

3. Approval of the following Commission re-appointments:

<u>Plan & Zoning Commission – Term: 4 years</u>	<u>Term</u>
Thomas Bolling, re-appointment	9-1-18 to 9-1-22
<u>Architectural Commission – Term: 4 years</u>	<u>Term:</u>
Tev Bond, re-appointment	9-1-18 to 9-1-22
John Issa, re-appointment	9-1-18 to 9-1-22
Corinne Carr, re-appointment	9-1-18 to 9-1-22

4. Consideration of a resolution to amend the ICMA Retirement Corporation VantageCare Retirement Health Savings Program.

Trustee Terrill made a motion, seconded by Trustee Gregorio, to approve Consent Agenda items 1 through 4.

Upon the following roll call vote, a motion to approve Consent Agenda items 1 through 4 was approved.

AYES:	Lungmus	NAYS: 0	ABSTAIN: 0	ABSENT:	Roszak
	Terrill				Kaplan
	Gregorio				
	Goodwin				

CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 18 OF THE VILLAGE CODE TO ESTABLISH REGULATIONS FOR SMALL WIRELESS FACILITIES

Trustee Lungmus made a motion, seconded by Trustee Terrill, to approve an ordinance amending Chapter 18 of the Village Code to establish regulations for small wireless facilities.

President Frazier indicated that Attorney Hill's partner, Jim Rhodes from Klein, Thorpe and Jenkins, Ltd. was present and he prepared the draft ordinance and will review it with the Board. Attorney Rhodes said the ordinance regulates what is commonly referred to as small wireless facilities. The ordinance is being proposed for two reasons; one as a result of the Small Wireless Deployment Act which was passed last year and became effective on August 1, 2018 for implementation; and secondly because of the limitations that are within the Act for the ability of municipalities to regulate within the limitations of that Act. The firm has proposed that their clients adopt ordinances that set forth the mechanisms for how small cells are going to be developed in the various towns. The wireless providers came to the legislature about two years ago to talk about what is known as 5G. A couple of years ago there was 3G service and an upgrade to 4G and now they want to roll out 5G which will occur within the next two years. The 5G is the new technology that will allow all of the smart homes to work, all smart TV's to work and will give enhanced service and additional data service for ultra TV's, smart cars and that

type of technology. The wireless providers tell communications industry has cracked that open and gone throughout the 50 states pushing the plan to suggest that this is in fact what is needed to get telecommunications into the next century and to create all of those new types of products. Attorney Rhodes said the Act itself places a number of limitations on municipalities and then gives municipalities some breathing room with respect to those regulations. The first restriction is on zoning. The Act provides that small cells are co-locations on towers, utility poles and structures are to be classified as permitted uses within all rights of way. They are to be classified as permitted uses within all zones that are exclusively zoned for commercial and industrial property and that the limitation of the Village is that it can only be regulated through zoning those areas that are not prohibited within the Act. What this does is place a severe limitation on where a municipality can actually attempt to regulate the location of these devices. Within a municipality, if a wireless provider wants to apply to put a wireless facility on a utility pole, either existing or new pole, the limitation on the Village is restrictive with respect to that application.

Attorney Rhodes said there is also a limitation on height. Municipalities have to allow these facility antennas to be no greater than 10 feet from the height of the utility pole and in places where there is a new utility pole, that height can be the greater of 45 feet or 10 feet above any utility pole that is located within a 300 radius of where they want to locate. The municipality is restricted with their ability to limit the height of these types of equipment. There are provisions as to specifically define what small cells are. The antenna itself can be no bigger than 6 cubic feet and the other equipment located on the pole can be no bigger than 25 cubic feet. However, there are also provisions that indicate any ground mounted equipment that goes along with these is not classified within those restricted 25 feet.

Trustee Gregorio asked if they look like a black box? Attorney Rhodes responded that there are different types for different users. AT&T is a little less obtrusive than some others based on their technology and they have fiber optics in most rights of way to attach to. They don't need some of the equipment that the other users do. Verizon has an antenna that looks like a cone with a dome on it and will be 10 high above the pole and then there is a box (3 x 3 x 3). There is an electric meter mounted on the pole as well and there may be a power box. Some of the boxes that Verizon is proposing are similar but not as large. They are currently looking to fill in areas where they have some quality service. They are coming into communities looking to put in 2 to 5 co-locates. When 5G rolls out, you will have one of these boxes on a pole approximately every three blocks. They are trying to create a mesh of communications

between all of these different boxes to make sure they can catch that coverage for the new technology.

Trustee Terrill asked if they will pay the Village. Attorney Rhodes said they will pay the Village permit fees and that's based upon what they are requesting. The maximum permit fee the Village can charge is \$650 for a single locate. They are allowed to come in and apply for multiple with one application. The municipality determines the maximum charge, but the charge is limited at \$650 by the state. If there are multiple, the amount charged per location is \$350. If there is a new pole or a replacement pole, the amount charged is \$1,000. If they request to put up a municipally owned pole, Northfield allows them to do so subject to entering into an agreement with the Village and subject to a fee, the maximum is \$200 a year per location. President Frazier asked if there is a cap to the number of these small cell facilities that can be placed in one town. Attorney Rhodes indicated there is no limit.

Trustee Gregorio asked if this is mostly for cellular service. Attorney Rhodes indicated it is for cellular and data. It is mostly for the data transition, the data that will go back and forth. Examples are smart TV's, 3D TV, Alexis and smart cars. President Frazier asked who is entitled to apply and can a third party get into the business of these towers. Attorney Rhodes said it has to be a wireless provider. Every wireless provider will need their own equipment. DAS is a technology that is being used in some western states. It will allow multiple wireless providers to use one particular co-locate. The wireless providers don't like that because one wireless provider shoves out the money to the co-location and all of the rest can share for free. So they are going to most states talking about straight, small cell technology where every individual provider will need their own. Currently, AT&T and Verizon are the two players.

Trustee Terrill asked if the Village has a say so if we don't want them on a certain pole. Attorney Rhodes answered that the Village has the ability to make a suggestion, that there may be an alternative pole that is located within 100 feet of where they want to go, or suggest that they put up a new pole within 100 feet of where they want to go. If it is technically feasible for them to do so, they have to do it. The ordinance is being proposed so they can't install anything until they make an application, provide all technical data for the facility and make sure they are in compliance with all general building, construction, right of way ordinances. However, the residents won't know where they are going to go up unless they want to put a facility where the Village has zoning control.

Trustee Gregorio commented that there are areas of town that have bad reception. President Frazier said for tonight we are talking about the adoption of this ordinance, but then if the Board wants, it could go back to the drawing board for staff to research and come up with

design guidelines to figure out how to camouflage them. Attorney Rhodes said she is correct. Trustee Terrill asked if there is any way poles could be marked in advance so if the residents didn't like it there, it could be altered. Attorney Rhodes indicated it is the company's choice. You can make a request to move it within 100 feet. Trustee Terrill argued that he would like to know in advance so we could tell the residents what is going on when we have time to do something before the installation. If the Village receives an application, they can go out and develop some type of small sign where it is to be located. VM Sigman felt that everyone is going to want it somewhere else. Trustee Terrill indicated there will be a lot of unhappy residents. VM Sigman agreed but said the state has done this to us with the adoption of this legislation.

President Frazier questioned what other communities are doing in regard to protecting some poles or to make sure one neighborhood isn't over-burdened. Attorney Rhodes replied that the small cells are coming in and they are trying to be very careful in working with the municipality with respect to these poles. They are willing to sit down before they make an application, discuss the location and talk about alternative locations. Within the Act, there are specific time limits if a permit is granted. From the date that the wireless provider comes in and makes his application, you have 30 days to make a determination as to whether or not the application is complete or not. If the Village does nothing, it is deemed complete. If the Village tells them it is not complete, then it tolls the time for the Village to approve or not approve. Once they come in, the total amount of time the Village has is 90 days for a co-location to approve it; 120 days for a new pole or replacement pole to approve it. If there are areas that they are making a request that the Village would have zoning control over, the time limits still apply to get it through the Plan Commission or Zoning Board of Appeals within that period of time and to the Board to have it approved. If the time limits are not met, the Act allows the wireless provider to send the Village notice that says the time limit was not met in 10 days, they are deeming it approved and start construction. Trustee Terrill asked when they wanted to start in Northfield and Attorney Rhodes said he didn't know, but there was a meeting with representatives of AT&T about 2 weeks ago and one of the representatives indicated to KTJ that she also had Northfield as one of her communities and that they were looking at to doing some co-locates.

President Frazier asked if there is always ground equipment with the co-locaters. Attorney Rhodes replied not always. AT&T doesn't have very much ground equipment because it is tying into its fiber optics. AT&T may need some box somewhere, but they don't need a box for every single pole location. President Frazier then asked what limitations the state has put on

our ability to camouflage or landscape around the ground units. Attorney Rhodes said that as long as the Village is being non-discriminatory, the Village is able to require screening around ground equipment and the Village is also able to create spacing requirements for ground mounted equipment, but it would have to be the same spacing requirements that the Village would use for anyone else locating in the right of way. The Village must be consistent.

Trustee Lungmus asked if this is in the state law or the ordinance that spells it out. Attorney Rhodes responded that the state law allows you to enact the spacing requirements. The ordinance also amends the right of way ordinance and put in provisions regarding spacing that basically grants the Public Works Director and Community Development Director to look at where they want to put the location taking into consideration public safety and aesthetics. Trustee Lungmus then asked if it was his opinion that this ordinance maximizes that control. Attorney Rhodes said it gives the Village as much control as possible. There are still other things left to do after this ordinance. One is the design standards as technology changes and deciding where we would want some specific design standards or stealth provisions. Out west, the big stealth is to have these things look like trees or cactus. There is a stealth tree in Door County, Wisconsin. Some are considering standards where banners are located on some poles. Some are suggesting putting two banners on the pole and in between is the mounted box. VM Sigman asked if they have the ability to attach them to decorative light poles in the right of way. Attorney Rhodes said we have the ability to establish standards for decorative light poles. The Village can require them to do different types of designs to the decorative light poles and can limit the ability for some of the equipment on the light poles. One of the problems is if they are not putting it on the decorative light pole, then they will say they want a new pole. The Village can require them to make that pole look like a decorative light pole, but if there is an area that technology is necessary to end up having service, they will end up putting it in various areas. He said that Verizon has been requiring new telephone poles for their equipment so they know it will be structurally sound.

Trustee Gregorio questioned whether or not mounting is done on buildings. Attorney Rhodes said not right now in Illinois because of cost. They have been able to go to the legislature and get them to limit the amount a municipality can charge for rent for \$200 a year and they would pay significantly more than that to mount it on a private building or property.

Attorney Hill said that Attorney Rhodes had mentioned that these have to be permitted uses within an industrial or strictly commercial district. He asked what the Village's regulatory ability is in a residential district. Attorney Rhodes responded that in a residential setting, you can make it a special use and you then have more control over location, but the Village would

still have limited control over approval or denial if the service is necessary somewhere within that area. When it comes to zoning control for residential areas, the FCC regulations kick in and under the FCC, you are required to make specific findings with respect to denial. He said even in the commercial and industrial areas, the Village is still able to enforce the bulk standards. So if someone wanted to come in on private property and place a pole, the Village would still be able to make sure that they are within the setback and other issues. The ordinance says if it is an area that is not exclusively commercial or industrial, then the Village's zoning provisions will apply. It is then up to the Village to start a review of the zoning code and decide how to deal with these types of uses within those areas. The statute says that you don't have zoning control if it is exclusively commercial or industrial and you have two commercial zones that allow residential, so we would still have some zoning control within those areas and could enact specific zoning provisions within those areas to deal with the location of these types of facilities.

President Frazier asked the Board if they would like staff to research that and the design standards. All agreed.

Community Development Director Steve Gutierrez clarified that sometimes they would bring the zoning amendments back to the Board, but in this case, these are simple amendments and in terms of timeliness, the Board may want to have those zoning amendments sent directly to the Plan & Zoning Commission for hearing. VM Sigman indicated they would go to Plan & Zoning for a hearing first and then to the Board. The Board agreed to that.

Trustee Gregorio asked if we can control the color of the cone on top of the pole. Attorney Rhodes indicated that within the design standards, you can say they have to match colors or design. As long as the paint doesn't interfere with their reception, you can dictate what you want. There are some unobtrusive poles that some towns are getting.

Attorney Rhodes noted that along with the ordinance is the actual permit application with all of the information that is necessary for a wireless provider to come in and make his application for the permit. He also provided a master agreement for the situations where a wireless provider wants to locate on a municipal pole.

President Frazier then requested a roll call vote to approve an ordinance amending Chapter 18 of the Village Code to establish regulations for small wireless facilities.

AYES:	Lungmus	NAYS: 0	ABSTAIN: 0	ABSENT: Roszak
	Terrill			Kaplan
	Gregorio			
	Goodwin			

CONSIDERATION OF A MOTION TO APPROVE THE PURCHASE OF TWO (2) 2018 FORD AWD EXPLORER/INTERCEPTOR PPV IN THE AMOUNT OF \$59,747

Trustee Gregorio made a motion, seconded by Trustee Goodwin, to approve the purchase of two (2) 2018 Ford AWD Explorer/Interceptor PPV in the amount of \$59,747.

Chief Lustig indicated the police department is looking to replace two vehicles, squad #3 and #6. As a side bar, the fleet manager monitors the entire fleet and each time a car goes in for maintenance, tires, repairs or whatever it is logged into the database. This is part of the reason for the replacement of squad #3, even though it is a 2016, it was purchased in 2015. When squad #3 went off warranty it has cost over \$9,000. Some squads last a long period of time and some build up costs and the fleet manager recommends pulling them out of the police fleet, and this particular squad, he suggested putting it into the building department fleet because there it won't get constant use as it would in the police fleet. The awards are from state bids which are a lot cheaper. Squad #3 is scheduled to be taken out of the police fleet and put in the building fleet and the fleet manager was looking to purchase an Explorer/Interceptor. A lot of the new vehicle manufacturers go in and out of businesses for police interceptors. Chevy may take out the Impala and put in the SUV's. We are at their mercy. At this time, Chevy is not doing the Impala, but now Ford is doing the inceptor. VM Sigman added that currently there are no companies making interceptors in sedans. Chief Lustig said the interceptors have heavy duty transmissions due to prolonged idling and they are more powerful. Idling time is the problem and in the report shows the engine mile equivalency of the idling time of the squads. If you turn the squad off when the officer is using it, all the equipment will drain the battery.

Chief Lustig said squad #6 will be reassigned to a detective because they don't put as many miles on the cars like the patrol cars do. This squad has 192,084 miles and would like to replace that with a 2018 Explorer at a cost of \$29,711. The total cost for both cars is \$59,747 and in the budget we have \$80,000 set aside for this. They would declare the staff car #24 and squad #8 as surplus and to dispose of them. They are disposed of when the car outlives its usefulness and is unable to perform at a safe rate.

Trustee Gregorio asked if all new equipment gets installed. Chief Lustig said it depends. If the car goes from patrol to detective or unmarked to unmarked we don't, but if it goes from marked to unmarked we do. Trustee Lungmus asked if the price includes the equipment. Chief Lustig said no, just the vehicle.

President Frazier said she doesn't agree with the requests. She said squad #3 to her is a new car. It was bought in 2015 and it's a 2016 and it only has 41,000 miles on it. It is only a year and a half old. It hasn't been driven hard for that many miles. She knows they get

reassigned and there may be a problem with repairs, if it goes elsewhere in the Village there would still be repair costs. She said we ought to get more mileage out of the car. She asked how many miles are on squad #8. Chief Lustig said 137,400 straight mileage. President Frazier felt they were still in good condition and still usable. She doesn't see the point in rolling over the stock now, especially the first car. Her feeling is to use our resources to the greatest extent possible.

VM Sigman noted that in the Board's packets are detailed evaluations of the cars. VM Sigman explained that when new cars are bought for the primary purpose and they spend 3 to 4 years in police. When they are ready to be rotated, before selling them, they go into the secondary position. A car goes from a police pursuit vehicle down to a staff car for the building inspector. They are kept in the fleet generally in the neighborhood of 8 years, 4 in the primary capacity and 4 in a secondary capacity. We are buying the new car for police and that old car will roll into the second position and we are selling the car that has been in the secondary position. The reports on the two vehicles proposed to be sold are provided. The newer cars aren't being sold; they are going to the secondary position.

Trustee Gregorio asked if this recommendation came from a consultant. Chief Lustig indicated it is the fleet manager who makes the recommendation. VM Sigman said that we do all of the maintenance on the vehicles in house. She said some cars they are able to get extra years out of them. For example, her car was Mike's for five years and then she had it for five years. Last year, they were able to get eleven years out of it. There may be more issues with other cars. Trustee Goodwin suggested that maybe Chevy had some problems with that car and so that's why they're not selling them now.

Trustee Lungmus asked if the police vehicles will all be Ford Explorers now. Chief Lustig said not all of them, there is one left.

President Frazier then requested a roll call vote to approve the purchase of two (2) 2018 Ford AWD Explorer/Interceptor PPV in the amount of \$59,747.

AYES:	Lungmus	NAYS: 0	ABSTAIN: 0	ABSENT: Roszak
	Terrill			Kaplan
	Gregorio			
	Goodwin			

CONSIDERATION OF AN ORDINANCE DECLARING EXISTING STAFF CAR #24 AND SQUAD CAR #8 AS SURPLUS AND AUTHORIZING STAFF TO DISPOSE OF THESE VEHICLES ACCORDING TO LAW

Trustee Goodwin made a motion, seconded by Trustee Gregorio, to approve an ordinance declaring existing Staff Car #24 and Squad Car #8 as surplus and authorizing staff to dispose of these vehicles according to law.

President Frazier then requested a roll call vote to approve an ordinance declaring existing Staff Car #24 and Squad Car #8 as surplus and authorizing staff to dispose of these vehicles according to law.

AYES:	Lungmus	NAYS: 0	ABSTAIN: 0	ABSENT: Roszak
	Terrill			Kaplan
	Gregorio			
	Goodwin			

PUBLIC COMMENT

None.

President Frazier said this concludes the Action items for this meeting and asked for the monthly departmental updates.

Department Updates

Administration

VM Sigman indicated that we were successful in the second round of grants to pay for the capital costs for merging in the 911 center. That grant was put together by the Glenview Dispatch Center. We expect to be getting an additional \$85,000 back.

Construction has started on the gateway sign. Demolition has started to take place at the corner of Willow and Waukegan. The samples for the stone were approved and it should be done sometime early this fall.

VM Sigman said she received positive news today from Patrick Engineering that we were successful on our environmental study that was necessary for Happ Road Phase I and are now waiting on final IDOT sign off on a couple of components of the intersection design study that they required. Once we get it, we will finish up the Phase I study.

Community Development Department & Building Department

Director Gutierrez informed the Board that the Planning & Zoning Commission will be meeting on September 4th with a busy agenda. There will be a special use for a storage facility for the company's vehicles at 190 Northfield Road. Then there is an expansion of a special use at 211 Waukegan Road for Northshore University Health Systems who wants to add immediate care as a service to the existing offices. At 191 Waukegan Road, a special use is being sought for a dental office. Finally, the property at 2005 Southridge Terrace which is a large 10-1/2 acre site that has a lot of the property west of the river that is no use to the current owner and they

want to divest themselves of that part of the property and sell to some adjacent property owners on the other side. In order to do this, they need to re-subdivide all of this property as well as rezone the properties on the west side of the river to match the zoning of the properties that they sell to. Three owners want to buy each of those parcels. Trustee Gregorio asked if the owner was giving them away or selling them. Director Gutierrez said at one time they were talking about setting up a conservancy, but no one was interested in taking that on. These items will be coming to the Board for vote at the September meeting.

Director Gutierrez reported that demolition of the building and building slab has been completed at 1725 Winnetka Road. Staff has completed the review of the engineering plans, but they are still waiting for the construction plans.

The Comprehensive Plan update is well underway and Houseal Lavigne has begun the initial public outreach by holding a business workshop with the Village's business community, doing a general community workshop with residents and have done 40+ stakeholder interviews as well as gathering responses to website questions. This is just the beginning of how we will engage the community throughout this process. Houseal Lavigne will also house a booth at Ribfest to gather further thoughts of the visions of the community and for the future. They will then take their findings and file a report as well as their analysis of other distinct conditions. They will report back to the steering committee on September 25th. Houseal Lavigne indicated they have gotten really good information from many engaged residents and have had a lot of interviews.

President Frazier asked about the status of the new pizza place. Director Gutierrez said he really didn't know but there is construction activity there. They haven't called for a final inspection and they are not returning his phone calls.

Trustee Lungmus asked Director Gutierrez if there were any issues with the old AT&T site. Director Gutierrez said there were a couple of neighbors that prior to the demolition inquired about what types of controls we had for the demolition. Staff conferred with the developer who was setting up extraordinary controls with a couple of monitors.

Finance Department

Finance Director Noble reported that staff is in the process of finishing up the audit for April 30th. It will be ready for the Board's review at the September Committee of the Whole meeting. The actuary is putting his final touches on the actuarial study with the Police Pension Fund. In the Board's packets are the financial statements for June 30th. We are off to a pretty good start, a little over budget in revenues in the General Fund and under on expenses in the General Fund. Water and sewer is off to a sluggish start but May and June were very wet

months but it has made a comeback in the last couple of months. With the increase in both the retail and wholesale rate will be important and we have tight controls on that. Also in the packet is a summary of our investments and a summary of the holdings in the investments in the Police Pension Fund. Director Noble will get a more detailed report after the Police Pension Fund meeting on Thursday.

Fire-Rescue & Public Works Departments

Public Works Director Mike Nystrand said Nicor's contractors are in several areas in town and hit a water main on Middlefork last week. They did the repair with our supervision. The summer seasonal employees left last week. They did landscaping and watering over the summer. The paving contract has been completed with the exception of final punch list items which should be completed within the next two weeks.

Trustee Lungmus asked if the parkway trees had been stressed and noted the gator bags. Director Nystrand said there are some deciduous conifers so they might have taken a hit and turned brown so the gators are trying to keep them hydrated. Our arborist and the landscapers think they will come back in the spring.

Fire Chief Nystrand reported that since the last Board meeting, they have responded to 146 calls for service. He and the squad responded and assisted to the 7 alarm fire in Prospect Heights. The paramedic students are doing really well and are doing field skills now with preceptor paramedics. There are a certain number of the paramedics that are preceptors so they can watch students perform and making sure they are doing the right stuff with their skill sets in the field.

Police Department

President Frazier noted that there have been fewer car thefts this summer. Chief Lustig said yes, but one occurred on Friday where a car was stolen in the center of town with the keys left in it. Glencoe had 3 stolen cars and 7 car burglaries. Northfield has had 5 over the summer and last year there were 55. President Frazier praised the department for their excellent work at the last tragedy a week ago. Everything they did was to a T and done in the right way. It is good to know that the department is ready and able to swing into action and do a good job. It is good to know if these things happen, the department and the task force if ready to protect us. She thanked Chief Lustig for his great work.

Chief Lustig said they had four crime scenes (the house, the method of travel, the car and his apartment). The task force consisted of forensic officers, investigative officers as well as the SWAT team. They all did a tremendous job. The task force turned over 116 pieces of evidence which we have taken the chain of custody. He hoped for the family's sake that this

won't be in the news until he goes to trial. He is not one of those chiefs that tells the media everything that happens. He would handle that with a written press releases.

Chief Lustig informed the Board that tomorrow school will open. They put a banner up at Willow and Wagner reminding motorists that school is open. They have also put up posters around town to remind drivers. A reminder was posted on the website. He will be monitoring the routes to school as well as the crossings.

ADJOURNMENT

There being no further discussion or issues to come before the Board, Trustee Terrill made a motion, seconded by Trustee Goodwin to adjourn the meeting.

Upon the following roll call vote, the motion was approved.

AYES:	Lungmus	NAYS: 0	ABSTAIN: 0	ABSENT: Roszak
	Terrill			Kaplan
	Gregorio			
	Goodwin			

The meeting was adjourned at 8:20 p.m.