



MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILMETTE, ILLINOIS, BROADCAST ONLY (VILLAGE HALL CLOSED DUE TO THE VILLAGE PRESIDENT’S DELCARATION OF LOCAL DISASTER AND PUBLIC HEALTH EMERGENCY ORDER) ON TUESDAY, OCTOBER 13, 2020 AT 7:30 P.M.

President Bielinski called the meeting to order at 7:31 p.m.

1.0 ROLL CALL

President: Bob Bielinski

Trustees: Daniel Sullivan
Peter Barrow
Kathy Dodd
Joel Kurzman
Gina Kennedy
Senta Plunkett

Staff Present: Michael Braiman, Village Manager
Erik Hallgren, Assistant Village Manager
Jeffrey Stein, Assistant Village Manager/Corporation Counsel
John Adler, Community Development Director
Peter Skiles, Administrative Services Director
Ben Wozney, Fire Chief
Guy Lam, Deputy Director of Public Works
Alexander Arteaga, Management Analyst

Guests Present: Michael Murdock, Applicant for 2133 Greenwood
Rob Garrison, Owner of 2133 Greenwood
David Crown, Owner of 33 Canterbury Court

President Bielinski explained the Village Board meeting was being broadcast live via the use of Microsoft Teams in order to comply with the shelter in place order issued by Governor JB Pritzker.

2.0 PUBLIC COMMENT

Adam Augustynski, 1215 Cleveland Street, said he wanted to follow-up his comments from an earlier meeting regarding disturbances in his neighborhood

from a light show. He asked the Board to give him and his neighbors the same consideration as the batting cage issue. He referenced Village Code Sections 16.91, 20.91, 20.96, 20.246, 30-13.3, 30-13.4, 30-13.6 and 30-13.7, stating these are some of the parts of the current code that are being violated. He said this is not a problem between neighbors, although he did receive a letter to go to mediation. He said he and the neighbors have a problem with the show and public safety. He said the Village has responsibilities to the taxpayers to provide fair enforcement. He characterized what he is experiencing as a "circus venue" where commercial busloads of people are coming in with alcohol, flooding the streets with vehicles and people. He said in the last few years there has been a marked change in that the event is now being publicized to hundreds of people via social media. He said this is not a person merely putting up lights; it's an event drawing hundreds of people, which is not be acceptable. He said this is about fair and honest enforcement of regulations. He said he is a religious person and is not trying to shut down anyone's views except if they violate the light standards or obstruction standards and no one is watching. He said there are children and intoxicated people in streets and cars. He said no one from the staff has reached out to him, but he feels it's a Board matter to address. He said he doesn't want to shut down a Christmas display; he wants the Village to assure adherence to all the Codes. He said for the batting cage case he referenced in his earlier comments, the Board put a time limit of 7 p.m. for use so noise wouldn't affect neighbors. He said that seems like a reasonable time limit, as there is now a sound system at the property. He asked the Board to give him and his neighbors the appropriate amount of time to discuss the issue and come to a reasonable solution before the event begins this year.

There was no further public comment.

3.0 CONSENT AGENDA

Trustee Sullivan moved to approve the Consent Agenda as follows:

- 3.1** Approval of minutes from the Regular Board meeting held on September 22, 2020.
- 3.2** Approval of minutes from the Committee of the Whole meeting held on September 10, 2020.

LAND USE COMMITTEE CONSENT AGENDA

- 3.3** Presentation of minutes from the Plan Commission meeting held on February 4, 2020.
- 3.4** Presentation of minutes from the Zoning Board of Appeals meeting held on June 15, 2020.
- 3.5** Presentation of minutes from the Zoning Board of Appeals meeting held on July 1, 2020.

- 3.6 Presentation of minutes from the Zoning Board of Appeals meeting held on September 2, 2020.
- 3.7 Appointment of the Land Use Committee as a Special Zoning Committee to review the permitted building heights in the Village Center zoning districts.

FINANCE COMMITTEE CONSENT AGENDA

- 3.8 Approval of the September 2020 Disbursement Report.

ADMINISTRATION COMMITTEE CONSENT AGENDA

- 3.9 Presentation of minutes from the Administration Committee meeting held on September 3, 2020.
- 3.10 Adoption of Resolution #2020-R-38 extending the Declaration of Emergency affecting the public health and wellbeing due to the outbreak of COVID-19 Virus.

MUNICIPAL SERVICES COMMITTEE CONSENT AGENDA

- 3.11 Presentation of minutes from the Municipal Services Committee meeting held on January 28, 2020.
- 3.12 Presentation of minutes from the Municipal Services Committee meeting held on June 23, 2020.
- 3.13 Approval of a contract in the amount not-to-exceed \$1,636,852 with StormTrap, LLC, Romeoville, Illinois, for the pre-purchase of pre-cast concrete units for Phase 2 of the Neighborhood Storage Project at Hibbard Park.
- 3.14 Approval of a contract in an amount not-to-exceed \$339,130 with Bolder Contractors, Cary, Illinois, for the 2020 Sewer Repair and Valve Installation Program.
- 3.15 Approval of a contract in the amount not-to-exceed \$49,383 with Cargill, Inc., North Olmstead, Ohio, for the purchase of up to 960 tons of bulk rock salt at a unit rate of \$51.44 per ton (2020-2021 winter season) under State of Illinois Joint Purchase Master Contract (21-416CMS-BOSS4-B-16193).

PUBLIC SAFETY STANDING COMMITTEE REPORT

- 3.16 Adoption of Resolution #2020-R-23 approving an Intergovernmental Agreement between the Village of Wilmette and the Illinois Department of Healthcare and Family Services enrolling the Village in the Ground

Emergency Medical Transportation Program.

Trustee Barrow seconded the motion. Voting yes: Trustees Sullivan, Barrow, Dodd, Kurzman, Kennedy, Plunkett and President Bielinski. Voting no: none. The motion carried.

4.0 REPORTS OF OFFICERS

4.1 Proclamation designating October 2020 as National Domestic Violence Awareness Month.

President Bielinski read a proclamation designating October 2020 as National Domestic Violence Awareness Month.

There was no report from Village Manager Michael Braiman or Corporation Counsel Jeffrey Stein.

5.0 REPORT OF LIQUOR CONTROL COMMISSIONER

No report.

6.0 STANDING COMMITTEE REPORTS

President Bielinski changed the order of the agenda items.

6.2 FINANCE STANDING COMMITTEE REPORT

6.21 Presentation of the FY 2021 Proposed Budget.

President Bielinski said this is the first step in the budget process for 2021. He said Board members will have a chance to review the proposed budget and discuss with staff any questions they may have before the October 28 Committee of the Whole Budget Workshop.

Village Manager Mike Braiman gave a presentation (PowerPoint attached) on the FY 2021 proposed budget. He started by thanking the staff for their assistance in preparing the budget. He commended them on getting it done thoughtfully and on time. He said Board members could review the Budget and reach out to staff to sit down and discuss any questions they may have ahead of the upcoming Budget Workshop.

Mr. Braiman reviewed the budget highlights which included a reduction to the tax levy from 4.11% to 3.97% and just one fee increase in the Stormwater Utility Fee from \$144 to \$175. He said there are no other tax or fee increases scheduled, and all Village services will be maintained. He said significant investment in infrastructure is planned, including the reconstruction of Central

Avenue; Skokie/Lake intersection improvements; full road, alley and sidewalk programs, traffic calming and pedestrian/bike improvements. He said the Neighborhood Storage Project will move forward as planned into Phase 2, and there are \$400,000 worth of improvements scheduled at the Water Plant.

Mr. Braiman then discussed the tax levy. He said that the pension component is mitigated in part by a \$500,000 General Fund reserves transfer, which is part of the transition to the 15-year amortization schedule. He said the 3.97% tax levy increase would cause an increase to the average property tax bill of approximately \$75.

Mr. Braiman explained the methodology for the FY 2021 budget is different than in the past given the uncertainty of the COVID-19 pandemic. He said the plan is to minimize the impact to taxpayers by proactively identifying contingency plans to maintain flexibility in order to respond to dynamic economic conditions. He said the practice of having regular financial reviews with the Board will also continue.

He then said the General Fund projects a \$1.9 million draw on reserves due to the pandemic. He said while the pandemic has caused economic hardship for everyone, Wilmette is in a strong financial position, and projected reserves are still predicted to exceed the 30% target. He said staff has taken a conservative approach to this budget and has not factored in any large non-recurring permits despite having at least two large land-use developments approved by the Board this past year.

Mr. Braiman discussed the different tiers that will be utilized to review cost control measures, which include staffing levels, capital investments, contracted services and staff services.

He said the reserves are projected to exceed the 30% benchmark for an Aaa bond rating. He also said that certain revenues have been performing well such as real estate transfer tax and sales tax.

Mr. Braiman concluded with a slide indicating the budget schedule, which includes an upcoming Budget Workshop(s) and then Budget and Tax Levy Ordinance Adoption.

President Bielinski thanked staff for all their hard work on the budget to date.

6.3 ADMINISTRATION STANDING COMMITTEE REPORT

6.31 Presentation of Administration Committee recommendations regarding boards and commissions; introduction of Ordinance 2020-

O-44 amending the Wilmette Village Code concerning boards and commissions (Chapter 2).

Trustee Dodd said she is proud of the work the Administration Committee has done. She said 4 public meetings were held and resident feedback was a large part of every meeting. She said what will be presented is a collaboration from staff, residents and members of the committee. She said the recommendations address many areas of public concern, which include increasing diversity in membership; reinvigorating the Housing and Human Relations Commissions with substantive communication and goals; better communication on the Talent Bank Questionnaire process; improvements in the appointment and selection process and greater transparency in all aspects of our boards and commissions. She said she is hopeful to reach consensus as a Board to move this important work into action. She said she views these changes as a starting point which can always be modified as needed. She thanked Trustees Barrow and Sullivan for their commitment and dedication to the project. She also thanked Mr. Braiman for his research and hard work to guide the discussions and the residents for their feedback and input.

Mr. Braiman gave a summary of the Administration Committee's work over the last few months (PowerPoint attached) regarding the Village's boards and commissions. He said they held 4 meetings, all of which had a significant amount of public engagement.

He then discussed the committee's recommendations. He said diversity is a priority, and the committee produced a specific statement regarding the Village's commitment to maintaining diversity in all boards and commissions which will be included on the website, the Talent Bank Questionnaire and any communications regarding boards and commissions.

Mr. Braiman spoke about the Housing Commission and said that research into neighboring communities revealed that the current mission and purpose for this commission is appropriate and required no amendments. He said the committee spent considerable time reviewing the functions of the Housing Commission, whose function in the past was mainly to administer housing assistance. He said once Housing Our Own – Wilmette took over that function, the Housing Commission had no clear direction. He said the proposed list has been prioritized by the committee; however, once the Commission is up and running, if members feel items need to be moved around, they can discuss with staff and committee members to be sure we are tackling the most important functions first. He said the first few the committee felt should be addressed were to assist in the review of the Housing Chapter of the Comprehensive Plan and

Affordable Housing Plan and to work with Community Partners for Affordable Housing (CPAH) and any other land trusts to be sure they are implemented appropriately.

Mr. Braiman then discussed the Human Relations Commission, stating the mission statement was re-drafted. He said previously it was a bullet point list of items with no big picture message. He displayed the proposed new mission statement and said the initial task of the commission will be to conduct community engagement initiatives and discussions to gauge where the commission should focus their attention first. He said the plan is to do that first and have the commission come before the Administration Committee with their work plan.

He then discussed the purpose of the Human Relations Commission, highlighting the changes the committee is proposing. He said public feedback was instrumental in creating what the committee feels is a comprehensive list. He said there was excellent feedback regarding the terms used for the word "minority." Management Analyst Alex Arteaga reached out to Northern Illinois University experts on diversity and inclusion for feedback on the proposed new terms and received positive comments. Mr. Braiman said that Trustee Kennedy pointed out to him that a reference to religious beliefs should also be included in the new terms in relation to the statement about supporting all segments of the population. He said this would be included in the final recommendations to the Board.

Mr. Braiman said the committee spent a good amount of time reviewing term limits and lengths, number of members in each commission and staggering the appointments to the Housing and Human Relations Commissions. He said after an internal and external review, the committee felt they were consistent, and no changes were recommended. He said they discussed possible commission consolidations but didn't feel any were necessary. He said the committee is recommending an increase in members of the Housing Commission from 5 to 7, the inclusion of 2 student members (from any high school) as part of the 9-member Human Relations Commission and the reduction of the membership of the Historic Preservation Commission from 9 to 7 members.

Trustee Sullivan asked for clarification on the high school students. He asked if that meant any high school. Mr. Braiman said it could be any high school, but the student must be a Wilmette resident.

Mr. Braiman said there will be many appointments made at one time for the Housing and Human Relations Commissions, and the committee felt it prudent to stagger the appointments so that they don't all expire at one time. He said one member will be appointed

for a 4-year term; 3 members for a 3-year term and 3 members for a 2-year term; all would be eligible for a second 3-year term.

He then discussed the preferred qualifications and said some commissions already listed them and others didn't. He said the committee felt it worthwhile to do this for all commissions. He said while none of the qualifications are necessary, they can be helpful to both the Village President and residents interested in serving on one of the boards or commissions.

He said the proposed preferred qualifications for the Human Relations Commission are someone disabled or has an immediate family member that is disabled, experience or training in promoting diversity and cultural understanding and/or in youth-oriented services. He also said having a veteran on the commission or someone trained in promoting veteran affairs will also be included. He stressed these are not required; only preferred.

Mr. Braiman said the Committee also reviewed the appointment and selection process. He said Corporation Counsel Jeff Stein's report laid out the framework of the appointment process, indicating the sole authority for appointments lies with the Village President. He said the Committee had some recommendations on improving the process:

- Enhanced recruitment/outreach efforts to fill vacancies.
Mr. Braiman said staff is working with our communications consultant Metro Strategies to better advertise vacancies, which may include implementing a more robust advertising campaign of vacancies; improving the website to enhance transparency and streamlining the Talent Bank Questionnaire (TBQ) process to allow online submittals through the Village website. He said Management Analyst Alex Arteaga has already begun the website improvements, and he feels the site is already more enhanced. He said they are also going to ask applicants for a resume, if they have one, along with the TBQ.
- Improved communication with residents who submit a Talent Bank Questionnaire.
He said much discussion was based on the lack of communication to people who have submitted a TBQ. Mr. Braiman said going forward, a Village representative will personally follow-up with each resident who submits a TBQ. He also said a summary of the appointment and selection process will be provided to new applicants and an annual review will be conducted of the TBQs on file to update candidate interest and qualifications and offer the opportunity to submit a new resume so that we have the most current information on file at all times to review.

- Regular report from staff to the Village Board (in a public meeting):

Mr. Braiman said the committee is recommending a staff report to be presented on a public Board agenda that would include information on current board and commission membership and term expirations, appointments within the last 6 months, current and upcoming vacancies and the status of TBQs on file. He said the first one will be on a Board agenda in the 1st quarter of 2021, off consent, so the Board can discuss and make suggested changes as we move forward.

Mr. Braiman then discussed the appointment and selection of standard recurring appointments. Current policies will remain, including the Village President and staff continuing to review upcoming vacancies and available TBQs; interviewing the candidates and introducing candidates at a public Board meeting and allowing the candidate to address the Board. He said some new steps are being proposed, including proactively communicating vacancies to the community; consulting with the board or commission chair on the needs of their commission; recommending the candidate to the Board in advance of placing a recommendation of appointment on a public agenda and requesting the Village President include a written memo in the public Board agenda materials describing the candidate's qualifications when they are being recommended for appointment.

Mr. Braiman then talked about the appointment and selection process for the Housing and Human Relations Commissions; stating there were some additional recommendations for these appointments, given the number to be made. He said the committee has asked for the Village President to appoint the commission chairs and then collaborate with those chairs to gather feedback on the candidates under consideration. He said the Village President would then send a memo to the Village Board prior to placing recommendations on a public agenda. He said the memo would contain the qualifications of candidates recommended for appointment. Mr. Braiman said the same or similar memo would be placed in the Board agenda materials for the meeting when recommendations of appointment are made, prior to being voted on by the Village Board.

Mr. Braiman then discussed some miscellaneous changes, including additional training and orientation, a new requirement of a commission annual report and the enhancement of recognition of the board and commission members to acknowledge their hours of service.

Mr. Braiman discussed the next steps saying if there is consensus on these changes, public recruitment would begin immediately to fill vacancies quickly. He said the goal is to fill these openings by the end of the year, which is an aggressive goal. He said if the recruitment, review and selection process aren't finished before the end of the year, it would be done early in the new year. He said that at the next Board meeting, the ordinance codifying the proposed changes would be on the agenda for adoption. He said Trustee Kennedy had provided some technical changes to the ordinance which will be included. He said an updated memo will be included highlighting those changes, which he said will improve the overall document. He said staff will be finalizing updates to the Village website, TBQ form, training/orientation and recognition efforts.

Trustee Sullivan gave recognition to Trustee Dodd for her perseverance and leadership. He said he felt this was a good team effort and that Trustee Dodd did an outstanding job in leading the meetings.

Trustee Barrow seconded Trustee Sullivan's thoughts and said he was pleased with the community engagement. He said in looking at the number of meetings and the comprehensive quality of the report and recommendations, a great deal of thought has gone into this. In particular, he said the changes to the Housing Commission and the Human Relations Commission are very responsive to what the community has been looking for. He said he feels this is a fine representation of what Wilmette does well.

President Bielinski asked about the preferred qualifications for Human Relations Commission. He said that there is a preference for a person who is a veteran, but in the purpose statement, veterans aren't listed as one of the populations the commission would be supporting. He said he assumed this was an oversight but wanted to be sure that would veterans be included.

President Bielinski asked Corporation Counsel Jeffrey Stein about the current code language regarding vacancies. He said it states that if there is a vacancy on a board or commission, the appointee serves the remainder of that term, which would not count as a term, and they would get additional terms thereafter. He said for as long as he has been here, in practice, the Village records have reflected an appointment date as the beginning of a term and no partial term for the vacancy. He said he understands there may be a reason for staging when vacancies come up, but it hasn't been the practice. He went on to say it could lead to excessive terms, using the Zoning Board as an example because the terms are long to begin with. He said

someone could potentially serve 14 years, if they became a member one year into an unfinished term and then served two more terms thereafter. He asked Mr. Braiman and Mr. Stein to look at that issue and come back to the Board with a solution.

President Bielinski then discussed the term of the high school students on the Human Relations Commission. He suggested for the implementation of this, staff would need to communicate with all the local high schools where Wilmette residents may be students and get them to publicize the opportunity to students at the beginning of a student's junior year. Then in the remaining months of the first semester, have the schools facilitate collection of TBQs for our review. He said if we collected a few from every school, that would be quite a few from which to choose. He then said candidates could be appointed in January and serve for one year. He said this would be a good experience for the students, and they could use the experience on their college applications under community service. He said the timing of the term would be good because it would cover semesters in both the junior and senior years. He said the Village Board would need to decide as a whole at a later date.

Trustee Kennedy asked if there would be public comment on the topic. President Bielinski said there would be an opportunity after the Board had their discussion and again at the next meeting where the ordinance will be up for adoption.

Trustee Plunkett said the residents have been very engaged over the last few months and that she may have more comments after she hears the public comments later in the meeting. She thanked the Administration Committee, saying they've accomplished a fabulous task, and the material sounds very exciting. She said she is hopeful for what lies ahead. She responded to President Bielinski's comment about making the high school student terms 1-year by saying she concurred, as a 2-year term may seem endless to a teenager. She said a 1-year term is very manageable.

President Bielinski thanked the Administration Committee and staff for their hard work and Trustee Dodd's leadership. He said the recommendations are very good. He said the process was long over-due, as the last time the boards and commissions were reviewed was over 10 years ago. He said the community engagement was important, and it's something the Board strives for. He said the way staff ran the process facilitated great community involvement.

President Bielinski said that there was no vote on the ordinance tonight, only discussion. He then called for public comment.

Peter Sung Ohr said he supports the Administration Committee's recommendations and thanked the members of the committee for a transparent, open and thoughtful discussion throughout the process. He said the recommendations were not everything that everyone wanted, but the discussions were such that everyone's voices were heard. He said regarding the actual recommendations, he believes that the mission statement and outline of both the Housing and Human Relations Commissions provide a platform that will allow for meaningful work that is relevant even in a wonderful place like Wilmette. He said was aware of a racial incident that happened in the last two weeks so there is significant opportunity for these commissions to have a role in the betterment of our community. He said he supports the language in these commission mission statements that speaks about an advisory body because it speaks strongly to the role of these commissions. He said while the mission statements and goals of both commissions are terrific, ultimately the role of the commissioners that are appointed will determine the success of either of these commissions. He said that will entail a rigorous and open outreach to the residents of Wilmette to participate in this selection process. He said he is a bit disappointed the recommendation didn't include a greater opportunity for other Trustees to be involved in the recommendation portion. He said he understands that without impinging on the Village President's role in making the appointment, he believes the other trustees should have a greater role in the selection or at least the recommendation to the Village President of who the commissioners should be. Mr. Ohr said making the student role a 1-year term on the Human Relations Commission is probably too short because of the learning curve. He said it would probably serve as a resume filler instead of something substantive. He said he knows the requirements and limitations of high school students may limit who gets involved, but he believes a 2-year term would provide a substantive role for the high school student, which is what the Administration Committee was looking for. Mr. Ohr closed by saying he fully supports the Administration Committee's recommendations and thanked the Board for the process.

Cindy Fay commented through the YouTube Live channel. She said limiting the high school student's term to 1-year is good because it will allow more students to serve on the commission.

President Bielinski asked if there were further questions from the trustees.

Trustee Kennedy said she was convinced by Mr. Ohr's statement about the high schooler's terms. She said she can understand that there are a lot of high school students not willing to commit to 2 years, but there is a learning curve to this and while having multiple participants is great, it's more important to have someone who is really committed. She said it may require 2 years for them to understand and make a meaningful contribution to the commission. She said this should be more than a resume filler, and she strongly favors the 2-year commitment over the 1-year. She said aside from that, she has no further comments other than that the Administration Committee has done a great job, and she has heard from multiple people about their respect for Kathy Dodd's leadership throughout the process. She said she seconds those sentiments all the way.

Van Gilmer spoke and said he wished to address the Board. President Bielinski said that while public comment had passed, he would accommodate the request and re-open public comment.

Van Gilmer thanked the Administration Committee for its hard work. He said he moved to Wilmette 14 years ago. He said his wife died suddenly shortly after moving, and he originally thought he would only live in Wilmette for 2 years. However, he said he has had a strong feeling that he needs to be a representative for African Americans in Wilmette and the North Shore. He said it's extremely important to do more than merely write guidelines. He said we need to figure out how to attract people of color and make them feel very welcomed in Wilmette and on the North Shore. He said he has loved being in Wilmette, but he has not loved being the single black man on the street or in his car. He said he often wondered if this would ever change. He said this feels like starting over with these two commissions. He said the role of the Human Relations Commission would be to make people feel welcome. He went on to say there isn't a community around that is anything like Wilmette that isn't thinking about how to increase the representation of African Americans and people who are brown in the schools and in the community. He said housing needs be thought of, but how you have it and how you communicate that is more important. He said he knows he needs to speak now so that he is seen and his message that people of color don't feel included is heard.

Trustee Kurzman said he commends the committee for their excellent work, and he saluted all the residents that engaged in the process once that process was made available to them. He said that says to him that when we engage our residents and are

in tune to the sense and sensibilities of our residents, we can do great things and very meaningful things. He said he thinks this reflects the sense and sensibilities of residents even before the events of this spring, as Trustee Barrow pointed out. He said we have come to it now and have done it well. He said he liked the product the committee has produced.

President Bielinski said it looks like the only tweak is on his ask to reduce the student term to 1 year. He said staff could use direction on this.

Trustee Plunkett said we are at a starting point here and things can be modified. She said she doesn't think she can make a final decision on the student's term tonight.

President Bielinski said that this could be discussed at the next meeting.

Trustee Dodd said the discussions with the high schools will help us answer the question. She asked if the language in the ordinance could be slightly vague in that the term could be defined as 1-2 years. She said that way if you have some students wishing to serve 18 months and others that want to serve 1, all could be included.

President Bielinski agreed with Trustee Dodd and said staff should ask the high schools and come back with a recommendation.

Mr. Stein said there needs to be some type of term language in the ordinance. He said the language could read something to the effect of the "Term is for 1 year with the option to serve another should the student wish to." He said he can draft two or three versions for the Board to mull over and discuss in the next few weeks.

President Bielinski concurred and said the decision doesn't need to be made this evening.

Trustee Dodd said she was proposing to leave that decision open, as President Bielinski is reviewing TBQs and staff is speaking to the schools, we should let the process unfold. She said we can then decide what we think the best term language for the students should be.

President Bielinski suggested to Mr. Stein to put something in the ordinance that the Board knows will be changed going forward.

Mr. Stein said he would draft the ordinance as requested.

Trustee Dodd asked to confirm there was agreement on the recommendations put forth so that she could begin communicating and publicizing the openings on the two new commissions and contacting schools.

President Bielinski concurred and said his presumption is that people are on board with the report and recommendations.

Trustee Kennedy said she has the sense that is what everyone is feeling.

Trustee Plunkett asked if we are open for business. She said she knows there are TBQs ready for review at Village Hall. She asked if we are waiting 2 weeks.

President Bielinski said staff wanted to begin this week.

Mr. Braiman said it would be in the e-news, on the website and in the upcoming social media blast.

President Bielinski said he has been meeting with people already.

Trustee Dodd said these commissions are only as good as the people that serve on them. She said anyone on tonight's call or anyone that participated in the process can also encourage people to apply.

President Bielinski said we are very lucky to have so many people who have busy personal lives but are so willing to share their talent with the community.

6.1 LAND USE STANDING COMMITTEE REPORT

- 6.11** Zoning Board of Appeals Report, Case #2020-Z-25, 2133 Greenwood Avenue, regarding a request for a 0.02' side yard setback variation and a variation from the requirement that a single-family dwelling with two or more enclosed parking spaces maintain at least two enclosed parking spaces to permit the subdivision of the property and retention of the existing home in accordance with the plans submitted.

Trustee Barrow moved to approve of Zoning Board of Appeals Report, Case #2020-Z-25, 2133 Greenwood Avenue, regarding a request for a 0.02' side yard setback variation and a variation from the requirement that a single-family dwelling with two or more enclosed parking spaces maintain at least two enclosed parking

spaces to permit the subdivision of the property and retention of the existing home in accordance with the plans submitted.

The motion was seconded by Trustee Dodd.

President Bielinski said this item comes to the Board with a negative recommendation from the Zoning Board of Appeals and will require 5 votes to overturn that recommendation.

Community Development Director John Adler said if the Village Board grants the request, the applicant can leave the home after doing modifications and pursue the subdivision to build a house on the eastern lot, leaving the existing house with modifications on the western lot. If the request is denied, the applicant will need to decide if they will go through with the subdivision. If they don't go through with the subdivision, staff would need to see if the owner is going to subdivide and then look for a buyer who would remove the house and develop both properties with 2 new single-family homes.

Mr. Adler said the ZBA vote was a 3-3 vote, and while that is a tie, it comes through as a negative recommendation. He showed a slide depicting the site plan of what would happen if the request is granted. He said a driveway would be installed that would go to a 1-car garage and would be a conversion of living space. As seen from the original survey, the screened porch and 2-car garage would be removed off the eastern lot.

He said preliminary subdivision approval was granted back in September of 2018, however, the applicant did not come back for final approval, so the preliminary approval expired. He said this would be on the agenda for the Plan Commission on November 17 for the subdivision if need be.

President Bielinski said this is a standard subdivision, as it meets all the standards, and the lot sizes are equal. He said this was not be considered an extraordinary request in 2018, and would not be considered extraordinary today for the Plan Commission to have in front of them.

Mr. Adler concurred and said this is the largest lot on the block and showed an aerial photo of the property in relation to other homes on the block. He said there are 2 75-foot wide lots to the west and then every other home is on a 50-foot lot.

President Bielinski asked Mr. Stein what grounds the Plan Commission could deny the subdivision.

Mr. Stein said the only time it would be denied is if a variation is being sought. In this case, no variation is being sought in the subdivision; therefore, it's a ministerial act, and the Village Board has no involvement so long as the subdivision meets every element of the Village Code.

President Bielinski asked what would happen if the Plan Commission or Village Board at a future meeting decided they didn't like the idea of the subdivision.

Mr. Stein said the homeowner or applicant could file a Writ of Mandamus which is an old Latin term meaning to make a public official perform a ministerial act. He said there is caselaw that he provided to the Board on a very similar issue back in 2017 or 2018. He said the Village would essentially be forced to allow the subdivision if there are no subdivision variances.

Mr. Adler then showed an outline of all the properties on the block in relation to the subject property.

President Bielinski called for the applicant and/or homeowner to address the Board.

The applicant, Michael Murdock, said he is seeking a 0.02' side yard setback variation, which is less than a quarter inch. He said no one seemed overly concerned with this issue. He said the other zoning relief they seek for the parking variation is where he will focus his comments. He said the subdivision was, in fact, approved in 2018 so he will speak on this topic in terms of two lots, which is technically not the case currently, but by right it can be, which has a bearing on how you look at the property.

Mr. Murdock noted that if you review the packet staff prepared, there is only one historical case where a parking space was eliminated, and that case was granted. He said Chairman Schneider voted against this plan but stated that the case met Standards 1, 5 and 6. Standard 1 is the hardship, and he didn't mention Standards 3 or 4 but said specifically they didn't meet Standard 2, which is the plight of the property owner was not created by the owner and is due to unique circumstances. He said the hardship, which neither the owner nor himself created, is that the property is required to have its required covered parking on a separate lot. He said there is no practical way to provide 2 covered parking spaces on the 50-foot wide lot at this property. He said it was built with a single-car garage and was a legal conforming structure when it was built. He said the way the house is sited on the lot, there is no way to access a second spot. He said some houses in the neighborhood have created a tandem spot where they put another spot behind the first spot, but

unfortunately on this house, the only bathroom on the first floor is directly behind where the garage originally was. He said there is not enough space to get around to the back of the property to construct a garage. He said it's ironic that if he came to the Board to say he has a house to build on this lot but wanted to put the parking on the second lot, it would require a special use. He said he wants to put the house back on its single 50-foot wide lot with a single-car garage as originally designed. He said if he were trying to do what exists today, he would be required to get a special use. Mr. Murdock said as far as the hardship goes, he didn't create the issue that the parking needs to be located on the second lot. He said after this house was built, the owner at that time decided to put a 2-car garage adjacent to the property. He said at that time, they believed it could be reversed if desired; however, the zoning law has changed since then. He said the plight was created by the zoning law change since this building was redesigned and built onto a second lot.

Mr. Murdock said while no one on ZBA mentioned Standards 3 & 4, he believes there were questions about them. He said for Standard 3, one must demonstrate the hardship is peculiar to the property in question and not generally shared by other properties classified in the same zoning district and used for the same purposes. He said he is unaware of any other 100-foot lots in Kenilworth Gardens. He said there are a few 75-foot lots, but the average sized lot in this area is 50 feet. He said this is clearly a unique situation.

Mr. Murdock said for Standard 4 the difficulty or hardship is a result from the application of the Zoning Ordinance, which prevents the owner from making a reasonable use of the property. However, the fact the property could be utilized more profitably with the variation than without is not considered as grounds for granting a variation. He said for the second part of that standard, the highest and best use of this property is 2 new construction homes on the lots or 1 single new construction home on the two lots. He said because there are no other 100-foot lots in the area, someone may be willing to pay for a much larger house in Kenilworth Gardens. He said the feedback from neighbors demonstrates that is what people are most concerned about – that by right someone could come in with a single-family home that wouldn't be in character with the neighborhood. He said in the past he applied for a variance on another property in Kenilworth Gardens to build a home but was denied. He said over the years, the zoning laws were changed so that the requirements were in keeping new construction more in line with what has been developed in Kenilworth Gardens. He said from his perspective, he wants to look at what is best for the neighborhood, which he believes is 1 new construction home but preserving the existing home on the second lot.

Mr. Murdock said going back to the other part of Standard 4 that refers to the owner making reasonable use of the property, he isn't aware of any other property in Kenilworth Gardens or anywhere else in the community where an owner is required to have parking on a separate lot. He said he doesn't think that's reasonable. He said he thinks what makes the most sense is to revert the existing house back to its original design. He said this would be in line with Standard 6, which refers to preserving the existing housing stock.

Mr. Murdock discussed the Zoning Board hearing and said there was much talk about preserving the existing house versus the loss of a parking space. He said it was interesting that many Zoning Board members were concerned about the loss of a parking space. He said it's possible he didn't do the best job of addressing this issue; however, on this block of Greenwood Avenue, parking is not as much a problem as in other parts of Kenilworth Gardens. He said there are a number of properties with only a 1-car garage, but in the immediate vicinity, most people have 2-car garages and street parking isn't a problem.

He said he thinks what is most relevant to this case is the number of neighbors that have come forward in support, with not one coming out against it, as parking is just not an issue here. He said while the house is not an ideal configuration, it's possible to have 3 parking spaces off the street; one in the garage and two on the driveway. He concluded by stating he just wants to restore this house to the original design and intended use like so many other homes in Kenilworth Gardens.

Trustee Kennedy said she has heard much conversation that a 2-car garage cannot be built because of the location of the bathroom and asked if the bathroom could be moved. She asked if it was a matter of cost or was it truly impossible to move the bathroom.

Mr. Murdock said in construction you can do virtually anything, but cost does become a factor at some point. He said the design of this particular house is such that there is not room to move the bathroom without putting on an addition. There are also existing plumbing stacks that would require moving. He said it could possibly be done, but it would not be practical. He said putting an addition on just to move the bathroom would be a huge undertaking.

Trustee Kennedy said it's not impossible to which Mr. Murdock agreed. He said you'd have to eliminate some rooms and from a construction standpoint, that's not practical.

Trustee Sullivan asked what the existing house will look like as far as bedrooms, floor area and size.

Mr. Murdock said there are no plans to review because they don't intend on modifying the house. He said the house, as configured, has a floor area of just under 2,700 square feet. He said it's a 4-bedroom, 2.5 bath house. He said it's a great house in the area and if someone were to come in and build new, they could increase it to 3,400 square feet. He said it's substantially smaller than what is permitted, but from a neighborhood perspective, the real risk is ending up with one single large house over both lots. He said this would not be keeping in character with the neighborhood but would be permitted by right.

President Bielinski said the new house by our code would likely have a 2-car garage in back with a driveway going the length of the property with impervious surface increasing. He said if this becomes a two-teardown project, you'd likely have the same situation on the other lot because of the need for the 2-car garage.

Mr. Murdock said they are 50-foot lots so it's no impossible to have a 2-car attached garage, but normally you don't see those unless the lot is deeper due to setback configurations. He said it's safe to assume both properties would be built with garages at the back of the property with the driveways running the length of the property.

Trustee Plunkett said when we talk about what is permissible in new construction for this size lot, does that include the garage bonus or not?

Mr. Adler said a new house would be able to have a new garage with a bonus of 440 square feet. He said this house is not using that entire 440 square feet so even if this house had an addition, it would be smaller than a new home by the difference between the existing garage and a 440 square foot garage.

Trustee Plunkett asked if a new house could be 3,400 or 3,500 square feet, does that include the 440 square foot bonus?

Mr. Murdock and Mr. Adler both said they didn't have the calculations in front of them to confirm that. Mr. Murdock said the permitted square feet for this lot is 3,426, but he wasn't sure if that included the bonus.

Trustee Dodd said in the drawings she can see they are taking off the screened porch and the garage. She asked if both these items were being removed entirely. Mr. Murdock said yes. He said there is a same design home at 2201 Greenwood, and where you see a concrete walk and porch, that's where there was a 1-car attached garage before and that's where it would be replaced. Trustee Dodd

asked if the driveway will lead straight into the garage, and Mr. Murdock said yes. Trustee Dodd then asked where the bathroom is located on the diagram. Mr. Murdock said in the back of the house there is a concrete walk that leads to a porch and then there is a family room that used to be a garage. He said the bathroom is behind that area. He said that the width of the house is 26.99 feet and even if you could make a tandem configuration, you could not put 2 cars there, as there isn't enough linear footage for 2 parking spaces. He said you'd have to put a large addition on in the back in addition to reinforcing the area below the bathroom, etc.

President Bielinski said if you just took the bathroom out, there is still not enough room for 2 cars. Mr. Murdock concurred.

President Bielinski asked when the zoning change to the parking spaces was implemented.

Mr. Adler said first in 1994 with changes in 1996 and 2000.

President Bielinski asked the property owner, Mr. Garrison, how long the family has owned the property. Mr. Garrison said 47 years. President Bielinski asked if the garage was already there when the property was purchased. Mr. Garrison said his father bought the property in 1973 and the garage was there. He said he bought the property from his father in 2002.

President Bielinski said we can safely assume that it was built several decades before the zoning change to require the retention of the 2 spots.

Mr. Garrison said he grew up thinking the property was 2 lots and that this would be part of the long-term plan. He said the existing house is beautiful and was built to very elegant standards. He said it has oversized rooms, high ceilings, crown moldings, wainscoting and elegant bannisters. He said it's a neat house, and it would be a shame to see it torn down. He said parts of Kenilworth Gardens have parking issues; however, this block does not. He said he looked at the 14 closest houses to his property and only 2 have 1-car garages. He said he went onto Thornwood, which is one street north and went to the same location in their block and did the same thing. He said 7 of the houses have a 1-car garage. He said it's a balancing of interests. He said he is asking to do something reasonable and consistent with the neighborhood in general and hopes that the case is approved on those merits.

Trustee Kennedy said the parking regulations weren't relevant to just Kenilworth Gardens but the entire Village. Mr. Adler concurred. She said the parking situation in Kenilworth Gardens or anywhere else in

the Village isn't particularly relevant to the fact that we have this requirement. She said the requirement is there because we don't want to encourage street parking by residents. Mr. Adler said that is correct. He said if you are looking at the character of the neighborhood, building 2-car garages in Kenilworth Gardens is more difficult than say an area where there is an alley. He said the idea of requiring the 2-car garage is a Village-wide requirement.

President Bielinski said this is the case for all new construction. He said there was a case on Laurel Avenue where they were building new construction on a third of the lot and put a 2-car garage in. He said he was the sole "no" vote because he felt they should have only had a 1-car garage and should have asked for a variance due to the small lot size.

Mr. Adler said there have been two homes with small lots where the additions went beyond the percentage allowed, and they were considered new homes. He said the lots were so small that they were cut off typically from the rear which faced the main street and this is facing the side street and alley. In both those cases, they did allow the 1-car garage because there was absolutely no place for a second car space in those instances.

Trustee Sullivan said the house on Laurel was an unusual and complicated lot. He also said there was no street parking right outside the home. He went on to say that Greenwood serves as a cut through street and having cars parked on the street does cause people to slow down. He said in this case, having cars parked on the street enhances safety.

Trustee Kennedy said she lives on a similar street, and it does slow down traffic but causes difficult sight lines. She said you can't see small children, and it's difficult backing out of a driveway. She said it has its pros and cons, but on balance, she doesn't believe it makes it safe.

Trustee Barrow said as a Kenilworth Gardens resident, cars on the street tend to impede traffic. He said if there is a landscaping truck or delivery truck, traffic can become impassable. He said parking on the street can create additional problems. He said Greenwood is a street that the Transportation Commission will be studying in the future because it has been identified as a cut through street with speeding vehicles. He said placing additional cars on the street is a double edge sword.

President Bielinski said he lives in a house with a 1-car garage with a driveway, and he can fit three cars in that space. He said it looks like 2 cars can fit on the subject property's driveway. He said that

the parking requirement is more an aesthetic issue rather than safety. He said it's a public policy to get the cars off the street and into garages for aesthetic purposes.

Mr. Adler agreed and said there are some people that have 3-car garages and don't park 1 car inside. He said there is no requirement that says the garage has to house a vehicle. He said the zoning changes were made to deal with new construction and not existing homes. He said the zoning code doesn't allow you to reduce the parking, and that's why this is a variation request. He said the idea was to get cars out of sight and off the street.

Mr. Murdock said many homes in Kenilworth Gardens only have a driveway long enough to hold 1 car. He said this property will have a driveway long enough to hold 2 other cars.

Trustee Plunkett said if the lot is subdivided, there is one house with no garage and the other house has two garages. She then asked if this can be subdivided without the Board making a decision.

Mr. Adler said if it's subdivided, the intention is to build on the lot next door, the existing house would have to be removed. He said to leave the existing house, you would have to grant the relief. He said if it's not granted, the subdivision would be conditioned upon the existing house being removed, because it would be non-conforming after the subdivision is recorded. He said he believes this is one of the reasons why Mr. Garrison didn't get the final approval because he was looking to see if someone was going to buy the property and save the home. He said because of that, time ran out and now they're back requesting to go to Plan Commission and for the variations.

President Bielinski said in some respects, from a policy point of view, the decision is a judgment call over 2 enclosed parking spaces or preserving the house. He said if it gets subdivided, you can get your 4 parking spaces but will lose this house as a result.

Mr. Adler agreed and said there is a chance to find a buyer for the house as it exists but usually when there is a lot such as this, typically, you see buyers who want to build brand new homes.

President Bielinski also said a prospective buyer could potentially build the largest house in Kenilworth Gardens on these lots. He said there was a large house built by right on Lake and numerous people have asked him why the Village allowed it. He said that if a person has a big enough lot, they can build a big house. He said this is a potential risk; saving 2 parking spaces but risking the construction of a huge home that people will question later.

Trustee Kurzman asked what the benefit comparison would be between the lost permeable space of having 2 properties with garages potentially in the back versus what sort of stormwater benefits might be afforded by new construction.

Mr. Adler said the most obvious thing would be the driveway, which would be likely unless the garage was upfront, which is unlikely. He said there would be additional coverage that you allow for the garage which could be 220 square feet more than the existing home and then you'd most likely have a driveway. He said he ran the numbers and Mr. Murdock's number of approximately 3,400 square feet did include the garage, so you'd have a house that was 700 square feet larger than the existing house. He said that may equate to approximately 500 square feet in lot coverage and then whatever driveway needed to access it.

Trustee Kurzman asked about retention requirements.

Mr. Adler said that Engineering will require retention given what they see in the area. He said with the subdivision and the new house being built on the eastern lot, they are going to look at that property in relation to the house to the west. He said he isn't positive how that would differ from if they left the existing house.

Trustee Plunkett asked when the existing house was built. Mr. Garrison said 1936. Mr. Adler said that the addition was done in approximately 1958.

President Bielinski said Kenilworth Gardens wasn't fully developed in 1936. Mr. Garrison said he has seen pictures and there were not a lot of houses, but this one was there. President Bielinski said the Historical Museum has a picture of hanging in the Corner Bakery that is a shot of the convents, and it looks like farmland to the north.

President Bielinski called for public comment.

There was no public comment.

Mr. Murdock said there are multiple neighbors who have expressed favorable feedback and not one negative. He said if he wanted to build this house today as configured on a single lot, he would need a special use in order to put his required parking on a separate lot because that would be out of the ordinary. He said he simply wants to take the house back to its original design and hopes the Village will allow him to preserve the house. He said he is putting his home up for sale in a few weeks and is hoping he can buy this one someday.

Mr. Garrison said no plan is perfect and he is trying to balance interests. He said he thinks this is the best plan for the neighborhood.

President Bielinski said zoning codes exist to protect neighboring property owners and the neighborhood. He asked when we think about this from a public policy outcome perspective, does strict application of the zoning code achieve that outcome? He said there are three choices here. He said we could have 2 new houses with 2 new 2-car garages with long driveways increasing impervious surface and the guarantee the developer will max out the size of these houses. He said you could have one large house and take advantage of the configuration and create the biggest house on the block and potentially in all of Kenilworth Gardens. He said you could also renovate the existing home and build one new house on the other lot. He said to his mind, he asks if it's more important to preserve the existing home or to preserve 2 enclosed spots. He said opinions may differ, but you can find the hardship given the location of the garage on a separate lot. He said that is unusual and something that we grant variances for all the time. He went on to say if you have any concerns about teardowns at all, this is an opportunity to influence an outcome that results in one less teardown. He said while this home isn't one that was built in 1905 by a famous architect, it does represent the character of Kenilworth Gardens. He said economic considerations are not sufficient to grant a variance; that's clear in the Village Code. However, he said the existence of economic considerations doesn't require the Board to reject every variance, as almost every variance has an economic consideration. He asked the Board what they think is best for the neighborhood and how they would feel if they lived across the street or next door. He said the path through hardship exists, and we can influence the public policy outcome. He asked the Board to think about this as if they lived across the street or in the neighborhood.

Trustee Kennedy said she would like to see the property preserved. She said she isn't convinced these are the only options. She said it seems there is a difficulty in the architectural design of building a 2-car garage but it's not impossible. She said without more information like a floor plan to visualize moving the bathroom, she doesn't see how it's possible to put in a 2-car garage and maintain the existing house. She said she would need to see there is more obstacle than just moving a bathroom.

President Bielinski said he believes the options presented are better than moving the bathroom to build the garage. He said those are options available to them without the Board's approval.

Trustee Kennedy said she understood but said it feels like we have to do this because there are two options we don't like. However, she said there is a third option that may work but they aren't willing to explore that. She said that troubles her because there exists an ordinance that for the benefit of the community, we should have 2-car garages. She said people should be encouraged to get their cars off the street and driveways, but instead we are being told we need to do this because it's too much trouble to put a 2-car garage here. She said she doesn't find that a very satisfying conclusion.

Trustee Barrow said the variation standards are substantially met here, and there is hardship. He said he does value the importance of 2-car garages but he balances that against what can be done here with a home that is consistent with the neighborhood. He said he doesn't foresee the potential parking of 3 or 4 cars, and 2 cars can be parked on the driveway. He said utilizing the existing home minimizes the impervious surface and minimizes the disruption to the neighborhood, which leads him to believe he can support this.

Trustee Plunkett said she sees 3 goals here. She said the first is preserving the neighborhood, which this existing house would fulfill the policy goal of maintaining the character of the neighborhood. She said the letters from the neighbors attest to this as well. She said keeping this house minimizes the impervious surface. She said on the eastern lot, a new home will be built, which will most have a detached garage. She said this also has the continuity of providing housing at multiple price points. She said a house with a 1-car garage on a smaller footprint is certainly less expensive than a new construction home. She said she thinks that helps to attract residents of a broader range of economic circumstances. She said she feels this outweighs 2 garage spaces. She said this would not set precedent. She said at first when she looked at it, she thought it was odd, but then when she picked it apart, she said looking at the goal, she thinks it's worth it.

Trustee Sullivan concurred and said it's the smallest variation he has ever seen. He said the beauty of Greenwood is that all the houses are different. He said he would hate to see two new 3,200 square foot homes. He said the idea of preserving the home and given the minimal variance, he supports this. He said we are working with 2 individuals who have had a long history in Wilmette and are trying to work with the Board on what they are trying to preserve here. He said he believes they have the best intentions for the neighborhood.

Trustee Dodd said she agrees with everyone's perspective and said she understood Trustee Kennedy's desire to see an exact plan/reason, but the reality is that is work and time, and there is no requirement for them to do that. She said she believes preserving

the house is important. She said if we don't, she is concerned about teardowns because of the potential to change the character of Wilmette. She said for those reasons, she supports this.

Trustee Kennedy said it seems like this is really not about a quarter inch variation but rather a 2-car garage variation.

President Bielinski concurred.

Trustee Kennedy addressed the comments about price points and said even if this is approved, this is not producing affordable housing. She said the house will still be worth between \$750,000 and \$800,000.

President Bielinski said he discussed this with Mr. Adler and Mr. Murdock, and if a new house is built, it would be worth \$1.2 to \$1.3 million. He said while this is not "affordable housing," for some people \$750,000 is far more approachable than \$1.3 million.

Trustee Kennedy said that's still above the median price in Wilmette, so she doesn't feel that is a particularly relevant consideration. She said she recognizes we can't make anyone go back and make them build a 2-car garage, but she is deeply sorry that they are not willing to do it. She said that she feels that would best serve the neighborhood and satisfy the 2-car parking space requirement, which she feels is important. She said she would hope the Board would encourage them to do that. If not, she thinks that is a shame.

Trustee Dodd said she understands Trustee Kennedy's point, but we need to trust the applicants have looked at all possibilities and for all the reasons they stated, what they propose is the best option. She said we must trust that they've done their due diligence. She said Rob and Mike have both been involved in the community, and she trusts what they've presented.

Trustee Kennedy said the statute requires a decision on whether they can do something, not to consider profit.

President Bielinski said it's clear profits are not sufficient, but profits are not a problem. He said he doesn't think anyone is basing their decision on that.

Trustee Kennedy said we have told people they can't do things. She said some have argued they need to do things a certain way because that's all they can afford, and that's not enough to justify a variation.

President Bielinski said that is not the circumstance here. He said they could potentially take the more profitable route permitted by law

without requiring any permission from the Board. He said this is an opportunity to nudge them. By granting this variation, they will preserve the existing house.

Trustee Dodd agreed and said that she wasn't looking at this from that viewpoint. She said she thinks preserving the house is in the best interest of the community. She said the other options are less optimal.

President Bielinski reminded everyone the item comes with a negative recommendation from the Zoning Board and it would need 5 votes to be approved.

There was no further comment.

Voting yes: Trustees Sullivan, Barrow, Dodd, Plunkett and President Bielinski. Voting no: Trustee Kurzman and Kennedy. The motion carried. The recommendation of the Zoning Board of Appeals was overturned.

- 6.12** Zoning Board of Appeals Report, Case #2020-Z-27, 33 Canterbury Court, regarding a request for a 2.0' fence height variation to permit the construction of a 6.0' tall open replacement fence in a front yard in accordance with the plans submitted.

Trustee Barrow moved to approve Zoning Board of Appeals Report, Case #2020-Z-27, 33 Canterbury Court, regarding a request for a 2.0' fence height variation to permit the construction of a 6.0' tall open replacement fence in a front yard in accordance with the plans submitted.

The motion was seconded by Trustee Dodd.

President Bielinski said this item comes with a negative recommendation from the Zoning Board of Appeals and will require 5 votes to overturn the recommendation.

Mr. Adler said this request is a straight-forward fence height variation in the front yard of 33 Canterbury Court, which is along Sheridan Road. He said the house faces Canterbury Court, but zoning wise the lot line adjoining Sheridan is considered the required front yard. He said if the variation is approved, the applicant can build the proposed fence. If not, the applicant can leave the existing fence or comply with zoning ordinances and install a 4-foot high, minimum 50% open fence.

Mr. Adler said in addition to the variation standards, there are standards specific to fence variations. He said this was a split vote

on the ZBA with a negative recommendation. He showed a site plan depicting where the fence is located. He said there is a newer portion of stockade fence along the south 53.74 feet, which is actually in Evanston, where closed, higher fences are permitted along Sheridan Road. He then displayed a plat of survey for the property and a picture of the proposed fence type.

President Bielinski asked if there was a log cabin in the left corner on the plat. Mr. Adler said yes and then showed how the lot has a notch out of it. He said it's the southern portion that's in Evanston. He then displayed some aerial pictures of the lot.

President Bielinski said the fence appears to be damaged. He asked if the applicant can repair that without approval since closed fences are no longer allowed. Mr. Adler said they would not be allowed to repair the structural parts of the fence, such as the posts that hold up the pickets. He said if those are damaged, you would require a variation to repair those. Mr. Adler said the pickets could be replaced and said he believes the ordinance addressed that.

President Bielinski said in many places in the Zoning Code repairing something may have different rules than when replacing something. However, in this particular case, because it's an enclosed fence in area not necessarily designated for a closed fence, if they were to need to do some repairs, they would need to come for a variance and potentially remove the fence.

Mr. Adler said depending on the condition of the fence, they may be able to leave it. He said there are some instances where the fence is between property owners and only a section is removed leaving a portion of the non-conforming fence. He said typically people will not do that because it doesn't serve the function or appearance. He said he would have to look to see if the fence was in disrepair and needs to be removed or repaired to a certain extent.

President Bielinski said that this sets the tone for the homeowner's options.

He then addressed the applicant and requested they speak to the Zoning Board's decision and reiterated the Zoning Board's comments that there is no hardship preventing the owner from making reasonable use of the property. There is existing landscaping in combination with a conforming fence and additional landscaping would provide all the screening and security the applicant is seeking. He then said the Zoning Board was unconvinced on the hardship, so he asked the applicant to explain to the Board the hardship as he sees it.

David Crown, the applicant for 33 Canterbury Court, said his family has lived on Canterbury Court since 1964, and there has been a solid fence there for more than 60 years. He said it's been important to protect what is functionally a side yard of the property from the busyness of Sheridan Road and vehicular and bicycle traffic. He said the other aspect of the property that is unique is that it slopes down fairly steeply from Sheridan Road, so the lines of sight are somewhat down and toward the house. He said the history of this is that in 1998, his mother wanted to replace the old fence with a like fence. He said she went through the process and what was approved was the height variation and not the openness variation. He said part of the fence was damaged in a storm this summer, and his goal is to get a fence back up quickly and to comply with the previous findings from the Village. He said he found a fence that is 6-feet high at the 80% requirement that they approved when his mother applied for the variance in 1998. He said he would plant additional vegetation to make up for the loss of privacy. He said in the last year, they have planted some shrubs that do part of the job, but Sheridan Road has become increasingly busy, and the way they use the property, it's important to have as much privacy and screen from the road as possible.

President Bielinski said there are properties on Sheridan Road, and the only place there are closed fences of that height are all the way up by Westerfield where you have some townhomes where that is their entire yard. He said everywhere else, there are 4-foot fences with landscaping to provide additional screening and privacy. He said he didn't see any 6-foot open fences on Sheridan Road. He said the only place the Village has approved 6-foot fences is in limited portions near Baha'i and the gate at a recent property across from the largest tourist attraction in suburban Chicago. He said there are a handful of properties that are next to the Water Plant which have high fences for security purposes. He said those properties have a legitimate concern of people cutting through their yards to get to the beach. He said there are a surprisingly high number of police reports on that. He said you would think people would respect other people's property, but they don't. He said the Village is particular on fences and those are the only ones that he was aware of that are comparable, and he would argue they have a better reason given their proximity to the beach, the Water Plant or Baha'i. He said he is struggling with the hardship element that 2 extra feet of fence is going to make a difference. He said the way Mr. Crown's property is oriented, the fence doesn't surround the entire property so from the point of security of someone jumping the fence, they don't have to jump, they can just go to the street and walk around. He said it would be one thing if this was a closed fence, but it's not. He said he isn't sure how the 2 feet makes that big a difference.

Mr. Crown said he was trying to be consistent with what had already been approved previously. He also said any buffer of the noise of the road is helpful, and with the higher fence, he had the idea to grow vines to enhance the noise barrier. He also said the 6-foot fence would match the height of the fence on the Evanston portion. Mr. Crown asked if the other properties President Bielinski mentioned were front yard fences.

President Bielinski said they were.

Mr. Crown then said that he understands from the zoning report that the Sheridan Road side is considered the front yard; however, it really isn't.

President Bielinski said if you considered the yard facing Canterbury the front yard then Sheridan Road would be considered a side yard adjoining a street. Mr. Adler concurred. President Bielinski asked if the regulations would be the same. Mr. Adler said yes. President Bielinski then said even if the Zoning Board considered Sheridan Road a side yard, it would be subject to the same constraints on height. Mr. Adler said the only difference would be if the fence would be set back 30 feet on the side yard, a higher fence would be permitted. President Bielinski said given the topography, it would not be plausible to set the fence back 30 feet.

Mr. Crown said he was raising the point in comparison to the other properties.

President Bielinski said more latitude was granted those properties due to their locations. He said at the property on Sheridan, it was just the gate that was higher.

Trustee Dodd said she knows there are other homes on Sheridan Road similar to Mr. Crown's with 4-foot fences with vegetation. She said there is one nearly across the street from his.

President Bielinski said there is one at Sheridan and 5th, which is an odd corner lot with landscaping on both sides.

Trustee Dodd said there is another one kiddy corner from his house.

President Bielinski opened the floor to public comment.

There was no public comment on this topic.

President Bielinski said all the approvals for higher fences have had some really good reasons. He said he thinks Mr. Crown can accomplish what he wants to accomplish with the shorter fence. He

said he is struggling to find the hardship for the variation. He said it's only 2 feet, but even so, he needs justification. He feels he hasn't found it in this case.

Trustee Sullivan agreed and said he was having a hard time with the hardship as well. He said he knows Sheridan is a busy street with a busy sidewalk and it's open. He said he knows it's only two feet but isn't sure about the aesthetic. He said he can't justify the hardship currently just because it was granted 20 years ago.

Trustee Barrow said he understands the applicant's desire for privacy and noise reduction, but he feels both can be accomplished by the existing vegetation that is there and planting additional arborvitae. He said the fact that the property is near the Baha'i temple or near Sheridan Road is not to his mind in itself a hardship. He said that's the nature of where you live and a natural outcome of housing choices we all make. He said he questions if there is an actual hardship. He said beyond the hardship, we need to look at the considerations for fence variations. He said he looked at Standards 2 and 6, speaking to fences of the same type existing in the immediate area. He said the type of fence Mr. Crown is proposing is a type he hasn't seen on Sheridan Road. He said he hasn't seen this type of fence in a front or side yard in any part of the Village. He said he thinks this fence type in and of itself causes him great concern. He said it's not the type of fence to be on a very public street given, and this is a gateway to Wilmette from the south. He said the lack of hardship and the other Standards not being met, he doesn't think he can support this request.

Trustee Plunkett said Mr. Crown's house is beautiful from what she could see on Canterbury. She said she couldn't see from Sheridan Road, due to the vegetation. She said she understands his desire to enclose that and she feels he has already accomplished that. She said when you look at the streetscape driving north on Sheridan, on both sides of the street, all the fences are 4-feet. She said it's a beautiful entrance into Wilmette to which his house is a part of, but she said she thinks he has accomplished privacy with the bushes he has now, and he can certainly add to that. She said it would be tough to justify this when all the other fences in the immediate area are 4-foot high.

Trustee Dodd concurred with Trustee Plunkett's comments saying Mr. Crown's home is beautiful. She said she struggles with the hardship and concurs with Chairman Schneider's concern of precedent. She said all homes on Sheridan Road as well as other areas in Wilmette struggle with noise and privacy. She said when she looks at Mr. Crown's home, she feels his lot is large enough that noise and privacy are not that big a deal. She said his house is

roughly 75 feet from Sheridan Road and another 75-100 feet on the east side of the property if he needed more privacy in terms of where his family might spend time. She said she spoke to John Adler regarding other homes on Sheridan Road. She said she used a sampling of homes on Sheridan from Lake Avenue to Washington Street and from Sheridan Road to their homes is roughly 35 to 50 feet. She said Mr. Crown has 2 to 2.5 times more distance from Sheridan Road in terms of noise and privacy than all these other homes have. She said she is struggling with the hardship and the precedent that it could set. She said when you live on Sheridan Road or near a train station, you can expect noise. When you live near a school, you can expect parking issues and we simply can't grant variances because those conditions existed before the home was purchased. She said for that reason, she cannot support this.

Trustee Kennedy said she also does not see a hardship and feels a better solution would be to utilize more vegetation to control the sound. She said it's pretty and more consistent with what she saw on Sheridan Road. She said while it's more work to take care of, it's an effective screen, and she encouraged Mr. Crown to go that direction.

President Bielinski reminded everyone of the negative Zoning Board recommendation and that it would require 5 votes to overturn that recommendation.

Voting yes: none. Voting no: Trustees Sullivan, Barrow, Dodd, Kurzman, Kennedy, Plunkett and President Bielinski. The motion failed. The Zoning Board's recommendation stands.

6.4 MUNICIPAL SERVICES STANDING COMMITTEE REPORT

All items listed on the Consent Agenda.

6.5 PUBLIC SAFETY STANDING COMMITTEE REPORT

All items listed on the Consent Agenda.

6.6 JUDICIARY STANDING COMMITTEE REPORT

No report.

6.7 REPORTS FROM SPECIAL COMMITTEES

There were no reports.

7.0 NEW BUSINESS

There was no new business.

8.0 ADJOURNMENT

Trustee Sullivan moved to adjourn the meeting at 10:42 p.m., seconded by Trustee Kennedy. Voting yes: Trustees Sullivan, Barrow, Dodd, Kurzman, Kennedy, Plunkett and President Bielinski. Voting no: none. The motion carried.

Respectfully submitted,



Karen Norwood
Deputy Village Clerk



Introduction of FY 2021 Budget

OCTOBER 13, 2020

Budget Highlights

- Maintains all Village services
- Minimizes the impact on taxpayers
 - Property tax levy increase reduced from projected 4.11% to 3.97%
 - Average Stormwater Utility Fee increasing from \$144 to \$175
 - No other tax or fee increases
- Significant investment in infrastructure
 - Full funding of infrastructure investment program to meet Village Board goals
 - Central Avenue, Skokie/Lake, roads, alleys, sidewalks, traffic calming, bike/ped imp.
 - \$21 million+ for critical sewer improvements including Phase 2 of Neighborhood Storage Project
 - \$400,000+ investment to properly maintain the Water Plant

Proposed Tax Levy Increase

	FY 2020	FY 2021
General Operations	1.43%	2.23%
Roads	2.69%	0.0%
Public Safety Pensions	0.75%	1.77%
Debt Service	0.12%	-0.03%
Total Increase	4.90%	3.97%

- The pension component of the levy increase is mitigated in part by a \$500,000 transfer from General Fund reserves
- Overall impact to the average property tax bill is \$75

2021 Budget Methodology- COVID-19

- Minimize impacts to taxpayers, service levels and the organization to the greatest extent possible
- Proactively identify a multi-step contingency plan to maintain flexibility to respond to dynamic economic conditions
- Continue regular financial reviews with the Village Board to ensure decision making is timely and effective

2021 Budget Methodology- Utilizing Reserves

- The General Fund budget projects a \$1.9M draw on reserves
 - Planned spend down for public safety pensions and Comprehensive Plan
 - COVID-19 revenue impacts
 - Structural operating deficit
- Projected reserves will still exceed 30% target which provides time to thoughtfully address future operating deficits
 - Not factored into the budget is the likelihood of large non-recurring permits for previously approved developments

2021 Budget Methodology- Continuous Review of Expenses

Tier 1: Review of internal cost control measures

- Examples include professional training, holding open positions vacant, increasing or decreasing fund transfers, and other expenses that are considered discretionary

Tier 2: Review of capital investments at multiple points during the year

- Examples include capital vehicle and equipment purchases, changes to planned infrastructure investments such as roads, alleys, sidewalks

Tier 3: Review of contracted services

- Examples include forestry such as tree pruning, tree planting, landscape services, and street lighting

Tier 4: Review of service levels and associated staffing

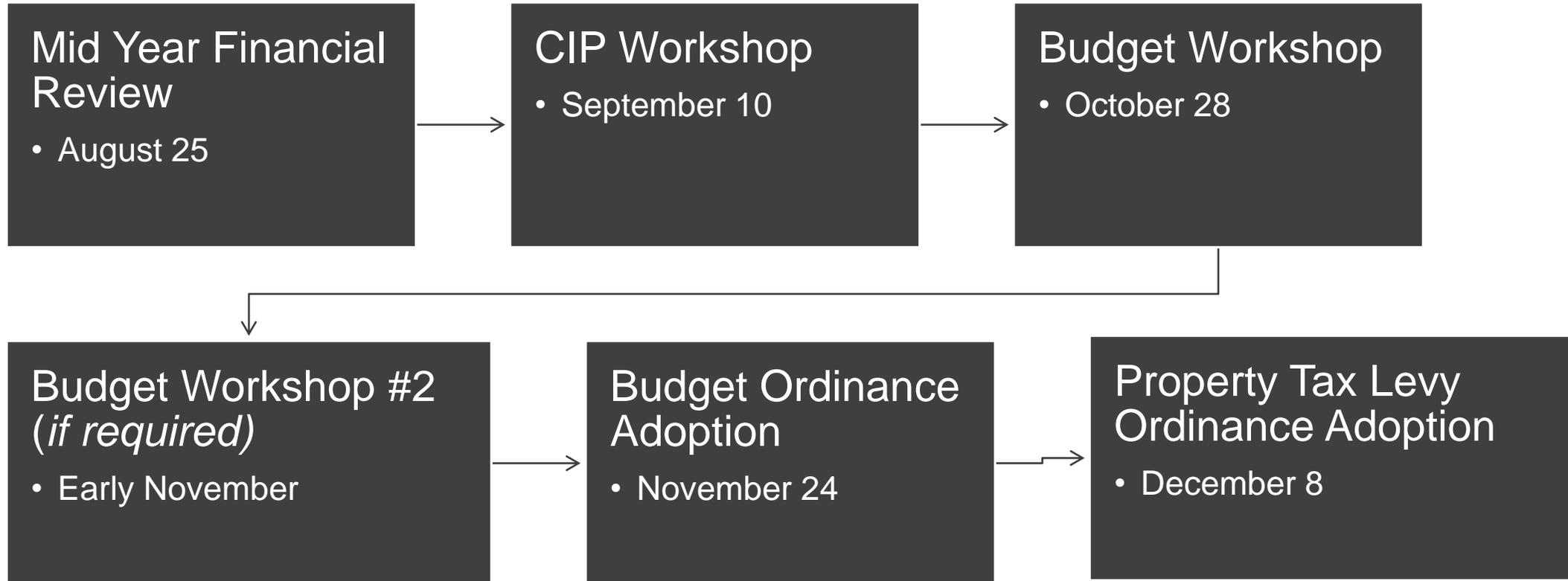
- Given the Village's strong financial position as well as the flexibility provided by Tiers 1 – 3, service reductions resulting from the pandemic will be a last resort and are likely to be avoided in FY 2021 barring any catastrophic changes to the Village's revenues

Reserve Projections – General Fund

	2020 Est. Actual	2021 Budget
Beginning Reserve	\$15.03	\$13.41
Projected Ending Reserve	\$13.41	\$11.15
% of Operating Expense	37.8%	31.7%

**In Millions*

Budget Schedule



Boards & Commissions Report

Administration Committee Recommendations

October 13, 2020

Summary of Committee's Review

- The Committee held 4 meetings on boards and commissions:
 - July 6, 2020
 - July 30, 2020
 - September 3, 2020
 - September 17, 2020
- A cornerstone of the review was public engagement which helped to inform the Committee's recommendations
 - Agenda materials posted to website as far in advance of meetings as possible
 - Regular email communications to residents who expressed an interest
 - Thorough review and consideration of resident suggestions

Scope of Review & Summary of Recommendations

- Statement of goal to fill boards and commissions with a diverse mix of residents
- New functions for the Housing Commission
- New mission, purpose and initial task for the Human Relations Commission
- Membership Changes
 - Term limits and lengths, consolidations, number of members, qualifications
- Adjustments to the appointment and selection process
- Miscellaneous changes
 - Training and orientation, annual reports, enhanced recognition

Membership Diversity Goals

Include the following statement on the Village website and Talent Bank Questionnaire (TBQ) form:

The Village is committed to seeking to fill its boards and commissions with a diverse mix of residents which includes but is not limited to different races, ethnicities, religions, genders, sexual orientations, ages, and socio-economic differences.

Housing Commission- Mission

The Committee reviewed the current mission of the Housing Commission and does not recommend any changes:

To present to the President and Board of Trustees recommendations for the alleviation of the shortage of decent, safe and reasonably affordable housing for the elderly and low and moderate income persons, including, but not limited to, the study and development of housing alternatives and housing requirements in the village. Thereafter, the commission shall periodically review and update its recommendations with respect to any recommendations made to the President and Board of Trustees.

Housing Commission- New Functions

- Assist in the review of the Housing Chapter of the Comprehensive Plan and subsequent review of the Village's Affordable Housing Plan as directed by the Village Board
- Work with and monitor community land trusts (ex. Optima/CPAH)
- Conduct public education regarding the fair housing regulations
- Conduct a housing needs assessment as directed by the Village Board
- Receive an annual presentation from Village Staff regarding Housing Our Own- Wilmette's housing assistance rental and property tax subsidy programs
- Monitor sales at the Village Green Atrium to ensure units remain affordable; make recommendations to the Village Board should units sell at prices deemed not affordable
- Research methods to preserve existing affordable housing units and how to increase the number of affordable housing units
- Research to encourage developers to include affordable units in new multi-family buildings in concert with the Village's Affordable Housing Plan
- Review with Village staff the Illinois Housing Development Authority's publication of updated affordable housing statistics in Wilmette

Human Relations Commission- Mission

Mission (New narrative statement)

The Human Relations Commission shall be an advisory body to the Village Board and its Boards and Commissions, and its mission shall be to foster and promote an inclusive community where all racial, ethnic, gender, religious, sexual orientation and cultural backgrounds feel safe and welcomed. The Human Relations Commission shall also promote increased participation in all aspects of community life and a sense of shared community among all residents.

Initial Task

Conduct community engagement initiatives and community discussions on racism, social equity and community building to identify the needs of Wilmette and create a proposed two-year work plan. The work plan may then be presented to the Village Board Administration Committee for review and discussion.

Human Relations Commission- Purpose

To make recommendations to the Village Board regarding the following:

- To promote the well-being of all members of the community;
- To support all segments of the population including, but not limited to, youth, seniors, persons with disabilities, minorities black, indigenous, and people of color (BIPOC), lesbian, gay, bisexual, transgender, and queer or questioning (LGBTQ), and low income groups ;
- To support, address and make recommendations concerning emerging community needs;
- To serve as an advocate, educator, communicator, and a point of contact for all segments of the population in the community;
- To promote justice and equity equality;
- To encourage and facilitate solutions to social issues;
- ~~To promote the arts and multi-cultural events;~~
- To plan or support community events and programs that bring together and support diverse members of the community;
- To provide recommendations to the Village Board on matters pertaining to community welfare; and
- To develop ways of anticipating, preparing for and relieving community tensions arising from intergroup conflict.

Membership Changes

Term limits & term lengths

- No changes; continue to apply terms limits to nearly all boards/commissions and terms lengths are consistent with nearby communities

Consolidations

- No consolidations recommended

Number of members

- Housing- Increase membership from 5 to 7
- Human Relations- Include 2 students as part of the 9 members
- Historic Preservation- Reduce membership from 9 to 7

Stagger terms for initial Housing and Human Relations appointments

- 1 member appointed to a 4-year term
- 3 members appointed to a 3-year term
- 3 members appointed to a 2-year term

Membership Changes- Preferred Qualifications

Recommended Backgrounds/Experience	
Board of Fire & Police	Human resources, diversity, public safety, legal
Housing	Affordable housing expertise, real estate, development/construction, financing, legal, urban planning
Historic Preservation	Historic preservation, architecture, history, landscape architecture, urban planning
Fire/Police Pension	Financial investments, human resources
Transportation	Transportation-related industries including, civil engineering, site plan development, traffic and parking studies, public transportation systems, bike and pedestrian studies
Plan Commission	Architectural, real estate, legal, finance, landscape, urban planning, development, construction, housing
Zoning Board of Appeals	Architecture, real estate, legal, finance, urban planning, construction

Membership Changes- Preferred Qualifications

Human Relations Commission

Preference may be given to candidates that will foster a Commission consisting of a diverse mix of residents encompassing different races, ethnicities, religions, genders, sexual orientations, ages, and socio-economic differences.

In addition, preference may be given to candidates that are:

- disabled (or have an immediate family member that is disabled),
- experienced or trained to promote diversity and cultural understanding,
- experienced or trained in youth-oriented services,
- a Veteran, or experienced or trained in promoting Veteran affairs.

Appointment & Selection

- Enhanced recruitment/outreach efforts to fill vacancies
 - Implement a robust recruitment program for all upcoming vacancies
 - Improvements to the Village website to enhance transparency and make it easier to navigate
 - Streamline the TBQ submittal process to provide for online submittals through the Village website
- Improved communication with residents who submit Talent Bank Questionnaires
 - Ensure a Village representative personally follows-up with each resident who submits a TBQ
 - Develop a summary of the appointment and selection process to be provided to new applicants
 - Complete an annual review of TBQs on file to update candidate areas of interest and qualifications
- Regular report from staff to the Village Board (in a public meeting) which may include:
 - Current board and commission membership with term expirations identified
 - Appointments made in past six months
 - Current and upcoming vacancies
 - Status of TBQs on file

Appointment & Selection- Recurring Appts.

- Proactively communicate upcoming vacancies to the community
- Village President and staff review of upcoming vacancies and TBQs
- Village President discuss needs of the board or commission with staff and ensure the board or commission chair is also consulted
- Village President interview of candidate(s)
- Submit recommended candidate to the Village Board in advance of placing the recommendation of appointment on the public agenda
- Introduce the candidate at a public meeting off of the consent agenda (candidate to briefly address the Village Board)
- Request that the Village President include a written memorandum in the Board's public agenda material describing the candidate's qualifications when they are recommended for appointment

Appointment & Selection- Housing & Human Relations Commissions

Additional recommendations given the number of appointments to be made at the same time:

- Village President to determine who will be appointed as the commission chairs and collaborate with the chairs to gather feedback on candidates under consideration
- Submit a memorandum to the Village Board describing the candidates' qualifications in advance of placing the recommendations of appointment on the public agenda
- Place the memorandum in the Village Board's public agenda materials describing the candidates' qualifications to the community when the recommendations of appointment are made and prior to a vote by the Village Board

Miscellaneous Changes

- Training and orientation
 - Open Meetings Act
 - Freedom of Information Act and Village email policy
 - Roles and responsibilities of a board or commission member
 - Land use policy documents
- Annual reports and goals submitted to the Administration Committee from the Housing, Human Relations, Historic Preservation, and Environment & Energy Commissions
- Enhance board and commission member recognition
 - Acknowledgment at a Board meeting following completion of a volunteer's term
 - Provide a Wilmette-related keepsake following completion of a volunteer's term
 - Highlight specific boards and commissions, and their members, in the Village's social media

Next Steps

- If there is consensus on the Housing and Human Relations Commission recommendations, immediately begin public recruitment efforts to fill vacancies as quickly as possible
- Adopt ordinance #2020-O-44 to codify the recommended changes
- Finalize updates to Village website, TBQ form, etc.

October 13, 2020

Dear Wilmette Village Board Trustees,

Thank you all in advance for the work you will do tonight to consider and hopefully re-activate the Housing and Human Relations Commissions. I especially wish to acknowledge the hard work of Trustees Dodd, Barrow and Sullivan. I watched the meetings as the Administration Committee delved deeply into the status of these commissions with the fine support of Village Manager Mike Braiman along the way. Your work on behalf of our Village is greatly appreciated.

Having read the Administration Committee report, I wish to state my support for re-activating the Housing and Human Relations Commissions. As to the latter, I encourage the Village Board to reinstate the Human Relations Commission as an advisory body in line with the opinion of the majority of the Administration Committee.

*Sincerely,
Laurie Goldstein
Wilmette Resident*