



# 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, SEPTEMBER 23, 2008.**

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Item:

The Village President called the meeting to order at 7:34 p.m.

1.0 ROLL CALL:

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

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  
Brigitte Mayerhofer, Director of Engineering  
Donna Jakubowski, Director of Public Works  
Jorge Cruz, Assistant Director of Public Works

2.0 APPROVAL OF MINUTES:

- 2.1 Trustee Watt moved approval of minutes of the Regular Board meeting held September 9, 2008, seconded by Trustee Terman. All voted aye, the motion carried.
- 2.2 Trustee Terman moved approval of minutes of the Special Board meeting held June 2, 2008, seconded by Trustee Watt. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

#### 4.0 REPORTS OF OFFICERS:

Village Manager Michael Earl noted that the last day to register to vote for the November 4, 2008 Presidential Election will be Tuesday, October 7, 2008. Residents may register at Village Hall during regular business hours and on Saturday, October 4, 2008 from 9 a.m. to 12:00 p.m.

Mr. Earl announced that Fire Station #26, 1304 Lake Avenue, will have an Open House on Saturday, October 4, 2008 from 9:00 a.m. to 12:00 p.m. All children and parents are welcome to attend.

Mr. Earl announced the resignation of Joe McRae, Assistant to the Village Manager, effective October 3, 2008. Mr. McRae will start a new position with the City of Evanston.

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

- 6.11 Minutes, Appearance Review Commission.
- 6.12 Minutes, Land Use Committee.
- 6.13 Temporary Use Permit #2008-TU-38 for St. Joseph and St. Francis Homecoming football game barbeque event to be held at Howard Park on September 26, 2008.
- 6.14 Temporary Use Permit #2008-TU-39 for the Plaza del Lago Fall Fest to be held October 11, 2008.
- 6.15 Appointment of the Land Use Committee as a Special Zoning Committee to review possible amendments to the Zoning Ordinance concerning the administrative approval procedure.
- 6.16 Appointment of the Land Use Committee as a Special Zoning Committee to review possible amendments to the Zoning Ordinance concerning floor area, lot coverage, yard coverage and setback requirements when replacing an existing accessory structure with new accessory structure of a similar size; floor area, lot coverage, yard coverage and setback requirements when moving a nonconforming stair or porch without increasing size; setback and yard coverage requirements when increasing the riser size of stairs to be in conformance with the building code; setback and yard coverage requirements when dealing with accessibility issues; garage setback for properties with rear yard utility easements; front yard coverage on properties with principal structures in the required front yard; front yard setback and coverage on blocks with an average front yard setback less than the minimum required.
- 6.17 Appointment of the Land Use Committee as a Special Zoning Committee to review possible amendments to the Zoning Ordinance concerning limited service restaurants.
- 6.18 ZBA Report, Case #2008-Z-41, 2323 Iroquois Road regarding a request for a variation to allow the construction of a one story addition to a legal nonconforming structure in conformance with the plans submitted; adoption of Ordinance #2008-O-68.

- 6.21 Approval of August 2008 Disbursements.
- 6.22 Approval of Resolution #2008-R-30 approving investments as previously authorized in the Illinois Public Treasurer's Investment pool (IPTIP).
  
- 6.31 Minutes, Transportation Commission.
- 6.32 Minutes, Community Relations Commission.
- 6.33 Minutes, Fine Arts Commission.
- 6.34 Minutes, Business Development Advisory Group.
- 6.35 Minutes, Bicycle Task Force.
- 6.36 Approval of contract renewal, Tyler Technologies, Inc., Dallas TX for annual licensing and support for the MUNIS municipal software application.
  
- 6.41 Approval of contract, Master Project, Inc., Chicago, IL for the Storm Water Pumping Station building repairs.
  
- 6.51 Minutes, Public Safety Committee.
- 6.52 Approval of purchase, Road Rescue of Marion, SC for a 2008 Road Rescue Type I, AD, Advanced Life Support (ALS) Ambulance.
  
- 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, Community Relations Commission.
- 8.8 Notice of vacancy, Youth Commission.
- 8.9 Notice of vacancy, Board of Health.
- 8.91 Notice of vacancy, Youth Commission.
- 8.92 Notice of vacancy, Fine Arts Commission.
- 8.93 Notice of vacancy, Historic Preservation Commission.
- 8.94 Notice of vacancy, Youth Commission.
- 8.95 Notice of vacancy, Youth Commission.
- 8.96 Notice of vacancy, Historic Preservation Commission.
  
- 9.1 Recommendation of appointment, Youth Commission.
- 9.2 Recommendation of appointment, Youth Commission.
- 9.3 Recommendation of appointment, Youth Commission.

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

4.2 Introduction of Nicole Kukulka who is recommended for appointment to the Youth Commission.

President Canning introduced Ms. Kukulka to the Village Board and recommended her appointment to the Youth Commission.

4.3 Announcement of rescheduling of the November 25, 2008 Regular Village Board meeting to November 24, 2008.

President Canning announced the rescheduling of the November 25, 2008 Regular Village Board meeting to November 24, 2008.

4.4 Announcement of cancellation of the December 23, 2008 Regular Village Board meeting.

President Canning announced the cancellation of the December 23, 2008 Regular Village Board meeting.

4.5 Discussion of September 13-14, 2008 rain event.

Village President Christopher Canning said the Village had one of its heaviest rainfalls in Wilmette history on Saturday, September 13, 2008 through Sunday, September 14, 2008. There was substantial flooding in basements and streets throughout the Village. He said a survey will be sent to all residents so the Village will have a better understanding of what happened throughout the Village.

Mr. Earl said the rainstorm of September 13 and 14 delivered 8 inches of rain which is the second highest rainfall recorded since recording began in 1980. He said the Village received over 1,200 calls from residents reporting basement flooding or enquiring as to the status of the district locks at the Wilmette Harbor. The heavy rains contributed to basement backups and overland flooding throughout the community. He noted that the Storm Water Pump Station did operate without interruption throughout the storm. He encouraged residents to complete the surveys and send them back as the information will help guide staff in determining future sewer programs.

Brigitte Mayerhofer, Director of Engineering, said the Village has two very distinct sewer systems, a combined sewer system east of Ridge Road, where the sanitary and storm water all goes into the same sewer pipe. West of Ridge Road, there is a separate sanitary sewer and storm water sewer system, the storm water is collected and conveyed to the Storm Water Pump Station where it is pumped and delivered to the North Branch of the Chicago River. She noted that the combined sewer system is unique in that by design it encourages and promotes ponding on the street. Through a series of berms, inlet restrictors and oversized relief sewers, rain runoff is temporarily stored on the street rather than in the pipes that may end up in basements.

President Canning asked if residents should be out cleaning the street in a rain event if there is water in the street.

Ms. Mayerhofer said if the water from the street is not physically flowing to a home, she would absolutely recommend leaving the water in the street.

President Canning asked if the amount of water that goes into the North Branch of the Chicago River is impacted by anything coming from upstream such as Glenview or Northbrook.

Ms. Mayerhofer said all the water that is tributary to the North Branch has an impact on how Wilmette's system works. She said it is important that residents return the surveys as there is not one specific reason why homes flood.

President Canning said since 1987, the Village has spent more than \$40 million in sewer repairs. He asked what specifically has been done in sewer repair.

Ms. Mayerhofer said on the east side of Wilmette relief sewers were installed in conjunction with drainage berms and inlet restrictors. The project is 80% complete. On the west side of the Village there is a similar series of large storage reservoirs that are immediately upstream of the Princeton Place Interceptor. These pipes add capacity to the sanitary system. In addition, the Village has a very aggressive, ongoing sewer maintenance program.

Trustee Swanson said many residents reported water was coming into the sanitary or floor drain which would be contaminated water. He asked if there was anything a homeowner could do themselves to prevent water back up into the home.

Ms. Mayerhofer said sewer backups can occur when there is a large volume of unintended rain water entering the sanitary system. Especially during the past weekend's rain event where the ground was saturated, there is water pressure in the ground and storm water will infiltrate the sewer system. It is crucial for a homeowner to have a plumber televise and line older sewers to prevent infiltration and back up into the home.

Trustee Watt asked Ms. Mayerhofer if she was going to map sewer problems from surveys that are sent back to the Village. She also wondered if it was possible for neighbors to work together and have the Village possibly negotiate a plan with a plumber to televise and fix sewers on an entire street rather than working separately with a plumber which would be more expensive for the homeowner. She would also like to know what the effects of new construction are on water problems.

Ms. Mayerhofer said the way engineers look at storm water has changed over the years. The plan used to be that water was collected, conveyed and pumped to get rid of storm water. The idea from engineers now is to incorporate best management practices into development, recharge the ground water and use it for irrigation purposes to minimize the impact to sewer systems.

President Canning said he would caution the Village on suggesting preferred vendors, such as plumbers, as an unintended consequence could possibly result in litigation.

Trustee Levin asked Ms. Mayerhofer to include in the final survey report information regarding the volume of rain water that will fall that no reasonable sewer system can handle.

Ms. Mayerhofer said there are different design standards for sewer systems but she does not believe many communities designed systems that would have handled the amount of rain that fell during the past weekend's rain event.

Trustee Terman said the intensity of storms are unpredictable and she believes it is the responsibility of municipalities to plan for reasonable expectations of storms. The Village has previously required homeowners to disconnect their gutters from going directly into the sewer system to help overloading the system and has also recommended removing bathroom facilities from basements.

Trustee Basil said he has received many inquiries from residents asking whether sump pumps are supposed to be connected to the Village sewer system or discharge to grade.

Ms. Mayerhofer said in all cases the Village encourages sump pump discharge overland rather than a direct connect. There are unique instances where drainage is not possible and sump pump connections are allowed as a direct connect.

President Canning introduced Terrence O'Brien, President of the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC).

President O'Brien noted that the 875 square miles of MWRDGC service area of Cook County received approximately 7" of rain during the recent rain event. Mr. O'Brien said the preventative actions they take for storm events begin days before storms arrive. They received authorization from the Army Corps of Engineers on the Thursday before the rain event, to lower the levels of the rivers and streams in Cook County to give a greater holding capacity of water that runs to those rivers and streams. Early Saturday morning the locks were opened in Wilmette to allow water to flow out into Lake Michigan. He said there is a systematic way to open the locks to have a major impact on flooding in the area and they were able to alleviate some of the flooding in the area.

President O'Brien said MWRDGC had a full complement of personnel working during the storm event to check on flooding, make sure interceptors were working properly and monitor the opening of locks. He reviewed the plans and the specific phases of the various improvements to the treatment facilities in the area. There is also a very aggressive program to remove blockages to have a clean flow of water moving downstream, and they have instituted a rain barrel program for residents and encourage the development of rain gardens.

President Canning said the Village receives many calls from residents asking when they are going to open the locks in Wilmette.

President O'Brien said the MWRDGC makes the decision to open the locks not the Village. There is a very systematic approach for the whole county regarding the decision to open the locks and release water into Lake Michigan.

Jim Urich, MWRDGC engineer, said the North Shore Channel is one of the major concerns during a storm event and they monitor the levels of water very carefully before and after opening the locks. He said they opened the locks in Wilmette at 6:18 a.m. on the previous Saturday morning and once the levels of water stabilize the locks are adjusted accordingly.

Trustee Watt asked if opening the locks would affect the west Wilmette area.

Sergia Serafina, MWRDGC engineer, said the Skokie plant functioned well during the four day rain event and they pumped twice as much water through the plant as is normally pumped. He did not receive any complaints regarding sewer surcharge.

Trustee Swanson said the receiving system for sewers on the west side of the Village is the Harms Road interceptor. He asked if an interceptor surcharge during the storm event would have an effect regarding flooding on the west side of Wilmette.

Mr. Serafina said he was not aware that the sewers surcharged.

Trustee Swanson said he believes that if there is a gravity flow of water to the interceptor and there is surcharge due to a large rain event, the water will come back into the Village.

Mr. Serafina said he believes that is what would happen.

President O'Brien asked if the Village was aware of a surcharge.

Trustee Watt said during this past rain event, all systems seemed to work well but homeowners still flooded. If everything works correctly, why are basements flooding?

President O'Brien said the magnitude and the amount of precipitation that fell has to be taken into consideration regarding flooding.

President Canning said once the survey results are complete and there is a report indicating where the flooding happened in the Village, the results will be sent to the MWRDGC for review also.

President O'Brien said they are in the process right now of evaluating the watershed areas as it is a regional problem rather than a local problem and they would like to have a plan for the entire area to help alleviate flooding problems.

Commissioner Debra Shore, MWRDGC, said the recent storm event produced a remarkable amount of rain which the ground and sewers were not able to absorb. She said MWRDGC tries to have information available on their website as soon as possible and does contact communities with up to date information during storm events.

Lewis Kahn, 321 Vista Drive, said he has listened to a lot of information this evening but he is still frustrated that he has flooded four times during the past 30 years.

President Canning thanked the MWRDGC for attending the meeting and addressing the issues of the recent storm event.

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 August 4, 2008 was handled with the Consent Agenda.

6.12 Presentation of minutes of the Land Use Committee meeting held August 5, 2008 was handled with the Consent Agenda.

6.13 Approval of Temporary Use Permit #2008-TU-38 for St. Joseph and St. Francis Homecoming football game barbeque event to be held at Howard Park on September 26, 2008 was handled with the Consent Agenda.

6.14 Approval of Temporary Use Permit #2008-TU-39 for the Plaza del Lago Fall Fest to be held October 11, 2008 was handled with the Consent Agenda.

- 6.15 Appointment of the Land Use Committee as a Special Zoning Committee to review possible amendments to the Zoning Ordinance concerning the administrative approval procedure was handled with the Consent Agenda.
- 6.16 Appointment of the Land Use Committee as a Special Zoning Committee to review possible amendments to the Zoning Ordinance concerning floor area, lot coverage, yard coverage and setback requirements when replacing an existing accessory structure with new accessory structure of a similar size; floor area, lot coverage, yard coverage and setback requirements when moving a nonconforming stair or porch without increasing size; setback and yard coverage requirements when increasing the riser size of stairs to be in conformance with the building code; setback and yard coverage requirements when dealing with accessibility issues; garage setback for properties with rear yard utility easements; front yard coverage on properties with principal structures in the required front yard; front yard setback and coverage on blocks with an average front yard setback less than the minimum required was handled with the Consent Agenda.
- 6.17 Appointment of the Land Use Committee as a Special Zoning Committee to review possible amendments to the Zoning Ordinance concerning limited service restaurants was handled with the Consent Agenda.
- 6.18 Zoning Board of Appeals Report, Case #2008-Z-41, 2323 Iroquois Road regarding a request for a 3.06' side yard setback variation to allow the construction of a one story addition to a legal nonconforming structure in conformance with the plans submitted; adoption of Ordinance #2008-O-68.

The request was handled with the Consent Agenda for a 3.06' side yard setback variation to allow the construction of a one story addition to a legal nonconforming structure in conformance with the plans submitted. Ordinance #2008-O-68 was adopted with the Consent Agenda, authorizing the variations of this case.

## 6.2 FINANCE COMMITTEE REPORT:

- 6.21 Approval of August 2008 Disbursements was handled with the Consent Agenda.
- 6.22 Approval of Resolution #2008-R-30 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 Transportation Commission meeting held May 14, 2008 was handled with the Consent Agenda.

- 6.32 Presentation of minutes of the Community Relations Commission meeting held July 21, 2008 was handled with the Consent Agenda.
  - 6.33 Presentation of minutes of the Fine Arts Commission meeting held June 23, 2008 was handled with the Consent Agenda.
  - 6.34 Presentation of minutes of the Business Development Advisory Group meeting held July 10, 2008 was handled with the Consent Agenda.
  - 6.35 Presentation of minutes of the Bicycle Task Force meeting held August 11, 2008 was handled with the Consent Agenda.
  - 6.36 Approval of contract renewal in the amount of \$55,690 with Tyler Technologies, Inc., Dallas, TX for annual licensing and support services for the MUNIS municipal software application was handled with the Consent Agenda.
- 6.4 MUNICIPAL SERVICES COMMITTEE REPORT:
- 6.41 Approval of contract in the amount of \$87,000 with Master Project, Inc., Chicago, IL for the Storm Water Pumping Station building repairs was handled with the Consent Agenda.
- 6.5 PUBLIC SAFETY COMMITTEE REPORT:
- 6.51 Presentation of minutes of the Public Safety Committee meeting held July 18, 2008 was handled with the Consent Agenda.
  - 6.52 Approval of purchase in the amount of \$140,497 with Road Rescue of Marion, SC for a 2008 Road Rescue Type I, AD, Advanced Life Support (ALS) Ambulance was handled with the Consent Agenda.
- 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 Eve Williams was handled with the Consent Agenda.
- 8.7 Notice of vacancy on the Community Relations Commission due to the term expiration of Shahid Siddiqui was handled with the Consent Agenda.
- 8.8 Notice of vacancy on the Youth Commission due to the term expiration of Craig Crawford was handled with the Consent Agenda.
- 8.9 Notice of vacancy on the Board of Health due to the term expiration of Diana Hackbarth was handled with the Consent Agenda.
- 8.91 Notice of vacancy on the Youth Commission due to the term expiration of Melissa Miller was handled with the Consent Agenda.
- 8.92 Notice of vacancy on the Fine Arts Commission due to the term expiration of Peter Yang was handled with the Consent Agenda.
- 8.93 Notice of vacancy on the Historic Preservation Commission due to the term expiration of Martin Jaffe was handled with the Consent Agenda.
- 8.94 Notice of vacancy on the Youth Commission due to the term expiration of Sheila Bower was handled with the Consent Agenda.
- 8.95 Notice of vacancy on the Youth Commission due to the term expiration of Emily Swann was handled with the Consent Agenda.
- 8.96 Notice of vacancy on the Historic Preservation Commission due to the resignation of Paul Schwab was handled with the Consent Agenda.

9.0 NEW BUSINESS:

- 9.1 Recommendation of appointment of Nicole Kukulka to the Youth Commission from October 2008 to October 2009 was handled with the Consent Agenda.
- 9.2 Recommendation of appointment of Emmett Hara to the Youth Commission from October 2008 to October 2011 was handled with the Consent Agenda.
- 9.3 Recommendation of appointment of Bobby Dixon to the Youth Commission from October 2008 to October 2010 was handled with the Consent Agenda.

10.0 ADJOURNMENT:

Trustee Terman moved to adjourn the meeting at 9:30 p.m., seconded by Trustee Watt. All voted aye, the motion carried.

Barbara L. Hirsch  
Deputy Village Clerk