



# 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, JUNE 24, 2008.**

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The Village President called the meeting to order at 7:36 p.m.

Item:

1.0 ROLL CALL:

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

Staff Present:

- Michael J. Earl, Village Manager
- Mary Beth Cyze, Assistant Corporation Counsel
- Michael Braiman, Assistant to the Village Manager
- Barbara L. Hirsch, Deputy Village Clerk
- John Adler, Director of Community Development
- Joe McRae, Assistant to the Village Manager

2.0 APPROVAL OF MINUTES:

2.1 Trustee Terman moved approval of minutes of the Regular Board meeting held June 10, 2008, seconded by Trustee Swanson. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

#### 4.0 REPORTS OF OFFICERS:

Village Manager Michael Earl announced that the Interfaith Housing Center in Winnetka offers free counseling advice for those who are facing mortgage and housing difficulties.

Mr. Earl asked that residents follow the route that will be marked for the July 3 celebration as road construction is ongoing on Sheridan Road. He encouraged people to take advantage of the buses that will be running during the July 3 celebration between the Edens Plaza and Gillson Park.

President Canning noted that signs have been posted on Green Bay Road announcing street closures.

Mr. Earl said the Green Bay Road Traffic Signal Improvement Project will begin in early July and will last for several weeks. The improvements will allow for simultaneous east/west traffic at the intersections of Green Bay Road and Lake/Wilmette/Central Avenues. He also noted that federal assistance has been procured for the project.

#### 4.1 Consent Agenda. Trustee Spillers removed item 6.16. Trustee Swanson moved approval of the remaining items of the Consent Agenda as follows:

- 6.11 Minutes, Land Use Committee.
- 6.12 Temporary Use Permit #2008-TU-23 for the 3-Day Cancer Walk lunch stop to be held August 8, 2008 at 1041 Ridge Road, Mallinckrodt Park.
- 6.13 Appointment of the Plan Commission as a Special Zoning Committee to review fence regulations, Section 6.4.3 of the Zoning Ordinance.
- 6.14 ZBA Report, Case #2008-Z-31, 522 Forest Avenue regarding a request for variations to permit the construction of a one story addition to the existing legal nonconforming structure in accordance with the plans as amended; adoption of Ordinance #2008-O-42.
- 6.15 ZBA Report, Case #2008-Z-33, 1055 Linden Avenue regarding a request for variations to construct a replacement detached garage in accordance with the plans submitted; adoption of Ordinance #2008-O-43.
  
- 6.31 Minutes, Youth Commission.
- 6.32 Minutes, Historic Preservation Commission.
- 6.33 Minutes, Business Development Advisory Group.
  
- 8.1 Notice of vacancy, Community Relations Commission.
- 8.2 Notice of vacancy, Community Relations Commission.
- 8.3 Notice of vacancy, Board of Health.
- 8.4 Notice of vacancy, Plan Commission.

- 8.5 Notice of vacancy, Housing Commission.
- 8.6 Notice of vacancy, Youth Commission.
- 8.7 Notice of vacancy, Youth Commission.
- 8.8 Notice of vacancy, Youth Commission.
- 8.9 Notice of vacancy, Youth Commission.
- 8.91 Notice of vacancy, Community Relations Commission.
- 8.92 Notice of vacancy, Youth Commission.
- 8.93 Reappointment, Electrical Commission.
- 8.94 Reappointment, Electrical Commission.
- 8.95 Reappointment, Electrical Commission.
- 8.96 Reappointment, Zoning Board of Appeals.
- 8.97 Appointment, Board of Health.
- 8.98 Appointment, Environmental and Energy Commission.
- 8.99 Appointment, Environmental and Energy Commission.
- 8.991 Appointment, Environment and Energy Commission.
- 8.992 Appointment, Environment and Energy Commission.

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

- 4.2 Introduction of Patrick Meara who is recommended for appointment to the Environmental and Energy Commission.

President Canning introduced Mr. Meara to the Village Board and recommended his appointment to the Environmental and Energy Commission.

- 4.3 Introduction of Charles (Bud) Murdock who is recommended for appointment to the Environmental and Energy Commission.

President Canning introduced Mr. Murdock to the Village Board and recommended his appointment to the Environmental and Energy Commission.

- 4.4 Introduction of Debra Favre who is recommended for appointment to the Environmental and Energy Commission.

President Canning introduced Ms. Favre to the Village Board and recommended her appointment to the Environmental and Energy Commission.

- 4.5 Introduction of Christopher Dunn who is recommended for appointment to the Environmental and Energy Commission.

President Canning introduced Mr. Dunn to the Village Board and recommended his appointment to the Environmental and Energy Commission.

- 4.6 Announcement of appointment of Christopher Dunn as Chair of the Environmental and Energy Commission.

President Canning announced the appointment of Christopher Dunn as Chair of the Environmental and Energy Commission.

- 4.7 Request for an executive session to discuss collective negotiating matters pursuant to Section 2 (c) (2) of the Illinois Open Meetings Act.

5.0 REPORT OF THE LIQUOR CONTROL COMMISSIONER:

No Report.

6.0 STANDING COMMITTEE REPORTS:

President Canning advanced item 6.34.

- 6.34 Presentation of Annual Report from Comcast Cable Communications.

President Canning said Comcast provides the Village Board with a yearly report and introduced Frank Deuel, Government Affairs Manager for Comcast.

Mr. Deuel reviewed the report presented to the Village Board. He thanked the Village Board, staff and residents for their patience as Comcast dealt with the devastation of the August 2007 storm event and the restoration of service. He said the number of service calls and outages in 2007 in the Village were down from previous years. He said Comcast has tried to improve service by opening a fourth call center in 2007 with approximately 500 employees to assist on customer service, has launched a Dynamic Dispatch which is an electronic version of routing and tracking for service calls, and has also launched a new computer program called the Line Problem Indicator (LPI) which automatically begins to search an area for an outage when someone reports a loss of service.

President Canning said after the August 2007 storm event, Comcast was a little slow to restore residents' service and asked if Comcast had any new policies in place for future storm events to restore service faster to the residents.

Mr. Deuel said Comcast does have emergency plans in place for their employees to follow during emergency situations. He noted the devastation in Wilmette was unbelievable after the 2007 August storm event. Safety must come first for the employees regarding wires that are down, standing water and broken utility poles. Once those issues have been addressed Comcast employees are able to go to work to restore service. Service plans are reviewed after each incident and the emergency plans are adjusted accordingly for the next emergency event.

President Canning asked how the February 18, 2009 digital transition date will affect Comcast subscribers.

Mr. Deuel said for those customers who are connected to Comcast cable, a satellite dish or another video company, there will not be any loss of service.

Trustee Spillers thanked Pat Rankin, Comcast Senior Account Executive, for her help in cost effective advertising for the Shop Wilmette Campaign.

Gale Teschendorf, 1920 Schiller, said it was his understanding that if residents do not call Comcast to let them know they have an outage, they will not receive an automatic refund on their bill.

Mr. Deuel said refunds are not automatic as Comcast is not able to identify every residence that has an outage, but they will refund an account if a customer calls the outage incident in to them. He will be happy to work with Mr. Teshcnedorf regarding his outage during the August 2007 storm event.

John Plante, 1004 Oakwood said he would like the Village to review the quality of programming during the upcoming contract negotiations with Comcast as many of the programs he enjoys have been cut from the basic service plan.

Mr. Deuel said approximately 69% of the customers in Wilmette have digital cable programming. There are many more programs and features on digital packages.

#### 6.1 LAND USE COMMITTEE REPORT:

- 6.11 Presentation of minutes of the Land Use Committee meeting held May 9, 2008 was handled with the Consent Agenda.
- 6.12 Approval of Temporary Use Permit #2008-TU-23 for the 3-Day Cancer Walk lunch stop to be held August 8, 2008 at 1041 Ridge Road, Mallinckrodt Park was handled with the Consent Agenda.

- 6.13 Appointment of the Plan Commission as a Special Zoning Committee to review fence regulations, Section 6.4.3 of the Zoning Ordinance was handled with the Consent Agenda.
- 6.14 Zoning Board of Appeals Report, Case #2008-Z-31, 522 Forest Avenue regarding a request for a 584.82 square foot, (4.87%) total floor area variation and a 3.82' combined side yard setback variation to permit the construction of a one story addition to the existing legal nonconforming structure in accordance with the plans as amended; adoption of Ordinance #2008-O-42.

The request was handled with the Consent Agenda for a 584.82 square foot, (4.87%) total floor area variation and a 3.82' combined side yard setback variation to permit the construction of a one story addition to the existing legal nonconforming structure in accordance with the plans as amended. Ordinance #2008-O-42 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.15 Zoning Board of Appeals Report, Case #2008-Z-33, 1055 Linden Avenue regarding a request for a 208.5 square foot (18.53%) total rear yard impervious surface coverage variation, a 46.25 square foot (4.11%) rear yard structural impervious surface coverage variation and a 106.0 square (9.42%) rear yard impervious surface coverage variation to construct a replacement detached garage in accordance with the plans submitted; adoption of Ordinance #2008-O-43.

The request was handled with the Consent Agenda for a 208.5 square foot (18.53%) total rear yard impervious surface coverage variation, a 46.25 squarefoot (4.11%) rear yard structural impervious surface coverage variation and a 106.0 square (9.42%) rear yard impervious surface coverage variation to construct a replacement detached garage in accordance with the plans submitted. Ordinance #2008-O-43 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.16 Zoning Board of Appeals Report, Case #2008-Z-34, 1225 Wilmette Avenue regarding a request for a special use (personal service) to operate a dog day care in accordance with information submitted. The use shall run with the use; adoption of Ordinance #2008-O-44.

Trustee Swanson moved to grant a request for a special use (personal service) to operate a dog day care in accordance with information submitted. The use shall run with the use, seconded by Trustee Levin

President Canning noted that there are only five members of the Village Board present and the applicant would need four positive votes to grant the special use.

Julie Thomas, applicant, asked the Board to continue the case.

Trustee Swanson moved to continue item 6.16 to the July 8, 2008 Regular Board meeting, seconded by Trustee Terman. All voted aye, the motion carried.

President Canning noted that the July 8, 2008 Regular Board meeting would start at 7:00 p.m. rather than the usual 7:30 p.m. start time.

- 6.17 Appearance Review Commission Report, 805 Ridge Road, Alexis Reynolds, Case #08-AR-10 regarding a request for a sign variation to display a flag advertising the type of business.

Trustee Swanson moved to grant a request for a sign variation to display a flag advertising the type of business, seconded by Trustee Spillers.

Alexis Reynolds, applicant, said she owns a small antique shop and would like to hang a flag with the wording "Antiques" on it outside her business entrance. She noted these type of flags are typically hung outside antiques stores on the east coast.

President Canning asked if the flag with wording would be the only way to identify the business as an antiques store.

Ms. Reynolds said yes, that is how the store would be identified as an antiques store. She would like to hang the American flag and the flag outside her store front entrance.

Trustee Terman said the Board would have to decide if the flag signage was a good idea and then amend the ordinance. If the request was granted as is, it would certainly set a precedent in the community.

Trustee Levin said he believes the Village Code should be amended rather than granting the specific variation which may set a precedent and become a problem. He asked Ms. Reynolds for the size of the flag.

Ms. Reynolds said the flag is approximately 3' by 5'.

Trustee Levin said he would like to amend the motion with the following wording “that a sign in the form of a flag is 3’ by 5’ and attached to a pole that projects perpendicular from the wall and perpendicular to the street”, seconded by Trustee Terman.

Liz Osborne, 1001 Linden, asked if the flag signage was Ms. Reynolds only signage for the business.

Ms. Reynolds said she has a sign in the window also.

John Adler, Director of Community Development, said by definition the flag is a sign because it has advertising on it and thus functions as a sign.

Trustee Swanson moved to amend the amended motion that the flag only have the word “antiques” on it, seconded by Trustee Levin. All voted aye, the motion carried.

Trustee Terman said the ARC noted the red color in the flag would match the front door that is to be painted red.

Ms. Reynolds said the front door was painted yellow.

Trustee Swanson said the amended motion specifically covers this request only, and if the Board is active in changing the ordinance, there should not be an unwanted precedent set.

Voting yes on the main motion: Trustees Swanson, Levin, Terman, Spillers and President Canning. Voting no: none. The motion carried.

Trustee Levin moved to appoint the Administration Committee as a Special Zoning Committee to review Section 20-9.4.1 (b) of the sign ordinance, seconded by Trustee Swanson. All voted aye, the motion carried.

- 6.18 Zoning Board of Appeals Report, Case #2008-Z-35, 2041 Elmwood Avenue regarding a request for a special use for a parking lot not located on the same lot as the use served by the parking lot, a variation from the requirement that such facility is within 300 feet walking distance of the use being served, a variation from the requirement that off-street parking is located on a lot owned by the same party as the lot on which the use to be served is located, a 2.5’ aisle width variation, a variation from the requirement that curbing be provided along the perimeter of the parking lot, and a variation from the requirement that open off-street parking be screened from any abutting lot located in a residential zoning



district in accordance with plans submitted and amended. The use shall run with the use.

Trustee Swanson moved to grant a request for a special use for a parking lot not located on the same lot as the use served by the parking lot, a variation from the requirement that such facility is within 300 feet walking distance of the use being served, a variation from the requirement that off-street parking is located on a lot owned by the same party as the lot on which the use to be served is located, a 2.5' aisle width variation, a variation from the requirement that curbing be provided along the perimeter of the parking lot, and a variation from the requirement that open off-street parking be screened from any abutting lot located in a residential zoning district in accordance with plans submitted and amended. The use shall run with the use, seconded by Trustee Terman.

Chris Olson, President of Ronald Knox Montessori School, asked the Board to continue the request.

President Canning asked if continuing to the regular Village Board meeting to be held July 22, 2008 would be agreeable to the applicant.

Mr. Olson said July 22, 2008 would be agreeable.

Trustee Swanson moved to continue item 6.18 to the July 22, 2008 regular Village Board meeting at 7:30 p.m., seconded by Trustee Terman. All voted aye, the motion carried.

- 6.19 REMOVE FROM TABLE - Zoning Board of Appeals Report, Case #2008-Z-20, 406-416 Poplar Drive regarding a request for a special use to allow more than one townhouse building on a lot, a special use to allow two townhouse buildings with more than 4 units in each, a special use to allow a townhouse development where eight (8) of the townhouse units do not front on a street, a 3.0' front yard setback variation for Buildings A and B, a 32.64' combined side yard setback variation for Buildings A and B, a 2.5' front yard porch setback variation for Buildings A and B, a 4.0' front yard window well setback variation for Buildings A and B, a 42.64' combined side yard setback variation for balconies on Buildings A and B, a 74.81' combined side yard setback variation for Building C, a 2' side yard parking space setback variation, a 149.88 square foot (2.67%) front yard impervious surface coverage variation and a combined side yard impervious surface coverage variation to permit the construction of 14 townhouses in 3 buildings in accordance with the plans submitted. The use shall run with the use.

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

Mr. Adler noted that the plans have been revised and there is also a revised request for variations.

Trustee Swanson moved to amend the original request to grant a special use to allow more than one townhouse building on a lot, a special use to allow a townhouse development where six (6) of the townhouse units do not front on a street, a 46.31' combined side yard setback variation for Buildings A and B, a 76.58' combined side yard setback variation for Building C, a 38.97' combined side yard deck setback variation, and a 44.97' combined side yard stair setback variation to permit the construction of 12 townhouses in 3 buildings, seconded by Trustee Levin.

Carol Kemp, 1025 Linden, asked for an explanation regarding the action of "remove from table".

President Canning said "remove from table" is a rule of procedure when a case is continued or "tabled". Once the request is removed from the table the request can be discussed once again.

John Myefski, Myefski Cook Architects, said he would like to present the changes to the proposed plans, which he believes are substantial. The number of units has been reduced which has reduced the amount of variances being requested.

President Canning noted that there are only five Village Board members present to discuss the case. He also was concerned with the substantial changes as the Zoning Board of Appeals (ZBA) has not reviewed the case nor have the neighbors had an opportunity to review the revised plans.

Mr. Myefski said he believes that staff has recommended that the revised plans should be referred back to the ZBA. He would like to present the proposed revised plans to the Village Board this evening.

President Canning said he would like to wait until after the ZBA has seen the revised plans as the ZBA may also recommend changes. He asked Mr. Adler when the ZBA would have time at a future meeting to review the changes to the plans.

Mr. Adler said he believed the ZBA could review the revised plans at the August 20, 2008 meeting but he would contact the applicant and the neighbors with the

exact date.

Jane George, 1055 Linden, asked when neighbors would be able to review the proposed changes to the plans.

Mr. Adler said the neighbors could pick up the revised plans tomorrow at the Community Development Department.

Trustee Terman asked if a traffic study had been completed by the Village.

Mr. Adler said the applicant was waiting to see what the result of this evening's meeting was before authorizing the Village to proceed with the traffic study.

Mr. Plante said he appreciates that the Village Board agenda was on the Village's website. He asked if the agenda material could also be placed online.

President Canning said agenda material is not able to be placed on the Village website at this time.

Trustee Swanson moved to remand item 6.19 as amended back to the Zoning Board of Appeals, seconded by Trustee Terman. All voted aye, the motion carried.

6.2 FINANCE COMMITTEE REPORT:

No Report.

6.3 ADMINISTRATION COMMITTEE REPORT:

6.31 Presentation of minutes of the Youth Commission meeting held May 12, 2008 was handled with the Consent Agenda.

6.32 Presentation of minutes of the Historic Preservation Commission meeting held March 5, 2008 was handled with the Consent Agenda.

6.33 Presentation of minutes of the Business Development Advisory Group meeting held April 10, 2008 was handled with the Consent Agenda.

6.34 Presentation of Annual Report from Comcast Cable Communications.

Item 6.34 was advanced earlier in the meeting.

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

8.2 Notice of vacancy on the Community Relations Commission due to the term expiration of Harry Rhodes was handled with the Consent Agenda.

8.3 Notice of vacancy on the Board of Health due to the term expiration of Malcolm Hast was handled with the Consent Agenda.

8.4 Notice of vacancy on the Plan Commission due to the term expiration of Vince McBrien was handled with the Consent Agenda.

8.5 Notice of vacancy on the Housing Commission due to the term expiration of Marilyn Schaffer was handled with the Consent Agenda.

8.6 Notice of vacancy on the Youth Commission due to the term expiration of Joe Feldman was handled with the Consent Agenda.

8.7 Notice of vacancy on the Youth Commission due to the term expiration of Eve Williams was handled with the Consent Agenda.

8.8 Notice of vacancy on the Youth Commission due to the resignation of Alison Field

was handled with the Consent Agenda.

- 8.9 Notice of vacancy on the Youth Commission due to the resignation of Rita Strang was handled with the Consent Agenda.
- 8.91 Notice of vacancy on the Community Relations Commission due to the term expiration of Shahid Siddiqui was handled with the Consent Agenda.
- 8.92 Notice of vacancy on the Youth Commission due to the term expiration of Craig Crawford was handled with the Consent Agenda.
- 8.93 Reappointment of Joseph Drelicharz to the Electrical Commission from July 2008 to July 2012 was handled with the Consent Agenda.
- 8.94 Reappointment of Thomas McDaniel to the Electrical Commission from July 2008 to July 2012 was handled with the Consent Agenda.
- 8.95 Reappointment of Robert May to the Electrical Commission from July 2008 to July 2012 was handled with the Consent Agenda.
- 8.96 Reappointment of Kent Darbyshire to the Zoning Board of Appeals from July 2008 to July 2013 was handled with the Consent Agenda.
- 8.97 Appointment of Denise Thrasher to the Board of Health from July 2008 to July 2009 was handled with the Consent Agenda.
- 8.98 Appointment of Patrick Meara to the Environmental and Energy Commission from July 2008 to July 2011 was handled with the Consent Agenda.
- 8.99 Appointment of Charles (Bud) Murdock to the Environmental and Energy Commission from July 2008 to July 2010 was handled with the Consent Agenda.
- 8.991 Appointment of Debra Favre to the Environment and Energy Commission from July 2008 to July 2010 was handled with the Consent Agenda.
- 8.992 Appointment of Christopher Dunn to the Environment and Energy Commission from July 2008 to July 2011 was handled with the Consent Agenda.

9.0 NEW BUSINESS:

No Report.

10.0 ADJOURNMENT:

Trustee Terman made a motion to adjourn to Executive Session at 8:55 p.m. to discuss collective negotiating matters pursuant to Section 2 (c) (2) of the Illinois Open Meetings Act, seconded by Trustee Spillers.

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

The Village Board returned from the Executive Session at 9:17 p.m.

Trustee Terman made a motion to adjourn the Village Board meeting at 9:17 p.m., seconded by Trustee Spillers.

All voted aye, the motion carried.

Barbara L. Hirsch  
Deputy Village Clerk