25	\$9,412.50

Additional professional services will be required to remove the underground tanks. At the time of the RFP's initial issuance, the specific manner of closure was undetermined and the amount of additional sampling, field supervision, and reporting required to support the construction activities was unknown. Based on the proposed plan to remove the tanks, these expenses are summarized on the following page.

Estimated Additional Charges for UST Removal Activities & Reporting

Task Description	Estimate
Permitting / Project Management	\$2,040.00
Field Supervision and Soil Sampling	\$13,600.00
UST Removal Report	\$1,630.00

Total: \$17,270.00
Remaining Budget: -\$9,412.50
\$7,857.50 → \$7,858

The requested change order amount is \$7,858. This will increase the amount of professional services to an amount not to exceed \$31,923. The Electric Fund FY2012-13 Budget contains \$125,000 (account #50-41-540-223) for the decommissioning of the tank farm. Actual tank removal activities will be presented as separate Agenda Report for the Council's consideration.

Recommendation:

Consider authorizing the Village Manager to award a change order to Pioneer Environmental Services in the amount of \$7,858 for professional services required to close the underground tank farm in accordance with the terms and conditions of RFP No. 012-005.