



VILLAGE OF WILMETTE

1200 Wilmette Avenue
WILMETTE, ILLINOIS 60091-0040

(847) 251-2700
FAX (847) 853-7700
TDD (847) 853-7634
EMAIL wilmette@wilmette.com

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, FEBRUARY 26, 2008.

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

Item:

1.0 ROLL CALL:

President Christopher S. Canning
Trustees Alan Swanson
Lali Watt
John Levin
Mari D. Terman
Karen Spillers
Mike Basil

Staff Present: Michael J. Earl, Village Manager
Timothy J. Frenzer, Corporation Counsel
Michael Braiman, Assistant to the Village Manager
Barbara L. Hirsch, Deputy Village Clerk
John Adler, Director of Community Development

2.0 APPROVAL OF MINUTES:

- 2.1 Trustee Watt moved approval of minutes of the Regular Board meeting held February 12, 2008, seconded by Trustee Basil. All voted aye, the motion carried.
- 2.2 Trustee Watt moved approval of minutes as corrected of the Committee of the Whole meeting held February 11, 2008, seconded by Trustee Terman. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

Dr. Robert Boxer, 3220 Temple Lane, asked for an update on the proposed auxiliary generator at the stormwater pump station and the circuit breaker situation relating to the August 2007 storm event. He said he has known Camile Stauber, who has been in touch with Director of Engineering Brigitte Mayerhofer, for over 10 years and believes her expertise might be of benefit in terms of flood reduction, soil management, pesticide reduction and cost containment.

Village Manager Michael Earl said the Village Board has approved going forward with the purchase of a back up generator at the stormwater pump station. The discussion regarding a back up generator has been ongoing since early last year and will cost in excess of \$1 million which is the reason for the lengthy review process. The circuit breaker is also in the process of going forward and should be addressed this year.

4.0 REPORTS OF OFFICERS:

Village Manager Michael Earl said beginning March 3, 2008, the Village Hall hours will be changing to the following:

Monday, Tuesday, Thursday, Friday – 7:30 a.m. - 4:30 p.m.

Wednesday – 7:30 a.m. – 2:00 p.m.

The reduction in hours will result in a cost saving of approximately \$15,000.

Mr. Earl said the Village Board will need to schedule Committee of the Whole meetings in the upcoming months and he will be in touch with the Board to schedule the meetings.

Mr. Earl introduced Michael Braiman, Assistant to the Village Manger, summarized his experience and welcomed him to the Village staff.

President Canning welcomed Mr. Braiman on behalf of the Village Board.

4.1 Consent Agenda. Trustee Terman moved approval of the Consent Agenda as follows:

6.11 Minutes, Land Use Committee.

6.12 Minutes, Appearance Review Commission.

6.13 Temporary Use Permit #2008-TU-07 for the St. Joseph Church’s 5K Fun Run & Jubilee Jog to be held May 26, 2008.

6.14 Appointment of Land Use Committee as a Special Zoning Committee to review possible amendments to the Village Zoning Ordinance and Village Code concerning the use of temporary storage containers.

- 6.15 Appointment of Land Use Committee as a Special Zoning Committee (SZC) to review possible amendments to the Village Zoning Ordinance concerning garage size permitted in excess of the total floor area limit.
- 6.16 ZBA Report, 516 Lake Avenue, Case #2008-Z-9 regarding a request for a variation to permit the construction of a replacement detached two-car garage on a nonconforming property in accordance with the plans submitted; adoption of Ordinance #2008-O-19.
- 6.17 ZBA Report, 421 Third Street, Case #2008-Z-11 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. The use shall run with the use; adoption of Ordinance #2008-O-20.

- 6.21 Presentation of December 31, 2007 Revenue and Expense Report.
- 6.22 Presentation of December 31, 2007 Treasurer's Report of Cash Receipts and Disbursements.
- 6.23 Presentation of December 31, 2007 Cash and Investments Summary.
- 6.24 Approval of Disbursements for the month of January 2008.
- 6.25 Approval of Resolution #2008-R-12 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP).

- 6.31 Presentation of minutes, Business Development Advisory Group.
- 6.32 Presentation of minutes, Historic Preservation Commission.
- 6.33 Presentation of minutes, Historic Preservation Commission.
- 6.34 Presentation of minutes, Historic Preservation Commission.
- 6.35 Presentation of minutes, Youth Commission.
- 6.36 Introduction of Ordinance #2008-O-18 amending the Village Code, Chapter 2 to provide for Dissolution of Senior Resources Commission.

- 8.1 Notice of vacancy, Senior Resources Commission.
- 8.2 Notice of vacancy, Commission for Persons with Disabilities.
- 8.3 Notice of vacancy, Commission for Persons with Disabilities.
- 8.4 Notice of vacancy, Community Relations Commission.
- 8.5 Notice of vacancy, Community Relations Commission.
- 8.6 Notice of vacancy, Senior Resources Commission.
- 8.7 Notice of vacancy, Senior Resources Commission.
- 8.8 Notice of vacancy, Appearance Review Commission.
- 8.9 Notice of vacancy, Community Relations Commission.
- 8.91 Notice of vacancy, Historic Preservation Commission.
- 8.92 Notice of vacancy, Youth Commission.
- 8.93 Notice of vacancy, Youth Commission.
- 8.94 Notice of vacancy, Board of Health.
- 8.95 Notice of vacancy, Housing Commission.

- 8.96 Notice of vacancy, Commission for Persons with Disabilities.
- 8.97 Notice of vacancy, Plan Commission.
- 8.98 Notice of vacancy, Police Pension Fund Board of Trustees.
- 8.99 Notice of vacancy, Housing Commission.
- 8.991 Notice of vacancy, Youth Commission.
- 8.992 Notice of vacancy, Senior Resources Commission.
- 8.993 Notice of vacancy, Board of Fire and Police Commissioners.
- 8.994 Reappointment, Transportation Commission.
- 8.995 Reappointment, Transportation Commission.
- 8.996 Reappointment, Fine Arts Commission.

- 9.1 Notice of vacancy, Appearance Review Committee.
- 9.2 Notice of vacancy, Youth Commission.
- 9.3 Recommendation of appointment, Board of Fire and Police Commissioners.

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

4.2 Recognition of the retirement of Police Officer Terrence Fitzpatrick after 30 years of service.

Village Manager Michael Earl congratulated Officer Fitzpatrick on his retirement, summarized his years of service, and presented him with a plaque of appreciation. He noted that Officer Fitzpatrick has recently been teaching “Alive at Twenty-Five” and asked him to summarize the program.

Officer Fitzpatrick said “Alive at Twenty-Five” teaches decision making skills to teens and reinforces that they are responsible for their own behavior in a car. He believes it is a great program and he is proud to teach it. He has enjoyed his job and worked with many great people over the past 30 years. He thanked the Village Board for all that they have done for his career.

President Canning thanked Officer Fitzpatrick, on behalf of the residents, for all he has done over the past 30 years.

4.3 Introduction of Terrence C. Porter who is recommended for appointment to the Board of Fire and Police Commissioners.

President Canning introduced Mr. Porter to the Board and recommended his appointment to the Board of Fire and Police Commissioners.

- 4.4 Announcement of rescheduling of March 25, 2008 Regular Village Board meeting to March 18, 2008.

President Canning announced the rescheduling of March 25, 2008 Regular Village Board meeting to March 18, 2008.

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 January 11, 2008 was handled with the Consent Agenda.
- 6.12 Presentation of minutes of the Appearance Review Commission meeting held February 4, 2008 was handled with the Consent Agenda.
- 6.13 Approval of Temporary Use Permit #2008-TU-07 for the St. Joseph's Church 5K Fun Run & Jubilee Jog to be held May 26, 2008 was handled with the Consent Agenda.
- 6.14 Appointment of Land Use Committee as a Special Zoning Committee to review possible amendments to the Village Zoning Ordinance and Village Code concerning the use of temporary storage containers was handled with the Consent Agenda.
- 6.15 Appointment of Land Use Committee as a Special Zoning Committee (SZC) to review possible amendments to the Village Zoning Ordinance concerning garage size permitted in excess of the total floor area limit was handled with the Consent Agenda.
- 6.16 Zoning Board of Appeals Report, 516 Lake Avenue, Case #2008-Z-9 regarding a request for a 118.74 square foot (1.02%) total floor area variation to permit the construction of a replacement detached two-car garage on a nonconforming property in accordance with the plans submitted; adoption of Ordinance #2008-O-19.

The request was handled with the Consent Agenda for a 118.74 square foot (1.02%) total floor area variation to permit the construction of a replacement detached two-car garage on a nonconforming property in accordance with the plans submitted. Ordinance #2008-O-19 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.17 Zoning Board of Appeals Report, 421 Third Street, Case #2008-Z-11 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. The use shall run with the use; adoption of Ordinance #2008-O-20.

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. The use shall run with the use. Ordinance #2008-O-20 was adopted with the Consent Agenda, authorizing the special use of this case.

- 6.18 Zoning Board of Appeals Report, 3528 Walnut Avenue, Case #2008-Z-8 regarding a request for a 4.15 decibel noise variation and a 6' side yard setback variation to permit the installation of a stand-by generator in accordance with the plans submitted.

Trustee Swanson moved to grant a request for a 4.15 decibel noise variation and a 6' side yard setback variation to permit the installation of a stand-by generator in accordance with the plans submitted, seconded by Trustee Levin.

John Adler, Director of Community Development, said in December 2007 the generator requirements were amended to allow the setback of a generator that is between 5' and 15' from the property line to be reviewed by the Site Plan Review Committee. He did note that the decibel noise variation would still have to be reviewed by the Zoning Board of Appeals. Staff did not indicate to the petitioner that a letter of appeal was necessary and that could be waived by the Village Board this evening.

Trustee Watt moved to waive the notice of appeal rule, seconded by Trustee Swanson. All voted aye, the motion carried.

Art Gurevich, representative for the petitioner, said he would like to install the generator in front of the garage and set it back 15' as an alternative to what was previously suggested by the petitioner.

Mr. Adler said the ordinance does allow the Site Plan Review Committee to consider a request for a generator that is to be located in the required front yard. He was not aware that the petitioner wanted to change the request and noted that there are five standards that need to be met and one is the visual impact of the generator. He is not comfortable with the request this evening as he would like to provide notice to the neighbors of the change in generator placement.

President Canning said he shares Mr. Adler's concern regarding moving ahead with the proposed new placement of the generator as the neighbors did send a petition opposed to the original request. He believes the neighbors should be made aware of the new request.

Trustee Swanson asked if the noise variation would be eliminated with the proposed new placement of the generator 15' away from the property line.

Corporation Counsel Timothy Frenzer said staff would need to review the proposed change of plans as the sound variation would change with the proposed new placement of the generator.

Mr. Adler said there is a formula used by staff to measure the decibels of sound at a certain distance. He believes with the proposed change of generator placement, the decibel level may be within the sound limit allowed.

Trustee Watt said she is uncomfortable discussing a new set of plans. The Village Board had discussion with a sound expert who commented that a barrier does not always make the sound better, which is why there is a formula to determine sound decibels.

Trustee Terman asked if the Site Plan Review Committee approves the proposed new plan and the neighbors do not appeal the decision, would the case be resolved.

Mr. Adler said yes, the case would then be resolved.

Trustee Terman said it seems to her that generators should have some type of acoustical sound barrier enclosure that will muffle the sound.

Mr. Gurevich asked to withdraw his current application and he will submit the proposed new plans to Community Development.

- 6.19 REMOVE FROM TABLE- Zoning Board of Appeals Report, 2123, 2127, 2145, and 2147 Wilmette Avenue, Case #2007-Z-56 regarding a request for a 10' lot width variation for lot 1, a 10' lot width variation for lot 2, a 10' lot width variation for lot 3, a 10' lot width variation for lot 4, a 6.74' lot width variation for lot 5, and a 6.35' lot width variation for lot 6 to allow a six lot subdivision in accordance with the plans submitted.

Trustee Watt moved to remove from table item 6.19, seconded by Trustee Terman. All voted aye, the motion carried.

Trustee Swanson moved to grant a request for a 10' lot width variation for lot 1, a 10' lot width variation for lot 2, a 10' lot width variation for lot 3, a 10' lot width variation for lot 4, a 6.74' lot width variation for lot 5, and a 6.35' lot width variation for lot 6 to allow a six lot subdivision in accordance with the plans submitted, seconded by Trustee Watt.

Mr. Murdoch, representative for the petitioner, said he would like to withdraw the application. He noted that Chairman Greenberger said at a previous Zoning Board of Appeals meeting that he would prefer five lots to six lots and six lots to eight lots. He believes compelling arguments can be made for lots consistent with the rest of the neighborhood, and that ingress and egress can be dramatically improved with a different type of lot configuration.

6.2 FINANCE COMMITTEE REPORT:

- 6.21 Presentation of December 31, 2007 Revenue and Expense Report was handled with the Consent Agenda.
- 6.22 Presentation of December 31, 2007 Treasurer's Report of Cash Receipts and Disbursements was handled with the Consent Agenda.
- 6.23 Presentation of December 31, 2007 Cash and Investments Summary was handled with the Consent Agenda.
- 6.24 Approval of Disbursements for the month of January 2008 was handled with the Consent Agenda.
- 6.25 Approval of Resolution #2008-R-12 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP) was handled with the Consent Agenda.

6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Presentation of minutes of the Business Development Advisory Group meeting held January 10, 2008 was handled with the Consent Agenda.
- 6.32 Presentation of minutes of the Historic Preservation Commission meeting held November 7, 2007 was handled with the Consent Agenda.
- 6.33 Presentation of minutes of the Historic Preservation Commission meeting held December 12, 2007 was handled with the Consent Agenda.
- 6.34 Presentation of minutes of the Historic Preservation Commission meeting held January 9, 2008 was handled with the Consent Agenda.
- 6.35 Presentation of minutes of the Youth Commission meeting held January 21, 2008 was handled with the Consent Agenda.
- 6.36 Introduction of Ordinance #2008-O-18 amending the Village Code, Chapter 2 to provide for Dissolution of Senior Resources Commission was handled with the Consent Agenda.

6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

No Report.

6.5 PUBLIC SAFETY COMMITTEE REPORT:

No Report.

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

- 8.2 Notice of vacancy on the Commission for Persons with Disabilities due to the term expiration of Walter Reed was handled with the Consent Agenda.
- 8.3 Notice of vacancy on the Commission for Persons with Disabilities due to the term expiration of Linda Layfer was handled with the Consent Agenda.
- 8.4 Notice of vacancy on the Community Relations Commission due to the term expiration of Pam Mondschein was handled with the Consent Agenda.
- 8.5 Notice of vacancy on the Community Relations Commission due to the term expiration of Alice Chow was handled with the Consent Agenda.
- 8.6 Notice of vacancy on the Senior Resources Commission due to the term expiration of Susan Lin was handled with the Consent Agenda.
- 8.7 Notice of vacancy on the Senior Resources Commission due to the resignation of Faqir Vohra was handled with the Consent Agenda.
- 8.8 Notice of vacancy on the Appearance Review Commission due to the resignation of Stuart Berger was handled with the Consent Agenda.
- 8.9 Notice of vacancy on the Community Relations Commission due to the term expiration of Harry Rhodes was handled with the Consent Agenda.
- 8.91 Notice of vacancy on the Historic Preservation Commission due to the resignation of Mary Abroe was handled with the Consent Agenda.
- 8.92 Notice of vacancy on the Youth Commission due to the resignation of Alison Field was handled with the Consent Agenda.
- 8.93 Notice of vacancy on the Youth Commission due to the resignation of Rita Strang was handled with the Consent Agenda.
- 8.94 Notice of vacancy on the Board of Health due to the term expiration of Malcolm Hast was handled with the Consent Agenda.
- 8.95 Notice of vacancy on the Housing Commission due to the resignation of Alan George was handled with the Consent Agenda.
- 8.96 Notice of vacancy on the Commission for Persons with Disabilities due to the term expiration of Ellen McManus was handled with the Consent Agenda.

- 8.97 Notice of vacancy on the Plan Commission due to the term expiration of Vince McBrien was handled with the Consent Agenda.
 - 8.98 Notice of vacancy on the Police Pension Fund Board of Trustees due to the term expiration of Michael Dwyer was handled with the Consent Agenda.
 - 8.99 Notice of vacancy on the Housing Commission due to the term expiration of Marilyn Schaffer was handled with the Consent Agenda.
 - 8.991 Notice of vacancy on the Youth Commission due to the term expiration of Joe Feldman was handled with the Consent Agenda.
 - 8.992 Notice of vacancy on the Senior Resources Commission due to the term expiration of Gloria Woodson was handled with the Consent Agenda.
 - 8.993 Notice of vacancy on the Board of Fire and Police Commissioners due to the term expiration of Chris Dunn was handled with the Consent Agenda.
 - 8.994 Reappointment of Eileen Miller Girson to the Transportation Commission from March 2008 to March 2012 was handled with the Consent Agenda.
 - 8.995 Reappointment of Clayton Weaver to the Transportation Commission from March 2008 to March 2012 was handled with the Consent Agenda.
 - 8.996 Reappointment of Phil Simmons to the Fine Arts Commission from March 2008 to March 2011 was handled with the Consent Agenda.
- 9.0 NEW BUSINESS:
- 9.1 Notice of vacancy on the Appearance Review Committee due to the term expiration of Caryn Summer was handled with the Consent Agenda.
 - 9.2 Notice of vacancy on the Youth Commission due to the term expiration of Eve Williams was handled with the Consent Agenda.
 - 9.3 Recommendation of appointment of Terrence C. Porter to the Board of Fire and Police Commissioners from March 2008 to March 2011 was handled with the Consent Agenda.

2/26/08

Approved 3/11/08

10.0 ADJOURNMENT:

Trustee Watt moved to adjourn the meeting at 8:21 p.m., seconded by Trustee Terman. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk