

**MINUTES OF THE 2,388<sup>th</sup>  
REGULARLY SCHEDULED BOARD  
MEETING OF THE COMMISSIONERS AND OFFICERS  
OF THE WINNETKA PARK DISTRICT, WINNETKA, IL  
WEDNESDAY, SEPTEMBER 22, 2021**

President James called the meeting to order at 6:00 p.m.

**Commissioners Present:** Mickey Archambault, Christina Codo, Warren James, Eric Lussen, Cynthia Rapp, Colleen Root, David Seaman

**Commissioners Absent:** None

**Staff Present:** John Peterson, Executive Director; Costa Kutulas, Director of Parks and Maintenance; Christine Berman, Superintendent of Finance; Molly Krohe, Marketing/Brand Manager; Libby Baker, Office Associate

**Audience Present:** Amy McCarter, Colin Cross, Betty Wildermuth, Scott Myers, Michele Grygotis, Gary Grygotis, John Oelerich, Alex Ross, Don Smith, Randy Whitchurch, Sally Tomlinson, Kim Marsh

**CHANGES TO THE AGENDA**

None

**APPROVAL OF FINANCIALS**

Commissioner Archambault made a motion to approve the August 2021 Financials. Commissioner Codo seconded the motion. Superintendent Berman reported a surplus of \$2.2 million. She noted \$878,000 in property taxes have been collected to date. A roll call vote was taken.

**Ayes:** Archambault, Codo, James, Lussen, Rapp, Root, Seaman

**Nays:** None

**Motion carried**

**APPROVAL OF VOUCHERS**

Commissioner Archambault made a motion to approve the vouchers for September 22, 2021 in the amount of \$443,714.91. Commissioner Seaman seconded the motion. Superintendent Berman referenced enhancements to the voucher cover page that call out additional levels of service. A roll call vote was taken.

**Ayes:** Archambault, Codo, James, Lussen, Rapp, Root, Seaman

**Nays:** None

**Motion carried**

## REMARKS FROM VISITORS

President James addressed the audience and invited public comment.

Scott Myers reported on the success of the music festival. He noted a significant increase in family attendance compared to previous years. He thanked the park district and recognized Director Kutulas for all his efforts.

Randy Whitchurch read the following letter and requested it be included in the minutes of the meeting.

“Good evening. Before we start, I want to assure you that we are NOT against the Master Plan to improve the beachfront. It needs improving. The shoreline needs protection. The bluffs need to be restored. And park amenities have to meet the needs of the community. We appreciate the hard work and dedication that went into making this plan and understand your reluctance to modifying it”.

“That being said, there were a number of statements made the August 26 meeting that deserve a response, which the format of the last meeting did not allow.

1. Dog owners were pejoratively characterized as “an interest group” as if our needs, could be brushed aside and ignored. We are no more of an interest group than tennis players, ice skaters, golfers, or boaters, whose needs are supported with multi-million dollar facilities: tennis courts indoor and out, paddle courts, ice rinks, golf courses and, most recently, a \$5.1 million beach renovation at Lloyd Beach dedicated to boaters. We just own dogs and want to keep the swimming beach we have used for 26 years.
2. Some commissioners and participants stated that the beachfront is too valuable to dedicate a section to dogs. This is wrong. You are not dedicating it to dogs. You are dedicating it to dog owners, otherwise known as voters, tax-payers, and Park District patrons just like tennis players, golfers, and boaters.
3. The Poo Lady. She spoke passionately about the extraordinary threat to public health from dog poop, clearly implying that the Centennial dog beach was a public health hazard. From your own documentation on page 26 of the Plan, the reason Elder Lane beach was the dirtiest beach in Illinois was not because of the dog beach at Centennial but broken sanitary sewer lines in Winnetka. Other contributors to the problem are stormwater overflow releases from the sanitary canal in Wilmette and regular dumps of raw sewage into the lake by Waukegan and Milwaukee. A dog beach can live adjacent to a public swimming beach with absolutely no threat to public health, Poo Lady notwithstanding.
4. The Commissioners clearly stated that the Beachfront Plan was a settled matter and would move forward with no accommodation for a dog beach. However, you should read your own plan:
  - a. The plan was adopted in February 2016 as a CONCEPTUAL framework for beachfront development. Conceptual frameworks are not hard wired.

- b. Page 12: “there is no clear consensus on converting Centennial from a dog beach to a swimming beach. There is general support for monitoring community needs...”
- c. Page 74: “It is a LIVING PLAN that must be regularly revisited and reevaluated”
- d. Page 125: “The master plan envisions no change to the current dog beach use” and the district should monitor pet owner needs to determine whether they are best met with a dog beach or an open space opportunity.”

So-I have six questions for you:

1. If the Plan is a living document designed to be flexible, why are you treating it as Dead and inflexible? Why is there such resistance to retaining a dog beach amenity that is self-supporting and which has strong community support?
2. Where is the evidence supporting the district’s opinion that a fenced dog park on top of the former village garbage dump is an adequate substitute for a dog beach on the shores of Lake Michigan? It is NOT. Would a dog park be nice to have? Yes. But not as a substitute for the dog beach. Do not conflate the two.
3. Where and when was public notice given that a park district amenity in place for 26 years was being eliminated? Aren’t you obligated, if not legally, then ethically, to provide such notice? I will remind you again that when I collected signatures on our petition to Save the Dog Beach, NOBODY knew that the dog beach was being eliminated. So much for effective communication.
4. What monitoring of “pet owner needs” has taken place since the Plan was adopted six years ago? (The Plan calls for this). I am a dog beach user and nobody’s asked me anything.
5. Where is the needs assessment that justifies a second non-motorized boat beach in addition to the very large and expensive launch area at Lloyd? Shouldn’t this be characterized as catering to a “special interest”?
6. Can you ensure us that the confidentiality portions of the Land Swap Agreement between the park District and Orchard 2020 do not have any restrictions on the usage of the public beachfront at Elder/Centennial?”

Thank you. Randy Whitchurch, 143 Fuller Lane, Winnetka, IL 60093

## **APPROVAL OF MINUTES**

Consent agenda to approve:

- Regular Board Meeting Minutes of August 26, 2021
- Closed Session Meeting Minutes of August 26, 2021

Commissioner Archambault made a motion to approve the Consent Agenda as presented. Commissioner Lussen seconded the motion. Commissioner Root requested edits be made to the closed session minutes. The motion was amended and the Closed Session Meeting Minutes of August 26, 2021 were removed from the Consent Agenda. A roll call vote was taken.

**Ayes:** Archambault, Codo, James, Lussen, Rapp, Root, Seaman

**Nays:** None

**Motion carried**

## **COMMUNICATIONS**

Commissioner Root referenced comments made at the September 9, 2021 Committee of the Whole meeting regarding the Parks Caucus Committee applicant slating process. Commissioner Root reported she contacted and spoke with Bill Murphy of the Caucus Council who assured her the Caucus performed their duties in strict accordance with the by-laws. She encouraged Commissioner James to contact Mr. Murphy for further information.

## **UNFINISHED BUSINESS**

### **Phase 1 Paddle Court Expansion**

Director Kutulas reported on the permitting process for the court expansion. Approval of the application was received from the Zoning Board of Appeals. The Plan Board will review the application tonight, and upon successful approval, the application would go to the Design Review Board the following week.

Executive Director Peterson reported on the proposed affiliate agreement with the Winnetka Platform Tennis Club. He noted it would be a three-year agreement versus the previous one-year agreement, and includes a provision to increase the annual rental/usage fee should there be a shortfall in WPTC's reimbursement of costs associated with the court expansion project.

President James noted Director Kutulas would need to leave shortly for the Plan Board meeting and would report now on the golf design agreement.

## **NEW BUSINESS**

### **Consideration of Winnetka Golf Club Design Agreement**

Director Kutulas reported on the design agreement distributed prior to the meeting, acknowledging the short timeframe for review. He explained there is an opportunity to make design enhancements to the golf course upon completion of the stormwater storage project. Director Kutulas noted Jacobson Golf Course Design has a 20+ year working relationship with the park district. Through negotiations, Director Kutulas was able to reduce the cost by \$14,000.

Following a brief discussion, consensus was reached to table the topic and schedule a special meeting for discussion and potential approval.

### **Consideration of Winnetka Platform Tennis Club Affiliate Agreement**

Commissioner Seaman made a motion to approve the 2021-2024 Affiliate Agreement with

the Winnetka Platform Tennis Club as presented. Commissioner Root seconded the motion. A roll call vote was taken.

**Ayes:** Archambault, Codo, James, Lussen, Rapp, Root, Seaman

**Nays:** None

**Motion carried**

## **UNFINISHED BUSINESS**

### **Consideration of Dog Beach and Off-Leash Dog Park Advisory Committee**

Commissioner James reported he spoke with the Village Board President as a result of the discussion at the August Board and September Committee of the Whole meetings concerning the dog beach. The village has lakefront property on Tower Road that may be an option for a dog beach. Director Kutulas shared a slide presentation showing the potential area. Commissioner James explained the board is willing to consider this area. He referenced prior consideration of Maple Beach and the resulting threat of litigation, noting he does not feel Maple Beach would be a viable option. Commissioner James stressed the need to have a method for keeping dogs on our property. Commissioner James stated the board has discussed the option for a seasonal schedule at Elder Lane.

## **REMARKS FROM VISITORS**

President James addressed the audience and invited public comment.

Resident Kim Marsh thanked the board for having an open-mind and explained dog owners just want somewhere on the water to take their dogs.

Sally Tomlinson expressed her appreciation of the board's review of options and offered assistance in facilitating the process.

Betty Finken asked if the proposed lakefront plan included any consideration for a dog beach in the center area.

Randy Whitchurch shared his concerns of the Tower Beach property, noting the narrow access, limited parking and steep climb down to the lake.

Commissioner Seaman expressed support of Tower Beach as a year-round dog beach and Elder Lane for seasonal use.

Commissioner Codo thanked Commissioner James for his efforts on finding a possible solution and expressed having three possible dog areas would be a great addition for the community.

Director Kutulas left the meeting to attend the village Plan Board meeting.

Commissioner Lussen supported the proposed location, noting the improved parking situation at Tower. He added the current wave situation has eliminated the beach area at Centennial while Tower still has plenty of beach.

Commissioner Root thanked Commissioner James and asked about the implementation process, specifically how quickly everything would occur, and when dog owners would be able to use the beach. Commissioner James explained permitting and public input would be required. A committee could further define the parameters and should be advancing the off leash dog park.

Commissioner Root stressed the importance of keeping the momentum going, and asked what could be done. She added there are people who want to be part of the process.

Commissioner James suggested forming a committee with two park board representatives and a village liaison who is invested in the project. Interested community members could be interviewed to represent a cross section of interests.

Commissioner Archambault suggested the village have a representative on the committee, versus a liaison given the proposed property is owned by the village.

In response to comments from Commissioner Seaman regarding the Elder-Centennial construction and closure of the dog beach, Commissioner James explained the objective is to file the permit application by October for work to begin spring 2022, at which point the dog beach would close.

Commissioner Root referenced a discussion and presentation from the September 9, 2021 committee meeting on the rendering of a new final plan for Centennial-Elder Lane. She pointed out two items from this plan that are not on website, nor part of the Waterfront 2030 plan; planting pockets and a steel louvered fence that will traverse and extend out on to the breakwater. Commissioner Root questioned whether the louvered fence would impede the aesthetic view of the lake, and if the planting pocket would change the current view of the lake.

Commissioner Seaman asked Commissioner Root how these things are related to the dog beach. Commissioner Root replied no one knows of these plans, and people were not aware of the committee meeting.

Commissioner James explained the evolution of the plan design was informed by experience and was given much thought and deliberation. He added the intent and value of the louvers is to provide safety, allow people to see through but not back, and to keep people off private property. Commissioner James noted the planter pockets save money and create a more natural transition from the bluff to the water.

Commissioner Root expressed concern for the permit process and asked which plan would be submitted with the application. Commissioner James explained only the major elements would be permitted.

Executive Director Peterson and Commissioner James highlighted the benefits of the design plan; a more efficient building process, lower cost, more beach, fall protection, louvers with greater structural integrity than a chain link fence, improved views of the lake, aesthetically pleasing, true ADA accessibility to the beach, relocated stormwater discharge, and water quality improvements.

Commissioner Root reiterated the importance of the public seeing this plan.

Executive Director Peterson added the dog beach would be available as long as possible before the Elder-Centennial construction, without risking safety to dogs or dog owners.

Commissioner James expressed support of seasonal utilization versus hourly utilization.

Mr. Whitchurch stated there are many examples of shared use beaches. Commissioner James expressed his disfavor, noting the committee would explore options.

Commissioner Lussen expressed interest in serving on the committee, schedule permitting. Commissioner Seaman acknowledged Commissioner Root's interest in the dog beach and expressed the other board representative on the committee has a duty to represent the interests of the entire community. Commissioner Root expressed she brought up the Elder-Centennial design because she desires openness and transparency. She noted that in prior roles she has always represented all constituents, not her own personal agenda.

Commissioners Codo and James reviewed the seven-month process undertaken during 2018-2019 to identify locations, noting this information would be available to the advisory committee.

Commissioner James made a motion to approve the formation of a Dog Beach and Off-Leash Dog Park Advisory Committee to determine locations, design, and development for both an off-leash dog beach and off-leash dog park, and a location for an off-season, off-leash dog beach. Commissioner Archambault seconded the motion. Commissioner Archambault reiterated the park district does not own the land and no one should assume when and where there will be a dog beach or how long Centennial Dog Beach will be in place. Following discussion on committee formation, a roll call vote was taken.

**Ayes:** Archambault, Codo, James, Lussen, Rapp, Root, Seaman

**Nays:** None

**Motion carried**



## **MATTERS OF THE DIRECTOR**

Executive Director Peterson recognized Director Kutulas for his efforts with the Emerge Winnetka Music Festival and the golf proposal.

Executive Director Peterson reported there has been communication with Eric Anderson of Piper Sandler to introduce the idea of the series 2011 debt certificates and 2014 limited tax park bonds as possible funding sources for various projects. COVID policies will be presented in October.

In reference to funding options for Elder-Centennial, Commissioner Seaman commented the Finance Committee came to consensus that taking on additional debt to fund the project is at the bottom of the list. Executive Director Peterson noted there is a shortfall of approximately \$4 million.

Discussion continued on the various funding options and board members expressed their views. Commissioner Codo expressed there should be funding in place for the project before any work is started. She referenced the \$4 million shortfall saying refinancing the outstanding issues would not provide much money, and short dated coupons would not deliver cash flow relief, and may actually add stress to the current cash flow. She expressed her opinion that a referendum gives the best opportunity to share our story.

Commissioner Seaman stated donations are the best way to proceed. He noted the upcoming budget process would provide more guidance to the board.

Commissioner Root supported Commissioner Codo's comments about a referendum, adding openness and transparency are needed. She expressed her concern again that people are not aware and a referendum would inform them. Commissioner Root also stated she is not comfortable moving forward with the project without funding in place.

Commissioner Lussen expressed support for a referendum, suggesting it be bundled with other projects.

Commissioner Rapp reminded the board of School District 36's plan for a possible referendum, expressing it would be unlikely for both to pass.

## **BOARD LIAISON REPORTS**

### **New Trier High School**

Commissioner Codo reported the New Trier High School board approved a \$121,000,000 budget, noting they have not gone to referendum to ask for an increase in the operating rate since 2003. Groundbreaking for the new athletic facility will be in December. No COVID transmission have been reported in the schools.



### **School District 36**

Commissioner Rapp asked for clarification about meetings between park district staff and the schools regarding shared use of Crow Island gyms. Executive Director Peterson explained the school asked the park district to revisit a prior discussion on scheduling their gyms. Discussions will continue and no decisions have been made. Their budget was reviewed last night. Commissioner Rapp distributed The District 36 2021-2025 Strategic Plan "Portrait of a Graduate".

### **Stormwater**

Commissioner Archambault reported additional drawings were received, reviewed and commented on. A response was received from Strand on the initial set of 30% complete drawings. There have been no follow up meetings with the village. Director Kutulas has reached out to set up a meeting.

### **REMARKS FROM VISITORS**

None

### **STAFF UPDATES**

**Molly Krohe, Marketing/Brand Manager** – reported she and the Marketing Specialist participated in website training. Next steps include a review and test of all web pages. December 8 is the tentative launch date.

**Costa Kutulas, Director of Parks & Maintenance** – reported the Plan Commission unanimously approved the permit. He met with the Crow Island principal to discuss the approach the tree removal. A correspondence is being prepared and will be distributed to parents. Despite the furious waves, Lloyd is holding. Preparations for the kickball tournament and all Fall Fest activities are underway. Stormwater discussions continue.

498 children are currently registered for Fall Fest.

**Christine Berman, Superintendent of Finance** – reported staff is finalizing the first draft of the budget. Capital improvements will be discussed in October and budgets will be discussed in November.

Executive Director Peterson reported on behalf of Superintendent Berg. He recognized the recreation staff involved in Bike Winnetka and Fall Fest activities.

### **PRESIDENT'S REPORT**

President James shared his appreciation of the dog discussion and the outcome. He expressed concern about the opposition and asked the board to share with him any comments or feedback received on the topic. President James recognized the current

workload of staff and respectfully requested the board channel questions and requests for information through Executive Director Peterson rather than contacting staff directly.

### **CLOSED SESSION**

Commissioner Lussen made a motion to go into closed session at 8:10 p.m., pursuant to Sections 2(c)(1), (5), (6), and (21) of the Open Meetings Act to discuss the appointment, employment, compensation, performance, or dismissal of specific employees; the purchase or lease of real property for the use of the public body; the setting of a price for sale or lease of property owned by the public body, and minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes. Commissioner Archambault seconded the motion. A roll call vote was taken.

**Ayes:** Archambault, Codo, James, Lussen, Rapp, Root, Seaman

**Nays:** None

**Motion carried**

### **RETURN TO OPEN SESSION**

Commissioner Seaman made a motion to return to open session at 9:29 p.m. Commissioner Rapp seconded the motion. A roll call vote was taken.

**Ayes:** Archambault, Codo, James, Lussen, Rapp, Root, Seaman

**Nays:** None

**Motion carried**

### **Release of Closed Session Minutes**

Commissioner Archambault made a motion to release the following minutes: 4/24/14, 8/14/14, 3/17/16, 4/28/16, 7/28/16, 2/9/17, 3/23/17, 6/28/18, 2/28/19, 3/14/19, 3/21/19, and 4/25/19. Commissioner Codo seconded the motion. A roll call vote was taken.

**Ayes:** Archambault, Codo, James, Lussen, Rapp, Root, Seaman

**Nays:** None

**Motion carried**

### **ADJOURNMENT**

Commissioner Archambault made a motion to adjourn the meeting at 9:30 p.m. Commissioner Root seconded the motion. A roll call vote was taken.

**Ayes:** Archambault, Codo, James, Lussen, Rapp, Root, Seaman

**Nays:** None

**Motion carried**

  
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John Peterson, Board Secretary

*October 21, 2021*  
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Date Approved