



VILLAGE OF WILMETTE

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MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILMETTE, ILLINOIS HELD IN THE COUNCIL ROOM OF SAID VILLAGE HALL, 1200 WILMETTE AVENUE, WILMETTE, ILLINOIS ON TUESDAY, JANUARY 23, 2007.

The Village President called the meeting to order at 7:33 p.m.

Item:

1.0 ROLL CALL:

President Christopher S. Canning
Trustees John Levin
Lali Watt
Jim Griffith
Mari Terman
Alan Swanson

Absent: Joanne Aggens

Staff Present: Michael J. Earl, Village Manager
Maureen M. Barry, Assistant Village Manager
Timothy J. Frenzer, Corporation Counsel
Barbara L. Hirsch, Deputy Village Clerk
Lisa Roberts, Director of Community Development
Lucas Sivertsen, Business Development Planner
Jim Dominik, Fire Chief

2.0 APPROVAL OF MINUTES:

2.1 Trustee Watt moved approval of minutes of the Regular Board meeting held January 9, 2007, seconded by Trustee Griffith. All voted aye, the motion carried.

2.2 Trustee Griffith moved approval of minutes of the Special Board meeting held January 9, 2007, seconded by Trustee Watt. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

4.0 REPORTS OF OFFICERS:

No Reports.

4.1 Consent Agenda. Trustee Watt removed item 6.193. Trustee Terman moved approval of the remaining items of the Consent Agenda as follows:

- 6.11 Minutes, Land Use Committee.
- 6.12 Minutes, Land Use Committee.
- 6.13 Minutes, Appearance Review Commission.
- 6.14 Adoption of Ordinance #2007-O-8 regarding local landmark status for 1136 Sheridan Road, Case #2006-HPC-02.
- 6.15 Adoption of Ordinance #2007-O-2 amending the Zoning Ordinance regarding lot coverage and floor area ratio.
- 6.16 ZBA Report, 618 Fifth Street, Case #2006-Z-79 regarding a request for a variation to retain a nonconforming accessory structure (detached garage) upon the demolition of a principal structure in accordance with the plans submitted; adoption of Ordinance #2007-O-11.
- 6.17 ZBA Report, 409 Third Street, Case #2006-Z-80 regarding a request for a special use to allow the expansion of an existing townhouse to permit the construction of an attic dormer in accordance with the plans submitted; adoption of Ordinance #2007-O-12.
- 6.18 ZBA Report, 2505 Wilmette Avenue, Case #2006-Z-81 regarding a request for a variation to permit the construction of a second story addition and an attic addition on the legal nonconforming structure in accordance with the plans as amended; adoption of Ordinance #2007-O-13.
- 6.19 ZBA Report, 1227 Maple Avenue, Case #2006-Z-83 regarding a request for variations to permit a one-story rear addition on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2007-O-14.
- 6.191 ZBA Report, 1406 Ashland Lane, Case #2007-Z-1 regarding a request for a variation to permit the construction of a one-story garage addition on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2007-O-15.
- 6.192 ZBA Report, 1049 Locust Road, Case #2007-Z-2 regarding a request for a variation to permit a second story addition on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2007-O-16.

- 6.21 Minutes, Finance Committee.
- 6.22 Minutes, Finance Committee.
- 6.23 Approval of disbursements for the month of December 2006.
- 6.24 Approval of Resolution #2007-R-7 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP).
- 6.25 Approval of contract with AmAudit, Crystal Lake, IL to provide utility auditing services on a contingency fee basis.

- 6.31 Minutes, Youth Commission.
- 6.32 Minutes, Transportation Commission.
- 6.33 Minutes, Business Development Advisory Group.
- 6.34 Minutes, Community Relations Commission.
- 6.35 Minutes, Fine Arts Commission.
- 6.36 Minutes, Administration Committee.
- 6.37 Approval of contract, Dell, Inc., Round Rock, TX for purchase of 25 desktop computers and monitors.

- 6.41 Approval of engineering agreement, Rich & Associated Inc., Southfield, MI to perform the West Village Center Parking Feasibility Study.
- 6.42 Approval of Resolution #2007-R-6 to secure \$800,000 of Motor Fuel Tax (MFT) funds from the State of Illinois for the 2007 Road Program.

- 6.51 Minutes, Board of Fire and Police Commissioners.
- 6.52 Introduction of Ordinance #2007-O-18 amending the Village Code, Chapter 9 to prohibit paint removal from any wood surface with an open flame device.

- 6.61 Introduction of Ordinance #2007-O-10 amending the Liquor Control Ordinance regarding Class B liquor licenses.

- 8.1 Notice of vacancy, Building Code Board of Appeals.
- 8.2 Notice of vacancy, Senior Resources Commission.
- 8.3 Notice of vacancy, Commission for Persons with Disabilities.
- 8.4 Notice of vacancy, Commission for Persons with Disabilities.
- 8.5 Notice of vacancy, Community Relations Commission.
- 8.6 Notice of vacancy, Community Relations Commission.
- 8.7 Notice of vacancy, Senior Resources Commission.
- 8.8 Notice of vacancy, Senior Resources Commission.
- 8.9 Notice of vacancy, Appearance Review Commission.
- 8.91 Appointment, Appearance Review Commission.

- 9.1 Recommendation of appointment, Youth Commission.
- 9.2 Notice of vacancy, Transportation Commission.
- 9.3 Notice of vacancy, Community Relations Commission.

Trustee Watt seconded the motion. Voting yes: Trustees Levin, Watt, Griffith, Terman, Swanson and President Canning. Voting no: none. The motion carried.

4.2 Report of release of Executive Session Minutes, January 9, 2007 was handled with the Consent Agenda.

4.3 Introduction of Tim Sheridan who is recommended for appointment to the Appearance Review Commission.

President Canning introduced Mr. Sheridan to the Village Board and recommended his appointment to the Appearance Review Commission.

4.4 Introduction of Dennis Allen who is recommended for appointment to the Youth Commission.

President Canning noted Mr. Allen was not present at the meeting.

4.5 Proclamation designating February 10, 2007 as District 39 Educational Foundation Day.

Jane Donaldson, District 39 Educational Foundation, thanked the Village Board for supporting the Foundation and its event. She noted the Foundation issues grants in support of District 39 schools.

President Canning read aloud the Proclamation.

5.0 REPORT OF THE LIQUOR CONTROL COMMISSIONER:

No Report.

6.0 STANDING COMMITTEE REPORTS:

6.1 LAND USE COMMITTEE REPORT:

- 6.11 Presentation of minutes of the Land Use Committee meeting held December 18, 2006 was handled with the Consent Agenda.
- 6.12 Presentation of minutes of the Land Use Committee meeting held January 4, 2007 was handled with the Consent Agenda.
- 6.13 Presentation of minutes of the Appearance Review Commission meeting held December 4, 2006 was handled with the Consent Agenda.
- 6.14 Adoption of Ordinance #2007-O-8 regarding local landmark status for 1136 Sheridan Road, Case #2006-HPC-02 was handled with the Consent Agenda.
- 6.15 Adoption of Ordinance #2007-O-2 amending the Zoning Ordinance regarding lot coverage and floor area ratio was handled with the Consent Agenda.
- 6.16 Zoning Board of Appeals Report, 618 Fifth Street, Case #2006-Z-79 regarding a request for a variation to retain a nonconforming accessory structure (detached garage) upon the demolition of a principal structure in accordance with the plans submitted; adoption of Ordinance #2007-O-11.

The request was handled with the Consent Agenda for a variation to retain a nonconforming accessory structure (detached garage) upon the demolition of a principal structure in accordance with the plans submitted. Ordinance #2007-O-11 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.17 Zoning Board of Appeals Report, 409 Third Street, Case #2006-Z-80 regarding a request for a special use to allow the expansion of an existing townhouse to permit the construction of an attic dormer in accordance with the plans submitted; adoption of Ordinance #2007-O-12.

The request was handled with the Consent Agenda for a special use to allow the expansion of an existing townhouse to permit the construction of an attic dormer in accordance with the plans submitted. Ordinance #2007-O-12 was adopted with the Consent Agenda, authorizing the special use of this case.

- 6.18 Zoning Board of Appeals Report, 2505 Wilmette Avenue, Case #2006-Z-81 regarding a request for a 0.35' front yard setback variation to permit the construction of a second story addition and a 1.72' front yard setback variation to permit the construction of an attic addition on the legal nonconforming structure in accordance with the plans as amended; adoption of Ordinance #2007-O-13.

The request was handled with the Consent Agenda for a 0.35' front yard setback variation to permit the construction of a second story addition and a 1.72' front yard setback variation to permit the construction of an attic addition on the legal nonconforming structure in accordance with the plans as amended. Ordinance #2007-O-13 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.19 Zoning Board of Appeals Report, 1227 Maple Avenue, Case #2006-Z-83 regarding a request for a 4.72' side yard setback variation, a 7.92' combined side yard setback variation, a 45.89 square foot (1.07% of lot area 2.9% of permitted) lot coverage variation, and a 75.99 square foot (1.78% of lot area – 3.14% of permitted) total floor area variation to permit a one-story rear addition on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2007-O-14.

The request was handled with the Consent Agenda for a 4.72' side yard setback variation, a 7.92' combined side yard setback variation, a 45.89 square foot (1.07% of lot area 2.9% of permitted) lot coverage variation, and a 75.99 square foot (1.78% of lot area – 3.14% of permitted) total floor area variation to permit a one-story rear addition on the legal nonconforming structure in accordance with the plans submitted. Ordinance #2007-O-14 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.191 Zoning Board of Appeals Report, 1406 Ashland Lane, Case #2007-Z-1 regarding a request for a 2.05' front yard setback variation to permit the construction of a one-story garage addition on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2007-O-15.

The request was handled with the Consent Agenda for a 2.05' front yard setback variation to permit the construction of a one-story garage addition on the legal nonconforming structure in accordance with the plans submitted. Ordinance #2007-O-15 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.192 Zoning Board of Appeals Report, 1049 Locust Road, Case #2007-Z-2 regarding a request for a 2.45' combined side yard setback variation to permit a second story addition on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2007-O-16.

The request was handled with the Consent Agenda for a 2.45' combined side yard setback variation to permit a second story addition on the legal nonconforming structure in accordance with the plans submitted. Ordinance #2007-O-16 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.193 Zoning Board of Appeals Report, 621 Elmwood Avenue, Case #2007-Z-3 regarding a request for a 5.58' front yard setback variation and 76.9 square foot (2.3%) front yard porch impervious surface coverage variation to permit the construction of a front porch addition the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2007-O-17.

Trustee Levin moved to grant a request for a 5.58' front yard setback variation and 76.9 square foot (2.3%) front yard porch impervious surface coverage variation to permit the construction of a front porch addition the legal nonconforming structure in accordance with the plans submitted, seconded by Trustee Swanson.

Trustee Watt said she is concerned that the porch variation request has not been minimized and is having difficulty seeing how the request fits the standards for granting variances.

Trustee Griffith asked the petitioner if there was a flooding problem in the neighborhood.

Karen May, petitioner, said she has lived in the area for two years and has not experienced flooding problems with the street, yard or her home. She said her home was built in 1898 and the porch needs extensive repair. For aesthetic reasons, they would like to extend the porch around the home. She noted her portion of the street has a 44' setback requirement while the rest of the street has a 25' setback.

Trustee Terman said when she viewed the home it seemed logical to extend the porch that exists to the east. The comments made during the ZBA hearing were illustrative as there was a discussion regarding the possibility of building a conforming porch. The conclusion by all members of the ZBA was that would make no sense aesthetically or functionally. Further, Mr. McKenna noted that there is an existing porch of the same depth. She also found Chairman Greenberger's comments in the ZBA report illuminating and she supports the request.

Trustee Levin said he supports the Zoning Board of Appeals recommendation.

Trustee Watt said she understands why the petitioner would like to extend the porch but she does not believe the request fits the rules.

Trustee Griffith said the rules regarding front porches were given a great deal of thought and the Board should be hesitant before disregarding the rules. He has trouble in seeing a hardship for the porch request and there could still be reasonable use made of the property with the existing porch.

Ms. May said with the proposed porch extension there is still 25' between the porch and the neighboring property.

Trustee Swanson said he knows that there are rules regarding setbacks and lot coverage but there is also an appeals process for variances. It is the Zoning Board of Appeals' job to determine whether or not the conditions have been met so that a variance could be granted. The ZBA determined that the petitioner's variation should be granted and he can certainly support their recommendation as there is due justification.

President Canning said the ZBA is charged with finding facts and making a recommendation that can be accepted or rejected by the Village Board.

Voting yes: Trustees Levin, Terman, Swanson and President Canning.
Voting no: Trustees Watt and Griffith. The motion carried.

Trustee Levin moved adoption of Ordinance #2007-O-17, authorizing the variations of this case, seconded by Trustee Swanson.

Voting yes: Trustees Levin, Terman, Swanson and President Canning.
Voting no: Trustees Watt and Griffith. The motion carried.

6.2 FINANCE COMMITTEE REPORT:

- 6.21 Presentation of minutes of the Finance Committee meeting held December 14, 2006 was handled with the Consent Agenda.
- 6.22 Presentation of minutes of the Finance Committee meeting held December 19, 2006 was handled with the Consent Agenda.
- 6.23 Approval of disbursements for the month of December 2006 was handled with the Consent Agenda.

- 6.24 Approval of Resolution #2007-R-7 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP) was handled with the Consent Agenda.
- 6.25 Approval of contract with AmAudit, Crystal Lake, IL to provide utility auditing services on a contingency fee basis was handled with the Consent Agenda.

6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Presentation of minutes of the Youth Commission meeting held December 11, 2006 was handled with the Consent Agenda.
- 6.32 Presentation of minutes of the Transportation Commission meeting held December 13, 2006 was handled with the Consent Agenda.
- 6.33 Presentation of minutes of the Business Development Advisory Group meeting held December 14, 2006 was handled with the Consent Agenda.
- 6.34 Presentation of minutes of the Community Relations Commission meeting held November 21, 2006 was handled with the Consent Agenda.
- 6.35 Presentation of minutes of the Fine Arts Commission meeting held December 11, 2006 was handled with the Consent Agenda.
- 6.36 Presentation of minutes of the Administration Committee meeting held December 20, 2006 was handled with the Consent Agenda.
- 6.37 Approval of contract in the amount of \$24,421.75 with Dell, Inc., Round Rock, TX for purchase of 25 desktop computers and monitors was handled with the Consent Agenda.

6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

- 6.41 Approval of engineering agreement in an amount not to exceed \$38,000 with Rich & Associated Inc., Southfield, MI to perform the West Village Center Parking Feasibility Study was handled with the Consent Agenda.
- 6.42 Approval of Resolution #2007-R-6 to secure \$800,000 of Motor Fuel Tax (MFT) funds from the State of Illinois for the 2007 Road Program was handled with the Consent Agenda.

6.5 PUBLIC SAFETY COMMITTEE REPORT:

6.51 Presentation of minutes of the Board of Fire and Police Commissioners meeting held August 9, 2006 was handled with the Consent Agenda.

6.52 Introduction of Ordinance #2007-O-18 amending the Village Code, Chapter 9 to prohibit paint removal from any wood surface with an open flame device was handled with the Consent Agenda.

6.6 JUDICIARY COMMITTEE REPORT:

6.61 Introduction of Ordinance #2007-O-10 amending the Liquor Control Ordinance regarding Class B liquor licenses was handled with the Consent Agenda.

7.0 REPORTS FROM SPECIAL COMMITTEES:

No Reports.

8.0 UNFINISHED BUSINESS:

8.1 Notice of vacancy on the Building Code Board of Appeals due to the resignation of Thomas McCabe was handled with the Consent Agenda.

8.2 Notice of vacancy on the Senior Resources Commission due to the resignation of Michelle Teal was handled with the Consent Agenda.

8.3 Notice of vacancy on the Commission for Persons with Disabilities due to the term expiration of Walter Reed

8.4 Notice of vacancy on the Commission for Persons with Disabilities due to the term expiration of Linda Layfer was handled with the Consent Agenda.

8.5 Notice of vacancy on the Community Relations Commission due to the term expiration of Pam Mondschein was handled with the Consent Agenda.

8.6 Notice of vacancy on the Community Relations Commission due to the term expiration of Alice Chow was handled with the Consent Agenda.

8.7 Notice of vacancy on the Senior Resources Commission due to the term expiration of Susan Lin was handled with the Consent Agenda.

- 8.8 Notice of vacancy on the Senior Resources Commission due to the resignation of Faqir Vohra was handled with the Consent Agenda.
- 8.9 Notice of vacancy on the Appearance Review Commission due to the resignation of Stuart Berger was handled with the Consent Agenda.
- 8.91 Appointment of Tim Sheridan to the Appearance Review Commission from February 2007 to February 2012 was handled with the Consent Agenda.
- 9.0 NEW BUSINESS:
 - 9.1 Recommendation of appointment of Dennis Allen to the Youth Commission from February 2007 to 2010 was handled with the Consent Agenda.
 - 9.2 Notice of vacancy on the Transportation Commission due to the term expiration of Jim Grosh was handled with the Consent Agenda.
 - 9.3 Notice of vacancy on the Community Relations Commission due to the term expiration of Harry Rhodes was handled with the Consent Agenda.
- 10.0 ADJOURNMENT:

Trustee Terman moved to adjourn the meeting at 8:07 p.m., seconded by Trustee Watt. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk