



**MINUTES OF THE CITY OF HIGHWOOD
COMMITTEE OF THE WHOLE OF THE HIGHWOOD CITY COUNCIL
COUNCIL CHAMBERS – OCTOBER 6, 2009**

1. CALL TO ORDER

Mayor Pecaro called the meeting of the Highwood City Council Committee of the Whole to order at 6:05 p.m.

2. Roll Call

Present: Mayor Pecaro; Aldermen Bruni, Falberg, Linari, Murphy-Pieri, Sepulveda

Absent: Aldermen Cahnmann, Fiore

Also present: M. Burke, City Clerk; P. Lenzini, City Treasurer; G. Jackson, City Manager; J. Harding, Director of Community Development & Water Distribution; A. Marrin, Assistant City Manager; D. Blondin and J. Stein, City Attorneys

There being a quorum present, the Mayor announced the meeting to be in session

3. Executive Session

n/a

4. Any Action Necessary Coming Out of Executive Session

n/a

5. Review of Minutes

5.1. Committee of the Whole minutes: September 15, 2009

5.2. Regular meeting of the City Council: September 15, 2009

5.3. Executive Session of the Committee of the Whole: September 15, 2009;

June 2, 2009

– Approval of September 15 and June 2 minutes will be held to be reviewed in executive session at the next meeting.

6. Appointments.

Howard Bernstein will be appointed to the Police and Fire Commission at the October 15 meeting.

Because of the upcoming Board meeting, Mayor Pecaro will ask the Council if they would consider the appointment of Dennis Baker to the Firefighters' Pension Board at tonight's council meeting. Mayor Pecaro announced that he also plans to appoint Mr. Baker to the Police Pension Board. He will be replacing an existing Trustee, possibly Mr. Mosconi who has moved to Green Oaks.

Alderman Linari asked if the appointments scheduled for tonight could be held until the next meeting because Alderman Fiore was absent and she thought he had said that he had some questions. Mayor Pecaro will consider this request.

7. Special Business

David Brint – Brinshore Development and Rob Anthony, Chair, HP Community Land Trust a private, not-for-profit organization that promotes live near work housing and is in process of expanding to be a regional organization.

They said that they were approached by some Highwood City Officials to consider a piece of property described as being near the railroad for development. The property on which they wanted to develop affordable housing is 25 Clay and 20 Webster. Alderman Murphy-Pieri noted that this was the last piece of developable property zoned for business. She asked if the group would consider another piece of property or else develop this parcel for mixed use. Mr. Brint explained that while they might like to, he had questions about getting financing and that the shape of the property did not lend itself to mixed use.

Mayor Pecaro asked him what he would be looking for from the City. The response was for the City to acquire and donate the land and waive whatever fees it could.

Alderman Murphy-Pieri said that there was probably adjacent property that was available and asked if including this property would address the mixed use issues. After some additional discussion, Mayor Pecaro said that the City's main issue at this point was just not having the money.

Mayor Pecaro requested and received permission from the Council to suspend the agenda to review the items on the City Council Regular Meeting Action Agenda.

8. Items for consideration on the Action Agenda for regular city council meeting (From Council Agenda: Item 10)

8.1. Ordinance No. 2009-_____ : An Ordinance for Variation at 205 Sheridan Avenue, As Amended. For discussion and final action at Council meeting. Action Agenda

8.2. Ordinance No. 2009-_____ : An Ordinance Amending the Highwood City Code; Stop Sign on Lockard Lane at Burchell Avenue. (First Reading) To New Business

8.3. Ordinance No. 2009-_____ : An Ordinance Amending the Highwood City Code; Stop Sign at Rienzi Lane at Lyster Road. (First Reading). To New Business

8.4. Ordinance No. 2009-_____ : An Ordinance Amending the Highwood City Code; Stop Sign on Euclid Avenue at Western Avenue. (First Reading). To New Business

As this was the first time these ordinances were to be read at a regular meeting of the city council, they can't be voted on at tonight's meeting.

Alderman Murphy-Pieri asked why the stop sign on Lockard/Burchell was suddenly approved after it had been turned down last year by Chief Rossi because there hadn't been any accidents on that corner and therefore could not be warranted.

She also inquired about a standard set of guidelines for making decisions about stop signs.

Mr. Blondin said that it is not a legal issue as to whether to have warrants to determine if a stop sign should be installed on local roads, although it is a more conservative practice to always require practice to obtain warrants.

8.5. Resolution No. 2009-R-_____ : A Resolution Expressing Official Intent Regarding Certain Capital Expenditures to be Reimbursed from Proceeds of an Obligation to be Issued by the City of Highwood, Lake County, Illinois. (First Reading) New Business

8.6. Resolution No. 2009-R-_____ : A Resolution Establishing A Policy and Code of Conduct For The City Of Highwood. New Business

For introduction/first reading. Mr. Blondin said that sometimes an ordinance changes from the first reading to the second. Mayor Pecaro determined that not everyone had had

time to read the Code of Conduct as presented and delayed discussion until the October 20th meeting.

8.7. Resolution No. 2009-R-_____ : A Resolution Approving and Authorizing the Submittal of an Application For A Community Development Block Grant. (First Reading-Time Sensitive).

Action Item

The application deadline was moved and a resolution is needed at this meeting. Mr. Jackson agreed to prepare an explanation of how the CDB Grant application is developed that shows the impact of the IDOT calendar.

Alderman Falberg suggested that the staff needed to develop a better way to communicate and that all proposed city projects must be laid out in detail in a spreadsheet format. He said that such a document was necessary before any projects can be discussed. Mr. Jackson said that he would need a couple of weeks to complete such a layout.

8.8. Approval of Property Acquisition and Redevelopment Project for 25 Clay and 20 Webster Avenue. (First Reading-Time Sensitive)

Unable to afford at this time. Will not go to council.

The Council then returned to the regular order of the agenda.

9. New Business (Agenda Item 9)

9.1 Discussion of an Ordinance Amending the Rental Property Safety Ordinance of 2003.

Alderman Falberg asked what the purpose of this ordinance is. Mr. Harding explained that rental properties that are compliant are currently only required to be inspected biennially. He said that this ordinance would provide for annual inspection for all rental properties. As owners pay a \$60 fee each year already, there should be no increase in fees associated with the additional inspections.

Alderman Murphy-Pieri raised the issue of properties that were part owner-occupied and part rental. Mr. Harding said that the assumption had been that if an owner lived in the building, the building would be well cared for. He further said that he would change his plans to inspect all rental living units.

Alderman Murphy-Pieri that asked Mr. Harding how he knew which properties were rental properties. He said that Moses Amidei had done a survey when he was here. They both agreed that this needed to be updated. Mr. Harding will develop a proposed methodology for determining which Highwood living units are rental units.

9.2 Discussion of Plan Commission Recommendations for Certain Zoning Code Amendments.

Mr. Stein reported that a prior council had asked his firm to review R-3 zoning with an eye to not allowing any more duplex housing. The question of allowing more duplexes will be referred to Houseal/Lavigne.

A clear definition of what would trigger the need for a variance was requested for the next meeting.

9.3 Discussion of Acquisition and Redevelopment Project for 25 Clay and 20 Webster Avenue.

Alderman Falberg asked if anyone thought that the city should buy dilapidated properties and donate them to the Highland Park Land Trust for development.

Alderman Bruni asked about the applicability of eminent domain if it was going to be developed by a private organization rather than as a public building, road, etc.

9.4 Discussion of “Clean Air Counts” Resolution – will stay on the council agenda for tonight's council meeting.

9.5 Discussion of Inducement Resolution for Bonds – Mr. Jackson will have the Attachment available for the next Council meeting when this should be voted on.

9.6 Mayoral Proclamation Naming October as Water Stewardship Month. – to be discussed at regular council meeting

9.7 Discussion of a Resolution for 2010 CDBG IDOT Application and Funding Request.

To be discussed at council meeting.

As it was time for the Regular Meeting of the City Council, Alderman Murphy-Pieri made a motion to temporarily adjourn the meeting at this time and reconvene after the Council meeting; Alderman Harpster seconded. Approved unanimously by voice vote.

10 Old Business

9.1 Discussion of an Ordinance for Variation at 205 Sheridan Avenue, As Amended.

Alderman Falberg asked if an approve list of pervious surfaces was available. Alderman Linari answered that one was and that it was provided. There was then some discussion about whether a list of approved pervious surfaces should be part of the Building Code.

The owner of this property said that he would do what was required, that he just wanted a garage. He questioned whether the paving done by his neighbor at 203 Sheridan had been properly permitted.

Due to the time, Alderman Murphy-Pieri made a motion to temporarily adjourn the COW so that the Council meeting could be held as noticed and reconvene it after the city council meeting was concluded. Alderman Linari seconded. The meeting was temporarily adjourned at 7:30 p.m.

The meeting was called to order at 9 p.m.

Roll call – present: Aldermen Sepuveda; Murphy-Pieri; Harpster; Falberg; and Bruni. Absent: Aldermen Linari; Fiore; Cahnmann.

There being a quorum, the COW meeting was reconvened.

9.2-continued

Alderman Falberg asked Mr. Harding about making fees for a variance dependent on the % by which a project would exceed maximum impervious surface allowed or maximum footprint allowed. Mr. Harding responded that when sizing a property for storm water purposes the goal is to push the owner towards the use of pervious surfaces.

Currently the Property Maintenance Code restricts having bedrooms in the basement. This needs to be revisited. It was suggested that the recommendation be based on the zoning code.

Allowable driveway width: more information is needed before can develop recommendations. One suggestion was to relate the driveway to the house square footage. Staff will research what other towns do and continue to report back on this.

9.2 Discussion of Inducement Resolution for Bonds Must take action on this at next Council meeting. Mr. Jackson will have the Attachment available for the next Council meeting.

9.3 Discussion of City Of Highwood Code of Conduct

This was described as "too vague" by an alderman who noted that Buffalo Grove is doing a recall on their code of conduct.

9.4 Discussion of an Ordinance Amending the Highwood City Code Related to the Mayoral Standing Committees of the City of Highwood. There was a lively discussion about whose committees these are and who should define the mission and set the agenda for them. Mayor Pecaro said that the mayor should define the committees' roll (mission) and define their agenda. He said that "The buck stop here. And because of the "I need to have the ability to tell someone that he or she was going down the wrong path.

9.5 Discussion of Boards and Committees Enabling Ordinance. Deferred

9.6 Review and Discussion of City of Highwood Liquor Ordinance. Deferred

10 Adjournment

upon a motion made by Alderman , seconded by Alderman , and passed unanimously by voice vote the meeting was adjourned at 10:45 p.m.

RESPECTFULLY SUBMITTED,

MB
MARCIA BURKE, CITY CLERK

REVIEWED AND ACCEPTED BY THE HIGHWOOD CITY COUNCIL ON: OCTOBER 27, 2009



CITY OF HIGHWOOD
MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
CITY COUNCIL CHAMBERS - TUESDAY, OCTOBER 6, 2009

1. Call to Order

Mayor Pecaro called the meeting to order at 7:40 p.m.

2. Roll Call

Present: Mayor Pecaro; Aldermen Bruni, Falberg, Linari, Murphy-Pieri, Sepulveda

Absent: Aldermen Cahnmann, Fiore

Also present: M. Burke, City Clerk; P. Lenzini, City Treasurer; G. Jackson, City Manager; J. Harding, Director of Community Development & Water Distribution; A. Marrin, Assistant City Manager; D. Blondin and J. Stein, City Attorneys

There being a quorum present, the Mayor announced the meeting to be in session

Alderman Falberg made a motion seconded by Alderman Harpster that Alderman Cahnmann be allowed to join the meeting electronically. Motion passed by a voice vote of 6 yes, 0 no

3. Pledge of Allegiance

Everyone present rose to say the Pledge of Allegiance

4. Executive Session

none

5. Any Action Necessary Coming Out of Executive Session to discuss

n/a

6. Review of Minutes

6.1. Committee of the Whole minutes: September 15, 2009

Motion to accept the minutes as presented: Alderman Linari ; Second: Alderman Sepulveda

Accepted by voice vote of 6 yes, 0 no

6.2. Regular meeting of the City Council: September 15, 2009

Motion to accept the minutes as presented: Alderman Linari ; Second: Alderman Sepulveda

Accepted by voice vote of 6 yes, 0 no

6.3. Executive Session of the Committee of the Whole: June 2, 2009 and September 1, 2009

Held to be reviewed at the next meet

7. Special Business

None

Alderman Cahnmann joined the meeting at this time.

8. Appointments

Mayor Pecaro made the following appointments which were approved by voice vote as noted:

Zoning Board of Appeals

Frank Camporeale 2009-2012 Approved by a vote of 7 yes, 0 no, 1 absent

223 Evolution Open Seat

CITY OF HIGHWOOD
MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 6, 2009
PAGE 2

Planning Commission

Lisa Cervac 2009-2012 Approved by a vote of 5 yes, 2 no, 1 absent
239 Burchell Open Seat

Firefighters' Pension Board of Trustees

Dennis Baker 2009-2012 Approved by a vote of 7 yes, 0 no, 1 absent
29 Pralls' Loop

Alderman Cahnmann disconnected from the meeting after this vote.

The appointments of Paul Martinez, Zoning Board of Appeals and Jim Bowman, Planning Commission will be considered at the next meeting. Jim Hospodarsky has withdrawn his name as a candidate for the Joint Planning Committee.

Alderman Bruni requested and received permission to make a personal statement that was not provided for on the agenda. He apologized for the insensitive remark he had made at the August 18 Council meeting and said that that didn't represent his true feelings. Alderman Falberg, at whom the remark was directed, accepted his apology.

9. Public Input regarding items not on agenda

Scott Drury, 6 Carriage Lane, asked that the council consider opting out of the State's new law that gives units of State government the ability to allow video gambling.

Mr. Jackson responded by saying that he did not think the item was ready to come to the council yet. He went on to say that before the council made a decision to opt out we would have to see if state capital funds were tied to it. He said that he anticipated bringing something to a committee of the council in about 30 days.

Alderman Falberg requested that an ordinance on this be brought to the Council for debate.

Paula Bernstein, 144 Ronan Road spoke on the remark made at the August 18th meeting by Alderman Bruni. She said that there was a problem not only with the statement, but that the laughter that followed it was also outrageous. She said that, as citizens, we should appreciate what Alderman Falberg is trying to do for Highwood. She went on to say that she felt that the Council needed to address its own behavior and to take itself more seriously. She noted that in the seven weeks since August 18 there has been no comment from Alderman Bruni and that a 2 minute apology was not okay. She asked the Council how it could allow this to pass without at least a reprimand.

Mayor Pecaro responded to this by noting that it would be addressed under the to-be-adopted Code of Conduct. He also said that to accept someone's apology did not mean that there wouldn't be repercussions and noted that censure is one of the options available under his proposed code. He wanted the Code in place before he took any action concerning Alderman Bruni to ensure consistent treatment of all city officials.

10. Mayor's Report -- Mayoral Proclamation Naming October, 2009 as Water Stewardship Month.

Alderman Harpster read Mayoral Proclamation 2009-P-1 promoting the responsible use of fresh water. Mayor Pecaro commended Alderman Harpster for spearheading Highwood's water conservation program and for his work to provide Highwood residents with installed rain barrels at no cost to the resident. We are the only community providing free rain barrels to our residents. The Mayor also recognized Mr. Jackson's work to support Alderman Harpster's efforts in this.

The Mayor went on to discuss his goals as Mayor which are: best use of land, fiscal responsibility concerning the services Highwood provides, and economic development under which he recommends

CITY OF HIGHWOOD
MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 6, 2009
PAGE 3

focusing on becoming the leader in the attempt to secure the completion of the Ft. Sheridan golf course.

11. Committee Reports.

Finance - Alderman Linari, Chair – no report

Long Term Planning – Alderman Harpster, Chair

On September 29 the committee held a meeting to discuss: the purchase of 20 Webster and 25 Clay for the HP Land Trust; a public pier at the water plant; capital reserves for streetscape; and a resolution concerning Clean Air items on which Highwood was seeking certification. On behalf of the committee, he challenged the Appearance Review Committee to develop design standards for the business district.

Alderman Harpster reported that:

- work on the lift station was moving forward;
- a public forum was planned for October 28 for Highwood residents to discuss with Houseal, Lavigne what was being asked of them; and
- the rain barrel program had kicked off on time with an assembly at Oak Terrace.

According to Senator Garrett, Highwood is the first community to provide rainbarrels for free to interested residents.

Scott Drury asked if the Master Homeowners' Association would allow the use of rain barrels in TFS. Mr. Jackson replied that he is working on that.

Alderman Harpster concluded his report by saying what a wonderful support Senator Garrett has been to Highwood.

Public Safety – Alderman Cahnmann, Chair -- no report

Special Events – Alderman Falberg, Chair and **Public Outreach** - Alderman Murphy-Pieri, Chair

The Prelude to the Pumpkin Fest is October 21 when we will try to light over 1,000 jack o'lanterns. Walgreens' donated 1,000 votive candles, Highwood Bowl is providing the carving tools, and monetary donations were received from The Bank of Fort Sheridan in Highwood, Bounce Fitness, and Milestone realty.

Ermano Amedei has provided the 1,000 pumpkins to be turned into jack o'lanterns at a very low cost.

Amy Amdur is handling the Highwood Arts Fair on October 17th and 18th ; 134 artists are expected to participate. (Ms. Amdur handles the long-running Highland Park Arts Fair.)

At the Parisian Market in September, we had 50 dealers – up from the 6 we started with.

Parks and Recreation – Alderman Fiore, Chair – no report

Legislative – Alderman Murphy-Pieri, Chair

The Committee is still working towards a sprinkler ordinance. Alderman Murphy-Pieri reported that she has recently received information about a successful apartment retrofit in Hodgkins, Illinois that she will be presenting to the committee next week.

The committee will be taking up: 1) the question of a salary appropriation ordinance since one had not been adopted since 2007 and 2) a review of the manager's ordinance now that we have a year's experience with it.

12. ACTION ITEMS

CITY OF HIGHWOOD
MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 6, 2009
PAGE 4

12.1. Ordinance No. 2009-38: An Ordinance for Variation at 205 Sheridan Avenue, As Amended.

The request is for a new detached garage. The property owner (Mr. John Gale) pointed out that his is the only house on the block that does not have a garage. Because this is a non-conforming lot due to its size, several significant variances were requested by the owner and recommended by the ZBA. In return for being granted the requested variances, the property owner agreed to a number of restrictions on the use of the property including: it would remain a single family home and only pervious surfacing materials could be used.

It was pointed out that Mr. Gale's project would be the first step in implementing Highwood's green plan. Mr. Gale said that he was prepared to take the extra steps for such a worthy goal.

A motion was made by Alderman Falberg and seconded by Alderman Linari that the request be approved subject to the property owner's agreement to the additional conditions. Vote:

Yes: Aldermen Bruni, Falberg, Linari, Murphy-Pieri, and Sepulveda
No: --
Absent: Aldermen Cahnmann and Fiore
Abstain: --

Vote: 6 Yea; 0 Nay; Absent 2; Abstain 0 Abstain. Motion to approve variances for 205 Sheridan passes.

12.2. Resolution No. 2009-R-12: A Resolution Approving and Authorizing the Submittal of an Application For A Community Development Block Grant. (First Reading-Time Sensitive).

Resolution giving the Mayor the authority to sign an application for CDBG funds for next year. Since the paperwork on this request is due on October 16, 2009.

The Mayor stated that Mr. Jackson will publish a Gantt Chart for all projects showing when each phase of a project is to come up and include information on cost, timing, and source of funds. The Mayor also stated his intention to have a simplified version of this chart available on the Highwood web-site.

Alderman Falberg made a motion to waive the first reading of this resolution; Alderman Sepulveda seconded. Vote:

Yes: Aldermen Bruni, Falberg, Linari, Murphy-Pieri, and Sepulveda
No: --
Absent: Aldermen Cahnmann and Fiore
Abstain: --

The motion to waive the first reading of this ordinance was approved by a vote of: 6 Yea; 0 Nay; Absent 2; Abstain 0.

Alderman made a motion, seconded by Alderman to approve a Resolution Approving and Authorizing the Submittal of an Application For A Community Development Block Grant. Vote:

Yes: Aldermen Bruni, Falberg, Linari, Murphy-Pieri, and Sepulveda
No: --
Absent: Aldermen Cahnmann and Fiore
Abstain: --

The motion to approve the proposal to approve a Resolution Approving and Authorizing the Submittal of an Application For A Community Development Block Grant was approved by a vote of: 6 Yea; 0 Nay; Absent 2; Abstain 0.

CITY OF HIGHWOOD
MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 6, 2009
PAGE 5

13. UNFINISHED BUSINESS

Treasurer Lenzini said that she couldn't prepare or sign the Treasurer's report because she doesn't have access to the data from which it is compiled. She has requested full access to the building so that she can use the finance department computer and the city's financial software. Mayor Pecaro promised that he would make this happen. Treasurer Lenzini thanked him and pointed out that without this, Highwood is missing some essential checks and balances.

14. NEW BUSINESS

None

15. ANNOUNCEMENTS

Committee Night will be Tuesday, October 15 starting at 5 p.m.

16. ADJOURNMENT

There being no further business, a motion to adjourn was made by Alderman Harpster, was seconded by Alderman Linari, and was passed unanimously. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

_____ mb _____

Marcia Burke, City Clerk

Accepted by the City Council on October 27, 2009