



# 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, APRIL 10, 2007.**

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The Village President called the meeting to order at 7:44 p.m.

Item:

1.0 ROLL CALL:

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

Staff Present:

Michael J. Earl, Village Manager
Timothy J. Frenzer, Corporation Counsel
Barbara L. Hirsch, Deputy Village Clerk
Lisa Roberts, Director of Community Development
Brigitte Mayerhofer, Director of Engineering

2.0 APPROVAL OF MINUTES:

- 2.1 Trustee Terman moved approval of minutes of the Regular Board meeting held March 20, 2007, seconded by Trustee Watt. All voted aye, the motion carried.
- 2.2 Trustee Watt moved approval of minutes of the Special Board meeting held March 20, 2007, seconded by Trustee Terman. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

#### 4.0 REPORTS OF OFFICERS:

Village Manager Michael Earl reminded residents that vehicle stickers must be purchased and displayed no later than April 15, 2007.

Mr. Earl presented the 2006 Annual Report from the Police Department. The report is on the Village website, and available at the Library and Village Hall.

Mr. Earl said Election Day is Tuesday, April 17, 2007 and polling places are open from 6 a.m. to 7 p.m. Early voting is still available at sites selected by the Cook County Clerk.

Trustee Terman said Sheridan Road will be reconstructed in 2008 and there will be an Open House held on Thursday, April 12 at 7:00 p.m. to present information regarding the project.

President Canning noted that *The Communicator* will be delivered to residents sometime this week. There will be an article providing an update on the Emerald Ash Borer (EAB). He said the State of Illinois is trying to remove all infested trees by the end of April. If residents have any questions about the program, he asked that they contact our Forestry Department.

#### 4.1 Consent Agenda. Trustee Griffith removed items 6.44 and 6.51. Trustee Watt removed items 6.45. Trustee Watt moved approval of the remaining items of the Consent Agenda as follows:

- 6.11 Minutes, Appearance Review Commission.
- 6.12 Minutes, Plan Commission.
- 6.13 Minutes, Plan Commission.
- 6.14 Introduction of Ordinance #2007-O-34 amending the Village Code, Chapter 9 regarding tree canopy requirements as part of the grading permit process.
- 6.15 Appointment of Finance Committee as a Special Zoning Committee to review possible amendments to the Village Zoning Ordinance concerning the definition of housing for the elderly and/or persons with disabilities.
- 6.16 ZBA Report, 2004 Central Avenue, Case #2007-Z-16 regarding a request for a variation to permit the construction of a porch on a legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2007-O-35.
- 6.21 Minutes, Finance Committee.
- 6.22 Minutes, Finance Committee.
- 6.23 Minutes, Finance Committee.
- 6.24 Presentation of January 31, 2007 Investment Summary.
- 6.25 Presentation of January 31, 2007 Treasurer's Report of Cash Receipts and Disbursements.

- 6.26 Presentation of January 31, 2007 Revenue and Expense Report.
- 6.27 Approval of disbursements for the month of February 2007.
- 6.28 Approval of contract extension with Peace Service, Inc., Hawthorn Woods, IL for water meter reading services.
  
- 6.31 Minutes, Administration Committee.
- 6.32 Minutes, Historic Preservation Committee.
- 6.33 Adoption of Resolution #2007-R-19 regarding the appointment of Director and Alternate Director to the Board of Directors of the Solid Waste Agency of Northern Cook County (SWANCC).
- 6.34 Adoption of Resolution #2007-R-20 to approve and implement the renewal of the Village Manager's employment agreement.
- 6.35 Introduction of Ordinance #2007-O-32 amending the Village Code, Chapter 2 regarding the creation of an Environmental and Energy Commission.
  
- 6.41 Minutes, Municipal Services Committee.
- 6.42 Introduction of Ordinance #2007-O-33 amending the Village Code, Chapter 6 regarding the purchase of professional services.
  
- 6.43 Approval of contract, Midwest Brick Paving, Inc., Antioch, IL for the 2007 Brick Street Repairs.
- 6.46 Approval of contract, Behm Pavement Maintenance, Inc., Crystal Lake, IL for the 2007 Crack Sealing Program.
- 6.47 Approval of contract extension, Gem Construction Inc., Wood Dale, IL for the 2007 Sidewalk and Curb Program.
- 6.48 Approval of contract extension, Gem Construction, Inc., Wood Dale, IL for the 2007 Street Patching Program.
- 6.49 Approval of contract supplement, TranSystems Corporation, Schaumburg, IL for the Sheridan Road Improvement Project.
- 6.491 Approval of contract extension, Landmark Contractors, Inc., Huntley, IL for the 2007 Brick Street Renovation Program.
- 6.492 Approval of contract extension, Lenny Hoffman Excavating Inc., Wilmette, IL for hauling spoil and debris.
- 6.493 Approval of contract extension, Winkler Tree Service Inc., LaGrange Park, IL for the pruning of parkway trees.
  
- 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 Notice of vacancy, Community Relations Commission.
- 8.92 Notice of vacancy, Historic Preservation Commission.
  
- 9.1 Reappointment, Community Relations Commission.
- 9.2 Recommendation of reappointment, Youth Commission.

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

4.2 Proclamation designating April 2007 as National Fair Housing Month.

Ms. Feit-Clark, Interfaith Housing of the Northern Suburbs, thanked the Village Board for their commitment to fair housing and affordable housing.

President Canning read aloud the Proclamation.

4.3 Request for an executive session to discuss pending litigation pursuant to Section 2 (c) (11) of the Illinois Open Meetings Act.

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 Appearance Review Commission meeting held March 5, 2007 was handled with the Consent Agenda.
- 6.12 Presentation of minutes of the Plan Commission meeting held February 6, 2007 was handled with the Consent Agenda.
- 6.13 Presentation of minutes of the Plan Commission meeting held February 20, 2007 was handled with the Consent Agenda.

- 6.14 Introduction of Ordinance #2007-O-34 amending the Village Code, Chapter 9 regarding tree canopy requirements as part of the grading permit process was handled with the Consent Agenda.
- 6.15 Appointment of Finance Committee as a Special Zoning Committee to review possible amendments to the Village Zoning Ordinance concerning the definition of housing for the elderly and/or persons with disabilities was handled with the Consent Agenda.
- 6.16 Zoning Board of Appeals Report, 2004 Central Avenue, Case #2007-Z-16 regarding a request for a 1.92' front yard porch setback variation to permit the construction of a porch on a legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2007-O-35.

The request was handled with the Consent Agenda for a 1.92' front yard porch setback variation to permit the construction of a porch on a legal nonconforming structure in accordance with the plans submitted. Ordinance #2007-O-35 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.17 REMOVE FROM TABLE - Zoning Board of Appeals Report, 1314 -1318 Wilmette Avenue, Case #2006-Z-74 regarding a request for a special use to allow more than one townhouse building on a lot, a special use to allow a townhouse development where four of the townhouse units do not front on a street, a 25.0 combined side yard setback variation, a 2.0' rear yard setback variation, a 2.0' side yard parking space setback variation, a 3.0' side yard parking space setback variation and a 5.0' rear yard parking space setback variation to permit the construction of seven townhouses in two buildings in accordance with the plans submitted.

Trustee Levin said the petitioner's attorney has requested the item be tabled to a future meeting.

President Canning suggested tabling item 6.17 to the April 24 regularly scheduled Village Board meeting as the May 8<sup>th</sup> and May 22<sup>nd</sup> Village Board meetings may have a larger land use agenda.

Trustee Watt said she is concerned that the item has been continuously tabled. She does not believe it is fair to other residents who have changed their schedules to attend the meeting.

Trustee Levin moved to remove item 6.17 from the table, seconded by Trustee Swanson.

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

Trustee Swanson said he believes that the attorney for the petitioner is ill as stated in his letter and the petitioner will be aware of the Board's concern.

Trustee Levin moved to table item 6.17 to the April 24, 2007 regularly scheduled Village Board meeting, seconded by Trustee Terman.

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

## 6.2 FINANCE COMMITTEE REPORT:

- 6.21 Presentation of minutes of the Finance Committee meeting held February 2, 2007 was handled with the Consent Agenda.
- 6.22 Presentation of minutes of the Finance Committee meeting held February 16, 2007 was handled with the Consent Agenda.
- 6.23 Presentation of minutes of the Finance Committee meeting held February 28, 2007 was handled with the Consent Agenda.
- 6.24 Presentation of January 31, 2007 Investment Summary was handled with the Consent Agenda.
- 6.25 Presentation of January 31, 2007 Treasurer's Report of Cash Receipts and Disbursements was handled with the Consent Agenda.
- 6.26 Presentation of January 31, 2007 Revenue and Expense Report was handled with the Consent Agenda.
- 6.27 Approval of disbursements for the month of February 2007 was handled with the Consent Agenda.
- 6.28 Approval of contract extension with Peace Service, Inc., Hawthorn Woods, IL for water meter reading services was handled with the Consent Agenda.

### 6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Presentation of minutes of the Administration Committee meeting held March 8, 2007 was handled with the Consent Agenda.
- 6.32 Presentation of minutes of the Historic Preservation Committee meeting held March 7, 2007 was handled with the Consent Agenda.
- 6.33 Adoption of Resolution #2007-R-19 regarding the appointment of Director and Alternate Director to the Board of Directors of the Solid Waste Agency of Northern Cook County (SWANCC) was handled with the Consent Agenda.
- 6.34 Adoption of Resolution #2007-R-20 to approve and implement the renewal of the Village Manager's employment agreement was handled with the Consent Agenda.
- 6.35 Introduction of Ordinance #2007-O-32 amending the Village Code, Chapter 2 regarding the creation of an Environmental and Energy Commission was handled with the Consent Agenda.

### 6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

- 6.41 Presentation of minutes of the Municipal Services Committee meeting held January 17, 2007 was handled with the Consent Agenda.
- 6.42 Introduction of Ordinance #2007-O-33 amending the Village Code, Chapter 6 regarding the purchase of professional services was handled with the Consent Agenda.
- 6.43 Approval of contract in an amount not to exceed \$30,900 with Midwest Brick Paving, Inc., Antioch, IL for the 2007 Brick Street Repairs was handled with the Consent Agenda.
- 6.44 Approval of a Letter of Understanding with the City of Evanston in an amount not to exceed \$500,000 total, or \$250,000 for each municipality authorizing the commencement of engineering design services for a water system interconnection.

Trustee Terman moved to approve a Letter of Understanding with the City of Evanston in an amount not to exceed \$500,000 total, or \$250,000 for each municipality authorizing the commencement of engineering design services for a water system interconnection, seconded by Trustee Swanson.

Trustee Griffith said for 134 years the Village has not had the proposed connection. He believed the Village has a fiduciary duty to the residents of Wilmette and Glenview and believes the proposed interconnection is an extravagance. The Board has increased the property tax, due in part, to the Emerald Ash Borer. He recommends that the Letter of Understanding not be approved.

Trustee Watt said she has similar concerns to Trustee Griffith. She believes more data is needed regarding the need to move forward such as, how often has the Village been without water, what are the current plans if there is no water and why would those plans not continue to be valid. She said it is great to have a back up plan but she does not know if she wants to spend money on a project that the Village may not need.

Trustee Terman said in the last 27 years, the Village has been without water twice. The City of Evanston had problems with frozen intake valves this past winter and this would be a reciprocal project that would help with those types of problems. If the Village's water system were to go down, the Village could possibly produce 20% of daily use and if the Water Plant went down, there would not be power to distribute the water.

Ms. Mayerhofer said Water Plant Superintendent Ray Ames said the Village Water Plant did shut down in 1985 due to a pump problem and the Water Plant also lost power in 1994. It is important to know that if there were an emergency situation, only 20% of use would be provided to residents. There is not a back up plan at this time. Water supply is our most critical asset for domestic use and fire protection.

Trustee Watt said she is unconvinced that the proposed interconnection is at the top of the list of the Village's needs.

Trustee Aggens said she also believes that water services are absolutely critical. People's whole well being depends on the quality of water. She asked if there would be a charge for water that is needed since the arrangement will be reciprocal.

Ms. Mayerhofer said that detail will be worked out in an intergovernmental agreement when the interconnect is built. The proposed letter of agreement is for design services at this time.



Trustee Swanson said the proposed interconnect will offer complete protection for Wilmette and partial protection for Evanston as they are a larger community. He believes water is important for every day life and protection for the life safety of residents. He believes the proposed project has priority over other Village projects, as over the last five years the security and safety of all public infrastructure is suddenly in question. There is no question in his mind that the proposed project would be a very prudent investment.

President Canning said the Village does have a fiduciary responsibility to the residents of Glenview. He asked if Glenview was in support of the proposed project.

Ms. Mayerhofer said the Village of Glenview has been made aware of the proposed project and they have not responded with any concerns.

Trustee Watt said the price adjustment for Glenview regarding the proposed project would not take effect for a few years and she believes that is a problem. She also observes that if any type of terrorist activity happens it will affect both Wilmette and Evanston and the proposed project will not help the quality of water in the lake. The proposed project would be nice to have but she can not see moving ahead unless she knows more about the cost benefit ratio.

Trustee Levin said the proposed project comes at a high cost for something we hope not to use, but he believes the water system is more important than other projects in the long run for the infrastructure of the Village.

Trustee Watt asked if there would be any change in service to Wilmette residents in the event that Evanston would need to use the interconnect service.

Ms. Mayerhofer said there would be no expected change to Wilmette residents' service in the event of an Evanston emergency, as Wilmette would increase its pumpage to cover the additional need.

Trustee Terman said she really did not want to take on a risk by not approving the proposed interconnect as the loss of water would have profound meaning for tens of thousands of people since the Village of Wilmette also supplies water to Glenview residents.

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

- 6.45 Approval of contract in an amount not to exceed \$2,050,962 with Curran Contracting Company, Crystal Lake, IL for the 2007 Motor Fuel Tax Street Resurfacing Program.

Trustee Watt said when the Village rebuilds and/or resurfaces a street she has not seen any plans for what a street should look like when it is finished. She believes that residents' complaints are in regard to speed on residential streets, and whether a street is safe. She would like some type of cohesive approach to looking at a street before it is repaved, with regard to traffic and improvements.

Ms. Mayerhofer said there is a comprehensive, detailed document that has a procedure outlined for where and what kind of traffic calming elements are appropriate that staff has implemented for the past 10 years. She said it is a very long, detailed process which is overseen by the Transportation Commission. Physical changes are made to the streets and sidewalks if it is believed there is a specific problem with the street.

Trustee Watt said she would like to have streets looked at proactively and staff go through a check list and process to consider what to do on a street needing resurfacing.

Trustee Swanson said the local residential streets are set up at a design speed of 25-30 miles per hour to be safe for motorists and residents.

Trustee Watt asked if there is a check list for every street that has been resurfaced.

Ms. Mayerhofer said each street that is resurfaced has a design element that is reviewed as part of the process.

Trustee Swanson said it is possible to add an additional 10-25% cost for resurfacing projects to review specific issues or problems, but generally the additional costs are not included for simple resurfacing projects.

Trustee Watt said if there is not a check list for each street resurfacing process, some issues will be missed or overlooked.

Ms. Mayerhofer said the purpose of the road resurfacing program is to maximize the resurfacing dollars. She will reinforce reviewing the design structure of street resurfacing projects, including sidewalks, with staff.

Trustee Terman made a motion to approve a contract in an amount not to exceed \$2,050,962 with Curran Contracting Company, Crystal Lake, IL for the 2007 Motor Fuel Tax Street Resurfacing Program, seconded by Trustee Swanson.

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

- 6.46 Approval of contract in an amount not to exceed \$20,000 with Behm Pavement Maintenance, Inc., Crystal Lake, IL for the 2007 Crack Sealing Program was handled with the Consent Agenda.
  - 6.47 Approval of contract extension in an amount not to exceed \$177,300 with Gem Construction Inc., Wood Dale, IL for the 2007 Sidewalk and Curb Program was handled with the Consent Agenda.
  - 6.48 Approval of contract extension in an amount not to exceed \$142,000 with Gem Construction, Inc., Wood Dale, IL for the 2007 Street Patching Program was handled with the Consent Agenda.
  - 6.49 Approval of contract supplement in the amount of \$44,455 with TranSystems Corporation, Schaumburg, IL for the Sheridan Road Improvement Project was handled with the Consent Agenda.
  - 6.491 Approval of contract extension in an amount not to exceed \$225,000 with Landmark Contractors, Inc., Huntley, IL for the 2007 Brick Street Renovation Program was handled with the Consent Agenda.
  - 6.492 Approval of contract extension with Lenny Hoffman Excavating Inc., Wilmette, IL for hauling spoil and debris was handled with the Consent Agenda.
  - 6.493 Approval of contract extension with Winkler Tree Service Inc., LaGrange Park, IL for the pruning of parkway trees was handled with the Consent Agenda.
- 6.5 PUBLIC SAFETY COMMITTEE REPORT:
- 6.51 Approval of Resolution #2007-R-18 authorizing the acceptance of grant from the Cook County Judicial Advisory Council for the purchase of one automated license plate reading device.

Trustee Aggens moved approval of Resolution #2007-R-18 authorizing the acceptance of grant from the Cook County Judicial Advisory Council for the purchase of one automated license plate reading device, seconded by Trustee Watt.

Trustee Griffith said he previously stated that he believed the automated license plate reading device is an invasion of privacy. He does not support the item.

Trustee Watt said Police Chief Carpenter was previously asked to develop a policy with strict guidelines for the proposed item and she feels comfortable that a policy will be developed that makes sense.

Trustee Griffith asked if such a policy had been developed.

Village Manager Michael Earl said Chief Carpenter has said he would be working with staff to develop such a policy.

Trustee Swanson said he has faith that Chief Carpenter will understand the sentiments of the Village Board and will act accordingly to set up a proper policy.

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

#### 6.6 JUDICIARY COMMITTEE REPORT:

No Report.

#### 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 was handled with the Consent Agenda.

- 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 Notice of vacancy on the Community Relations Commission due to the term expiration of Harry Rhodes was handled with the Consent Agenda.
  - 8.92 Notice of vacancy on the Historic Preservation Commission due to the resignation of Mary Abroe was handled with the Consent Agenda.
- 9.0 NEW BUSINESS:
- 9.1 Reappointment of Gerald Smith to the Community Relations Commission from April 2007 to April 2010 was handled with the Consent Agenda.
  - 9.2 Recommendation of reappointment of Stephani Becker to the Youth Commission from May 2007 to May 2010 was handled with the Consent Agenda.
  - 9.3 Trustee Griffith asked that his fellow trustees look at the edge of parkways that are brown not green, due to excessive road salt use.
  - 9.4 Trustee Griffith said Comcast is doing an acceptable job in the Village but the rates for cable since 1997 have risen 102%. He has since changed to the dish network for a lower monthly rate.

10.0 ADJOURNMENT:

Trustee Watt made a motion to adjourn to Executive Session at 8:59 p.m. to discuss pending litigation pursuant to Section 2 (c) (11) of the Illinois Open Meetings Act, seconded by Trustee Aggens.

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

The Village Board returned from the Executive Session at 9:32 p.m.

Trustee Watt made a motion to adjourn the Village Board meeting, seconded by Trustee Aggens.

All voted aye, the motion carried.

Barbara L. Hirsch  
Deputy Village Clerk