



VILLAGE OF WILMETTE

1200 Wilmette Avenue
WILMETTE, ILLINOIS 60091-0040

MEETING MINUTES

MUNICIPAL SERVICES COMMITTEE OF THE VILLAGE BOARD

TUESDAY, SEPTEMBER 12, 2012

7:00 P.M.

COUNCIL CHAMBERS OF VILLAGE HALL

Members Present: Trustee Cameron Krueger, Chairman
Trustee Alan Swanson
Trustee Julie Wolf

Members Absent: None

Staff Present: Brigitte Mayerhofer, P.E., Director of Engineering Services
Jorge Cruz, P.E., Assistant Director of Engineering Services
Timothy Frenzer, Village Manager
Michael Zimmermann, Corporation Counsel

Guest: See attached sign in sheet

I. CALL TO ORDER.

Chairman Krueger called the meeting to order at 7:00 p.m. Committee members Swanson and Wolf were present.

II. APPROVAL OF MINUTES; MUNICIPAL SERVICES COMMITTEE MEETING OF AUGUST 7, 2012.

Chairman Krueger directed the Committee's attention to the draft minutes of the Municipal Services Committee meeting of August 7, 2012.

Trustee Swanson moved that the Committee approve the minutes. The motion was seconded by Trustee Wolf and approved by unanimous voice vote. **The motion carried.**

III. DISCUSSION OF ELMWOOD AVEUNE RIGHT-OF-WAY

Trustee Krueger said the objective of the meeting is to develop a recommendation on how the Village Engineer should proceed in looking at the various options that were

discussed at the previous meeting held on August 7, 2012. He would like to narrow the list of options to two or three options that merit further review, analysis and evaluation by Village staff. He would also like to establish criteria for the evaluation and discuss a budget if necessary.

Trustee Krueger said the Village Board has received a large amount of email regarding selling the Elmwood property. He said the Village cannot sell the property outright. He said if the Village decides there is not a public good for the property, the Village may decide to vacate the property. If the recommendation is to vacate the property and the Village Board accepts that recommendation, the property would be vacated to the neighbors whose property adjoins that piece of property. During the vacation process, restrictions can be placed on the property and the neighbors can be required to provide monetary compensation to the Village for the value of the property.

Trustee Krueger said he would like to focus tonight on the possible public use vision of the property.

Trustee Swanson said he believes the vacation of property should be one of the options to use as a benchmark to gage other options by. He said there were many options discussed for the property at the last meeting but the one option he heard that most people liked was to preserve the land as a natural area. The Committee has heard that the Audubon Society has said the property is unique and is a stopping place for migratory birds. He noted there are some usual plant species there and the property is a resource that has value in its natural state. He believes those comments make sense because the alternative in terms of a public use is either something passive as described, no use whatsoever or it has to be opened for full access to the beach. It seems that if the property is opened for full access to the beach, the Village would have to maintain the property, patrol the area and provide lifeguards for the beach due to liability issues. He has heard from residents and believes there is plenty of access to the beach and the Elmwood property can be accessed via the beach. He is not convinced that full access is necessary and is leaning toward the option of preserving the land and then deciding what kind of access to provide. He said the Village is not in the public recreation business so he wondered if the Village could put in place some type of intergovernmental agreement with the Park District to manage and operate the beach.

Michael Zimmermann, Corporation Counsel, said so long as there are protections to allow general public access to the site, we can do a number of different agreements with the Park District if they are willing to manage the property as a recreational use.

Trustee Wolf said Trustee Swanson's ideas make a lot of sense. She wondered if the Village should explore preserving the plants and habitats for the birds as well as how the oversight would be managed by the Park District. She suggested that there should be an advisory committee to maintain the restored area.

Trustee Krueger said the Committee agrees that the Village needs to preserve the property if it is going to be open as a public amenity. He asked if there is an opinion on accessing the beach from the street or just the beach/water side.

Trustees Wolf and Swanson agreed the property should stay open on the beach/water side.

Trustee Krueger asked for opinions on the property being open from the street side.

Trustee Wolf said if the property is a pure sanctuary then it should be closed off and people would not be able to walk through the property. She suggested if that was to happen then a sign should be placed letting people know that area is a sanctuary.

Trustee Swanson said there was an email from a resident asking why the Village would want to have a public piece of property if the public cannot access it easily. He said that is a good point but he is concerned about preserving the plant life that is there. He suggests leaving the property open from the water side and having a path that preserves the plant life open for seasonal use from the street side.

Trustee Wolf said she would also be comfortable with seasonal use of the property.

Trustee Krueger asked about the suggestion of an overlook for the property.

Trustee Swanson said it was mentioned at the last meeting that there was not a lot to see from an overlook due to the trees blocking the view. When he went to look at the property, he could not see the water due to the trees from the street side of the property.

Trustee Wolf agreed noting she also could not see the water from the street side of the property due to the trees on the property.

Trustee Krueger said he would like to take the overlook suggestion out of consideration as there is not a view from the street side of the property. He asked for discussion on the access to the property. He did not believe an automated entrance with card key access was practical.

Trustee Krueger asked what kind of restrictions the Committee would like on the access of Option 4 which is a sanctuary / preserve use.

Trustee Swanson said his previous suggestion to seasonally restrict access to the property with a nature preserve is not really restricting anything but the hours in off beach season.

Trustee Wolf said she did not believe there should be access from the street during the summer season as there would be a lot of people using the area. She believed there

would be danger to the plants and animals with a lot of people walking through the area.

Trustee Krueger said he liked the concept of the property being open during the nicest season of the year.

Trustee Krueger said Option 5, restricted access, should be taken out of consideration as it is duplicative. He asked for comment regarding Option 6, pay-to-access beach, which is similar to Gillson and Langdon beaches.

Trustee Wolf said she believed there would be logistical issues staffing and if the Committee would like to preserve the property having a lot of people walk through the area would not be good for the plants and birds. She is also concerned with parking in the area.

Trustee Krueger said if the Village does not want to hire staff for the property, would the Village want to have the Park District involved and would the Park District want to be involved.

Trustee Swanson said he believes the property is unique and ecologically significant. He said Langdon Park was originally open with no control and there were a number of issues. The Village ended up placing parking restrictions on the streets in the area and then the Park District made it a pay beach with a guard. Now the public use of Langdon Beach is less.

Trustee Krueger said some residents have expressed interest in using the property year round. He asked if the Committee thought that option would be able to work.

Trustee Swanson said he believes it would be a long way from receiving his recommendation but he does not know if he wants to dismiss the idea.

Trustee Wolf said she agrees with Trustee Swanson. She asked if it would make sense to explore options with the Park District regarding all year long access.

Trustee Krueger summarized the Committee's discussion of options with the following: 1) vacate the property 2) nature preserve/sanctuary with access from the street with possible restrictions, 3) Gillson Beach model, provided there is Park District interest in managing the beach.

Trustee Krueger noted the criteria for evaluation are as follows: capital cost, operation/maintenance cost, trees and native landscape, wildlife, neighborhood, traffic and parking, safety/liability.

Trustee Krueger opened the meeting to public comment.

Larry Russell, 1117 Michigan, said he believes the cost of improving the Elmwood

property is in competition with other costs that the Village faces such as roads, sewers, and brick roads that are not being replaced. He is not against parks but he believes the property is a discretionary expense that the Village is considering. He suggested that the possibility of the vacate option could include a specified set of conditions that would facilitate the resale of the property to an interested buyer.

Kathy Peepgras, 1121 Michigan, said she agreed with Mr. Russell. She also wondered what would stop people from walking through the property and going to private property or having a party on the property. She supports the sanctuary option with no access from the beach or street.

Patrick Duffy, 932 Illinois Road, thanked the Trustees and residents for attending the meeting. He asked if there would be an opportunity for residents to be on an oversight committee. He also wondered what an overlook would be on the property.

Trustee Krueger said he envisioned an overlook as a type of deck structure, but there is not a great view from that area.

Mr. Duffy said he believes an overlook could enhance safety in that the police can then walk up to the edge and see the entire site. He believes brick pavers would beautify the top end of the site and the bricks could be sold as a fundraiser. He believes parking could be addressed by restricting access to Wilmette residents. He believes there are volunteers to clean up the site and grants are available.

Chris Lewis, 607 Washington, suggested adding “a future use potential item” to the criteria for evaluation. He said if there is no funding we cannot do anything to the property right now but if the property is vacated then we cannot do anything in the future.

Scott Saef, Sidley and Austin, said he is an attorney speaking on behalf of Susan and Nick Noyes who reside at 1046 Michigan Avenue. He said a letter has been sent requesting interim short term regulations be implemented while the evaluation goes on about the long term future of the Elmwood property.

Mr. Zimmermann said the Village Board would recommend action for the request.

Amy Boyer, 1028 Sheridan Road, said maybe a nice little park as an overlook would be appropriate for the property, and believes the cost would be minimal.

Diane Fisher, 827 Elmwood, said she thinks the priority should be to not vacate the land and settle the details later. She believes there are similar types of property in Winnetka at Spruce Street, Cherry Street and another site in the ravines. She has talked to the Winnetka Police Chief and there have not been many issues at those beaches. She also noted that the Wilmette Police Chief is confident they can control the Elmwood property.

Charlotte Adelman, 232 Lawndale, said she agreed with Diane Fisher's comments. She said she made an objection to the continuation of the hearings because she believes there has been a failure to provide adequate notice for the first hearing. She also would ask the Committee to recommend that the Board of Trustees direct Corporation Counsel to create a legal plan to create a permanent conservation easement on the site or in some way ensure that the right-of-way remains a permanent open space and a passive use nature preserve forever. This would give residents peace of mind knowing that the issue will not be brought up from time to time and would ensure that this unique and rare site receives the respect it so deserves. She said there are endangered plants on the beach but the rest of the site does not contain endangered plants. She would like to be able to go from the top of the site and walk to the beach.

Susan Gaines-Gatto, 1234 Princeton Place, said she is involved in Friends of Thornwood Park and worked very successfully with Village Staff to improve the park. She believes there are many residents who would like to unite and cooperate to save and improve the Elmwood property.

John Gridley, 429 Pinecrest Lane, said he will never use the property so he is in favor of vacating the property. He does not believe the property will be fully utilized.

Howard Muritz, 729 Harvard Street, said he agreed with Diane Fisher's comments. He believes the property is an asset to the community and if you limit access it is not such a great asset to the community.

Jeff Chookaszian, 1120 Michigan, said his parents live at 1100 Michigan, next to the Elmwood property, and could not be at the meeting this evening. He believes the Village is considering several options that make sense. He believes putting a fence back up on the property would make sense and would be the least costly option. The option of vacation is a realistic option. He had two comments regarding the options of a sanctuary and beach access. He believes that any type of access to the property that is not controlled or restricted with some type of gate or fence is a slippery slope to uncontrolled access. He said now there is uncontrolled access to the property. He would like to refute the arguments that were made earlier that this is just a June through August issue. His family sees access to the beach throughout the fall season extensively, and many people choose to sit on the private beach areas. He believes the cost of any of the options needs to be considered as well as the cost the Village would forgo by not vacating. He believes the property, as it is now, presents safety issues, vandalization issues to the neighboring properties, and needs to be resolved. He agrees with the Noyes family that an interim solution needs to be considered while the Village considers a long term solution.

Mike Chookaszian, 1301 Ashland, said any time the police were called, there was someone on his parent's private property but by the time the police came the people had gone. He is in favor of the options of a nature preserve and limited access but he does not believe unlimited access in the summer months should be an option. This summer there

has been a constant stream of people on the property and his parent's property has been vandalized.

Natalie Franke, 2347 Old Glenview Road, said she is a senior citizen and third generation resident. She said Elmwood Beach was open and accessible in the 1940's and 1950's as an unguarded beach. It was also open in the 1960's and 1970's. She would like access to the peace and quiet of Elmwood Beach. She believes the area is unique and she would like to see benches and a bike rack placed on the property. She would not be happy with a solid fence placed there.

Trustee Swanson asked if riding to Gillson Beach and sitting on the benches would be the same as Elmwood Beach.

Ms. Franke said it is not as quiet at Gillson Beach.

Cindy Killian, 929 Seneca Road, said the Village has a unique opportunity to use the Elmwood property for something special so she does not believe the property should be vacated or have total access. She does not see a place where there is accessibility for those with limited mobility. She understands that the Elmwood property now is not accessible in any way to someone with limited mobility but she believes there is an opportunity to look at that option now. She would like to encourage a people sanctuary at the property.

Reed Stevens, 1128 Sheridan Road, said he had been in Wilmette three years and he does not believe people should swim there. He does believe there should be access from the street for people to walk through to the beach. The property is a public resource. It should be protected but the neighbors' interests and rights should also be considered.

Mark Unak, 335 Central, said he believes the Committee should consider how the parks affect the community. He said from Memorial Day to Labor Day there are always cars parked on his street now and he would like that to be considered in the decision regarding the Elmwood property.

Peggy Smith, 335 Central, said she believes the Elmwood property right-of-way means that the public should not be restricted to access to the beach. She objects strongly to any restriction of access to the property and does not understand why a fence would be installed there. She believes the property is fine the way it is.

Paul Mokdessi, 629 Elmwood, said he believes the property can be a lot different and a lot better than we have today. He does not believe it should be left the way it is, there are a lot of options that could improve the area. He believes in access from the street and the beach but with control of the access. He also believes an overlook would be an option as there are no leaves on the trees for many months of the year and you can see the lake. He believes a simple fence and gate would make this property equitable with the other two

beaches in Wilmette and address some of the problems on the property. He does not believe there should be swimming allowed as there is no lifeguard and the area should be posted as such.

Trustee Krueger noted there was no one else from the public to speak to the issue.

Trustees Wolf and Swanson thanked everyone for coming to the meeting and for sending emails as all the input helps with the process.

Trustee Krueger agreed with Trustees Wolf and Swanson and said they will proceed with the process with a high level of transparency. He noted that the Village website posts every Village meeting well in advance of the meeting.

IV. ADJOURNMENT.

Chairman Krueger asked for a motion to adjourn. Trustee Swanson moved to adjourn the meeting. The motion was seconded by Trustee Wolf. No further discussion occurred on the motion. Voting yes: Chairman Krueger, Trustee Swanson and Trustee Wolf. Voting no: none. **The motion carried.**

The meeting was thereafter adjourned.

Minutes Respectfully Prepared by Barbara Hirsch.