



CITY OF HIGHWOOD

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City Council Meeting MINUTES

**October 7, 2008 Regular City Council Meeting
7:30 p.m.**

1. CALL TO ORDER

Mayor Donofrio called the City Council Meeting to order at 7:35 p.m.

2. ROLL CALL

Present: Mayor Donofrio, Aldermen Pieri, Linari, Pecaro, Fiore, Cahnmann, Bruni, Murphy and Hospodarsky.

Absent: None

Also present: S. Druktenis, City Clerk; G. Jackson, City Manager; A. Marrin, Assistant City Manager; D. Blondin and J. Stein, City Attorneys.

3. PLEDGE TO THE FLAG

All in attendance recited the Pledge of Allegiance.

APPROVAL OF MINUTES – Alderman Linari moved for an approval of the minutes from the September 16, 2008 City Council Meeting, September 16, 2008 Committee of the Whole Meeting and September 16, 2008 Executive Session Meeting pending corrections requested by Alderman Murphy to City Clerk Druktenis during the Committee of the Whole Meeting this evening. Alderman Pecaro seconded the motion. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Cahnmann, Pecaro, Bruni, Murphy,
Hospodarsky, Fiore

Abstain: None

Nays: None

Absent: None

The motion carried.

4. PUBLIC INPUT:

- Paula Bernstein indicated that she had a lot of questions regarding 524 Sheridan, however, many of her questions were answered in the Committee of the Whole Meeting this evening. Additional comments/questions include: the proposal for 50 to 100 people for a weekly wine tasting, shouldn't this be brought to the Zoning Board for a parking variation? Ms. Bernstein questioned City Attorney Blondin in that he indicated there was no kitchen; yet there is a 10'x15' kitchen. Are we limiting the facility use so that it cannot be rented out? What is the closing time? City Attorney Blondin responded that the closing time is 9 p.m. every day but the

opening time varies. He also indicated that he had issued a memorandum explaining that the existing building was built prior to the current Zoning Ordinance. Records indicate it was a tavern from the 1970's that was substantially renovated and converted to a variety of retail uses in 2001. At that time, parking upgrades were not required and, in fact, the City authorized removal of the existing parking to permit outdoor display with no shortfall fee being imposed. The current proposal continues to be a retail establishment, which would not be a change in use as defined under the parking requirements of the Zoning Code. Ms. Bernstein continued, was the patio and tent inspected by the Fire Department? The answer was yes. Do we know if there are 50 parking spaces on this street? Answer is that if parking becomes a problem, the City will recognize it and revisit the issue. Are they required to have Dram Shop insurance? The answer is yes; they are required to have it by law.

- Kenn Nelson indicated that he felt there was a lack of ease in doing business in Highwood. He noted that a new business either makes it or breaks it within the first year. The City needs to streamline the process and make it easier for new businesses. He is glad to hear that a packet is being developed and will be made available to new businesses. He feels that the new wine store is being penalized by having to pay rent and not being able to open. The City needs people in Highwood, needs the tax revenue, so make it easier, make it better.
- Joe Passini referenced the new business as a wine boutique. He had heard rumors about the establishment and has neighboring property, so he went to visit it. He noted that it is not a bar, there are no taps, it is beautifully furnished and there is plenty of parking on the north side of the City. He is a neighboring business owner and he has no problem with the outdoor seating or with people sharing a bottle of wine in the courtyard. He feels that the process has taken too long.
- Alderman Murphy clarified that she had no knowledge of the wine tasting establishment until two months ago. If it came before the City prior to that, there is a communication problem. City Manager Jackson indicated that the Business Response Team Program would address any communication issues.
- Alderman Linari clarified that a liquor license from the City of Highwood needs to be given to an establishment before they are given a State license.

5. CITY MANAGER'S REPORT

City Manager Jackson reported that a capital improvement plan has been drafted and requests for capital improvements submitted which is the first time this has been done by the City. He noted that the department heads worked aggressively on this. He also indicated that the 2010 budget is done, the Business Response Team has met twice and will be putting together a package, he has consolidated the Fire Marshall role and met with Affordable Housing, Midwest Young Artists, ComEd, the Superintendent of School District 112 regarding a parking plan, and Lake County Family Services.

6. CONSENT AGENDA

- a. Alderman Hospodarsky, seconded by Alderman Linari, moved to remove and table the following items on the consent agenda:

1. Motion to Approve Comcast Franchise Agreement Renewal.
2. Motion to Approve a Variation Ordinance, 246 High Street.

Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Cahnmann, Pecaro, Bruni, Fiore, Murphy,
Hospodarsky

Abstain: None

Nays: None

Absent: None

The motion carried.

- b. Alderman Murphy requested that the following items on the consent agenda be removed and considered individually:
1. An ordinance amending the City of Highwood Liquor Control Ordinance establishing the Class 8 License, License Fees and Number of Licenses.
 2. A Resolution Ratifying City Council Action to Settle Certain Claims Taken on September 16, 2008.
- c. Alderman Hospodarsky, seconded by Alderman Fiore, moved to approve the remaining items on the consent agenda as follows:

Appointments.

1. Alderman Louise Linari, Alderman Walter Pieri and Alderman Frank Bruni to the Capital Improvement Planning Committee.
2. Reappointment of Richard DeVroeg to the Board of Fire and Police Commissioners for a term of two years expiring on May 1, 2009.
3. Reappointment of Charles W. Lens to the Board of Fire and Police Commissioners for a term of two years expiring on May 1, 2011.

Petitions, Motions, Resolutions and/or Ordinances.

1. Lake Forest Lamp and Shade 742 Sheridan Road, Appeal to City Council to Waive Unified Signage Requirements as per Section 7.5.1 of the Appearance Review Code.
2. Motion to Approve a Wall Sign for Gallery 57, 329 Waukegan Road.
3. Motion to Refer to the Zoning Board of Appeals a Petition for a Subdivision and Expansion/Renovation of Existing Single Family Dwelling located 106 South Central.
4. Motion to approve Cricket Lease.
5. Motion to remove from October 14, 2008 Zoning Board of Appeals Agenda a petition for variation related to parking shortfall requirements for 524 Sheridan Rd.

Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Cahnmann, Pecaro, Bruni, Fiore, Murphy,
Hospodarsky

Abstain: None

Nays: None

Absent: None

The motion carried.

- d. Alderman Linari, seconded by Alderman Hospodarsky, moved to approve an ordinance amending the **City of Highwood Liquor Control Ordinance**

establishing the Class 8 License, License Fees and Number of Licenses.

Discussion ensued and Alderman Murphy expressed a concern regarding the establishment being turned into a bar; yet the liquor license is for a very specific use (wine tasting and retail sale of wine). City Manager Jackson indicated that this would not be the first time the City has a "first". The City will need be police what they need to police. Alderman Bruni, seconded by Alderman Fiore, moved to close further discussion on this topic.

Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Cahnmann, Pecaro, Bruni, Fiore

Abstain: Murphy, Hospodarsky

Nays: None

Absent: None

The motion carried.

- e. **2008-O-35 – An Ordinance Amending the City of Highwood Liquor Control Ordinance Establishing Class 8 License, License Fees and Number of Licenses** - Alderman Linari, seconded by Alderman Hospodarsky, moved to approve the An Ordinance Amending the City of Highwood Liquor Control Ordinance Establishing Class 8 License, License Fees and Number of Licenses.

Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Cahnmann, Pecaro, Bruni, Fiore, Hospodarsky

Abstain: Murphy

Nays: None

Absent: None

The motion carried.

- f. **2008-R-25 – A Resolution Ratifying City Council Action to Settle Certain Claims Taken on September 16, 2008.** Alderman Linari, seconded by Alderman Pecaro, moved to approve the Resolution Ratifying City Council Action to Settle Certain Claims Taken on September 16, 2008. Alderman Murphy felt that the settled counts should be read. City Attorney Blondin will provide Alderman Murphy with a copy of the complaint that lists the counts.

Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Cahnmann, Pecaro, Bruni, Fiore, Hospodarsky

Abstain: None

Nays: Murphy

Absent: None

The motion carried.

7. ALDERMAN/COMMITTEE REPORTS/MISCELLANEOUS REPORTS

- a. The next Judiciary Committee meeting will be on October 14, 2008.
- b. A 4th Ward meeting will be held on October 16, 2008 at 7:00 p.m.
- c. The Recreation Board will be holding a Bocce Night on October 22, 2008. The cost is \$25 per person and the proceeds will go to the Recreation Center.
- d. Alderman Hospodarsky has changed is email address to HWD4th@att.net

- e. City Manager Jackson provided an update that the Westover property development is in the beginning phase and will likely be the first development to utilize the Business Response Team program.
 - f. City Manager Jackson met with the Fort Sheridan Homeowners Association Golf Course Meeting. There were approximately 125 people in attendance and only one dissenting opinion. Otherwise, the group overwhelmingly supported the golf course. Mr. Jackson has sent letters to the Village Managers to generate support. He will then take them to the Forest Preserve meeting.
 - g. Mayor Donofrio congratulated Superintendent of Public Works Ponsi for his efforts in the water main project coming in \$28,000 under budget.
 - h. Alderman Fiore thanked Mr. Jeff Harding, Director of Community Development and Water Distribution, and the landlord in their efforts in cleaning up a property with code violations. Mayor Donofrio added that the building department would continue to look into properties in disrepair.
 - i. Alderman Fiore thanked The Alley for their Hope for Huntingtons fundraiser.
 - j. The next Finance Committee Meeting will be on October 13, 2008.
8. **ADJOURN** - Alderman Linari, seconded by Alderman Hospodarsky, motioned to adjourn the meeting. All Aldermen voted aye. The meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Susan Druktenis - City Clerk _____