



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, OCTOBER 28, 2008.

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
Karen Spillers

Absent: 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
Brigitte Mayerhofer, Director Engineering
Ray Ames, Water Plant Superintendent

2.0 APPROVAL OF MINUTES:

2.1 Trustee Terman moved approval of minutes of the Regular Board meeting held October 14, 2008, seconded by Trustee Watt. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

Mr. Kang, 735 Leamington, said he was concerned with recent problems regarding the economy and the way it affects people, like himself, on a fixed income. He would like help from the local government to contact his federal legislators.

President Canning said he would review the documents Mr. Kang sent to him and contact him at a future date.

4.0 REPORTS OF OFFICERS:

Village Manager Michael Earl noted the Green Bay Road Traffic Signal Project had completed construction at Central and Lake Avenues and both are now open to two way traffic. The Wilmette Avenue crossing is still under construction but is scheduled to be completed by November 17, 2008. The project, including signal phasing, is scheduled to be completed in mid December 2008.

Mr. Earl said the Village Board has held two meetings to discuss the proposed 2009 Budget and has a third meeting scheduled for Wednesday, October 29, 2008. A fourth meeting, if necessary, will be scheduled for sometime in November and noticed accordingly.

President Canning said a letter was sent out with a survey to all residents after the recent September storm event. He is pleased to report that over 2,000 surveys have been received at Village Hall and he encouraged all residents to complete the survey. The results of the survey will help the Village Board to determine where flooding took place, the cause of the flooding and discussion regarding possible solutions with storm water management.

President Canning recognized the following students who are participating in the 2008 League of Women Voters Student Government Program: Misba Saleem, Stephen Blood, Dylan Mancillas, Mike German, Dale Watt, Billy Sefton, Rachel Tenenbaum, Gordon Kochman, Greer Farber, Caroline Chen, Sang Park, MJ Pritchard, Brighid O'Donahue, Jack Cloud, Alexi Siegel, Melanie Samuels, Samie Weiner, Alex Rocklin.

President Canning said the students learn about the Village, the different departments, and hold a mock board meeting to address real issues affecting the Village.

- 4.1 Consent Agenda. Trustee Spillers removed item 6.13. Trustee Watt removed item 6.17. Trustee Watt moved approval of the remaining items of the Consent Agenda as follows:

- 4.3 Report of Release of Executive Session Minutes, October 14, 2008.

- 6.11 Minutes, Appearance Review Commission.
- 6.12 Adoption of Ordinance #2008-O-66 amending Section 6.4.3 of the Zoning Ordinance to add two additional fence exception areas related to Thelin court and Virginia Lane.
- 6.14 Adoption of Ordinance #2008-O-70 amending the Village Code and Zoning Ordinance regarding tent permit requirements.
- 6.15 ARC Report, 809 Ridge Road, Zero Balancing Wellness Center, Case #2008-AR-34 regarding a request for a sign variation for two additional descriptive words to permit the installation of a wall sign with five descriptive words.
- 6.16 ZBA Report, Case #2008-Z-59, 333-357 Ridge Road regarding a request for a parking variation to permit modifications to the parking lot in accordance with the plans submitted; adoption of Ordinance #2008-O-75.
- 6.18 ZBA Report, Case #2008-Z-58, 1929 Elmwood Avenue regarding a request for a special use to allow the installation of a cellular antenna onto an existing chimney in accordance with the plans submitted. The use shall run with the use; adoption of Ordinance #2008-O-77.

- 6.21 Approval of September 2008 Disbursements.
- 6.22 Approval of Resolution #2008-R-32 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP).
- 6.23 Adoption of Resolution #2008-R-31 which grants authority to file with the Cook County Property Tax Board of Appeals an objection to the reassessment appeal filed by Fifth Third Bank for its property located at 1255 Green Bay Road, for Assessment Year 2007.

- 6.31 Minutes, Board of Health.
- 6.32 Minutes, Bicycle Task Force.
- 6.33 Minutes, Fine Arts Commission.
- 6.34 Minutes, Youth Commission.
- 6.35 Minutes, Transportation Commission.

- 6.41 Approval of contract, Lenny Hoffman Excavating, Inc., Wilmette, IL for emergency sewer repairs.
- 6.42 Approval of contract, Cummins NPower LLC, White Bear Lake, MN for furnishing an engine generator for the Storm Water Pumping Station

- 6.51 Minutes, Public Safety Committee.
- 6.52 Adoption of Ordinance #2008-O-67 authorizing the sale of a 1989 Fire Engine to Northeastern Illinois Public Safety Training Academy (NIPSTA) in the amount of \$24,000.

- 6.61 Minutes, Judiciary Committee.

- 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, Community Relations Commission.
- 8.7 Notice of vacancy, Youth Commission.
- 8.8 Notice of vacancy, Board of Health.
- 8.9 Notice of vacancy, Youth Commission.
- 8.91 Notice of vacancy, Fine Arts Commission.
- 8.92 Notice of vacancy, Historic Preservation Commission.
- 8.93 Notice of vacancy, Youth Commission.
- 8.94 Notice of vacancy, Historic Preservation Commission.
- 8.95 Reappointment, Youth Commission.

- 9.1 Notice of vacancy, Housing Commission.
- 9.2 Recommendation of appointment, Youth Commission.
- 9.3 Designation of Linda Kurtz as chair of the Board of Health.

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

4.2 Introduction of students participating in Sister Cities Program.

President Canning welcomed the students from Australia who are staying in the area and attending New Trier High School: Jacqui Rawson, Aimee Gundry, Jackson Cowper, and Yasmin Morris. He noted that Mona Vale, Australia where the students are from is Wilmette's Sister City.

4.3 Introduction of Joan Evans who is recommended for appointment to the Youth Commission.

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

4.3 Report of Release of Executive Session Minutes, October 14, 2008 was handled with the Consent Agenda.

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 October 6, 2008 was handled with the Consent Agenda.

6.12 Adoption of Ordinance #2008-O-66 amending Section 6.4.3 of the Zoning Ordinance to add two additional fence exception areas related to Thelin court and Virginia Lane was handled with the Consent Agenda.

6.13 Adoption of Ordinance #2008-O-69 amending the Zoning Ordinance to allow overnight boarding kennels in the Village Center zoning district as a special use.

Trustee Swanson moved adoption of Ordinance #2008-O-69 amending the Zoning Ordinance to allow overnight boarding kennels in the Village Center zoning district as a special use, seconded by Trustee Terman.

Trustee Swanson said the Land Use Committee reviewed the subject of overnight boarding kennels in the Village Center zoning district as a special use at the request of a resident. The proposed Ordinance is the result of the discussion.

Julie Thomas, 3618 Old Glenview Road, asked that the item be tabled to a future meeting as Trustee Basil is not present this evening.

Trustee Watt moved to table item 6.13 to the November 11, 2008 Regular Board meeting, seconded by Trustee Swanson. All voted aye, the motion carried.

6.14 Adoption of Ordinance #2008-O-70 amending the Village Code and Zoning Ordinance regarding tent permit requirements was handled with the Consent Agenda.

6.15 Appearance Review Commission Report, 809 Ridge Road, Zero Balancing Wellness Center, Case #2008-AR-34 regarding a request for a sign variation for two additional descriptive words to permit the installation of a wall sign with five descriptive words.

The request was handled with the Consent Agenda for a sign variation for two additional descriptive words to permit the installation of a wall sign with five descriptive words.

- 6.16 Zoning Board of Appeals Report, Case #2008-Z-59, 333-357 Ridge Road regarding a request for a seven space parking variation to permit modifications to the parking lot in accordance with the plans submitted; adoption of Ordinance #2008-O-75.

The request was handled with the Consent Agenda for a seven space parking variation to permit modifications to the parking lot in accordance with the plans submitted. Ordinance #2008-O-75 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.17 Zoning Board of Appeals Report, Case #2008-Z-57, 317 Ridge Road regarding a request for a 12' south side yard setback variation, a 19.0' rear yard setback variation, a 17.5' rear yard balcony setback variation, a 3,075.0 square foot (38%) total floor area variation, a 5.42' building height variation, a 3 space parking space variation, a 2 space loading space variation, a variation from the requirement that curbing be provided along the perimeter of the parking lot, a variation from the requirement that open off-street parking be screened from any abutting residential lot, a variation from the requirement that off-street parking open directly upon an aisle or driveway, a variation from the requirement that 50% of the required parking spaces be enclosed, a 3.0' side yard parking setback variation, a 5.0' rear yard parking setback variation, a 705.6 square foot side yard impervious surface coverage variation, a 378.75 square foot rear yard paving impervious surface coverage variation, a 435 square foot total rear yard impervious surface coverage variation, and a variation from the requirement that multi-family dwellings not have any residential parking at grade to permit the construction of a three-story mixed use building in accordance with the plans submitted; adoption of Ordinance #2008-O-76.

Trustee Swanson moved to grant a request for a 12' south side yard setback variation, a 19.0' rear yard setback variation, a 17.5' rear yard balcony setback variation, a 3,075.0 square foot (38%) total floor area variation, a 5.42' building height variation, a 3 space parking space variation, a 2 space loading space variation, a variation from the requirement that curbing be provided along the perimeter of the parking lot, a variation from the requirement that open off-street parking be screened from any abutting residential lot, a variation from the requirement that off-street parking open directly upon an aisle or driveway, a variation from the requirement that 50% of the required parking spaces be enclosed, a 3.0' side yard parking setback variation, a 5.0' rear yard parking

setback variation, a 705.6 square foot side yard impervious surface coverage variation, a 378.75 square foot rear yard paving impervious surface coverage variation, a 435 square foot total rear yard impervious surface coverage variation, and a variation from the requirement that multi-family dwellings not have any residential parking at grade to permit the construction of a three-story mixed use building in accordance with the plans submitted, seconded by Trustee Terman.

President Canning noted that the petitioner had variations approved one year ago at the same location, he asked what was different in this request.

Jeff Strange, petitioner, said the proposed plans are different from the previous plans as they have a building that is 100 square feet smaller and allows two additional parking spaces. He likes the new layout of the proposed building as there is a central entrance for the apartments and each retail space on the first floor has its own entrance.

Trustee Watt said she is not entirely clear on how the variations for the previous plans are different from the proposed plans.

John Adler, Director of Community Development, said the largest change in plans is that the proposed building is set farther back on the property which requires a rear yard setback variation. Also, the south property line adjoins a lot which is zoned R3 and requires a 12' setback.

Trustee Watt asked if there were any regulations in the Zoning Ordinance that would prohibit a commercial building that was facing one direction from being torn down and then built facing another direction.

Mr. Adler said there are no regulations that would prohibit that and there is no larger setback requirement because the proposed building will be facing the side lot line rather than the front lot line.

Trustee Swanson said he sees only one handicap parking space in the proposed plans, he believes two spaces are required and asked that the plans be checked. He asked Mr. Strange who owned the public access road.

Mr. Strange said he owns the public access road.

Trustee Swanson asked if there would be a permanent easement provided for the proposed building if for some reason Mr. Strange wanted to sell the property.

Mr. Strange said there is a recorded easement for the public access road, which was for the benefit of the lot next door which he also owns. If he had to sell the property, he would have to legally provide an easement for the property as there is no other access to the property.

Trustee Terman said she liked the reconfiguration of the building as it is very appealing to the eye.

Trustee Spillers said she agreed with Trustee Terman that the proposed building is more appealing. She asked if Mr. Strange thought the new configuration would attract more retail opportunities.

Mr. Strange said he will be marketing the first floor for retail rather than office space.

Trustee Watt said she was concerned with the site line for cars backing out of the proposed parking area.

Mr. Strange said there is a clear view of the lot when cars pull out as there are no obstructions.

Trustee Swanson said he supported the previous request and also supports the proposed request.

Trustee Watt said she supports the request and appreciates that four rental units and an elevator are proposed for the building.

Trustee Terman said she likes the symmetry of the proposed building and the better access that is provided for all the apartments.

President Canning said he supported the previous request although he was concerned about the first floor retail space. He believes the proposed plans have improved retail space but he remains concerned and hopes that the retail space will attract the quality of tenants that will be appropriate for the area.

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

Trustee Swanson moved adoption of Ordinance #2008-O-76 authorizing the variations of this case, seconded by Trustee Watt.

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

- 6.18 Zoning Board of Appeals Report, Case #2008-Z-58, 1929 Elmwood Avenue regarding a request for a special use for a public utility service use (personal wireless telecommunications facility) to allow the installation of a cellular antenna onto an existing chimney in accordance with the plans submitted. The use shall run with the use; adoption of Ordinance #2008-O-77.

The request was handled with the Consent Agenda for a special use for a public utility service use (personal wireless telecommunications facility) to allow the installation of a cellular antenna onto an existing chimney in accordance with the plans submitted. The use shall run with the use. Ordinance #2008-O-77 was adopted with the Consent Agenda, authorizing the variations of this case.

President Canning noted that Ordinance #2008-O-70 regarding tent permit requirements had been adopted this evening. He asked Trustee Swanson to review the new requirements.

Trustee Swanson said tent permits would only be required for events that also require a temporary use approval. This would include school and church fundraisers and community events. Tent permits would only be required when the tent is to be more than 700 square feet if open sided or 350 square feet if enclosed. Tents for residential use, regardless of the size or openness, would not require a tent permit, however, all tent installations would be required to meet relevant building and fire codes, those with a residential installation may still request a courtesy inspection from the Fire Department.

6.2 FINANCE COMMITTEE REPORT:

- 6.21 Approval of September 2008 Disbursements was handled with the Consent Agenda.
- 6.22 Approval of Resolution #2008-R-32 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP) was handled with the Consent Agenda.

- 6.23 Adoption of Resolution #2008-R-31 which grants authority to file with the Cook County Property Tax Board of Appeals an objection to the reassessment appeal filed by Fifth Third Bank for its property located at 1255 Green Bay Road, for Assessment Year 2007 was handled with the Consent Agenda.

6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Presentation of minutes of the Board of Health meeting held July 23, 2008 was handled with the Consent Agenda.
- 6.32 Presentation of minutes of the Bicycle Task Force meeting held September 15, 2008 was handled with the Consent Agenda.
- 6.33 Presentation of minutes of the Fine Arts Commission meeting held September 8, 2008 was handled with the Consent Agenda.
- 6.34 Presentation of minutes of the Youth Commission meeting held June 9, 2008 was handled with the Consent Agenda.
- 6.35 Presentation of minutes of the Transportation Commission meeting held September 10, 2008 was handled with the Consent Agenda.

6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

- 6.41 Approval of contract in the amount of \$37,229 with Lenny Hoffman Excavating, Inc., Wilmette, IL for emergency sewer repairs was handled with the Consent Agenda.
- 6.42 Approval of contract in the amount of \$341,387 with Cummins NPower LLC, White Bear Lake, MN for furnishing an engine generator for the Storm Water Pumping Station was handled with the Consent Agenda.

President Canning said the generator for the Storm Water Pumping Station was discussed extensively after the August 2007 storm event. The generator is to be installed sometime in 2009.

Trustee Terman noted that the cost of the generator is approximately half the cost that was originally proposed.

6.5 PUBLIC SAFETY COMMITTEE REPORT:

- 6.51 Presentation of minutes of the Public Safety Committee meeting held October 2, 2008 was handled with the Consent Agenda.
- 6.52 Adoption of Ordinance #2008-O-67 authorizing the sale of a 1989 Fire Engine to Northeastern Illinois Public Safety Training Academy (NIPSTA) in the amount of \$24,000 was handled with the Consent Agenda.

6.6 JUDICIARY COMMITTEE REPORT:

- 6.61 Presentation of minutes of the Judiciary Committee meeting held July 8, 2008 was handled with the Consent Agenda.

7.0 REPORTS FROM SPECIAL COMMITTEES:

No Reports.

8.0 UNFINISHED BUSINESS:

- 8.1 Notice of vacancy on the 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 Community Relations Commission due to the term expiration of Shahid Siddiqui was handled with the Consent Agenda.
- 8.7 Notice of vacancy on the Youth Commission due to the term expiration of Craig Crawford was handled with the Consent Agenda.

- 8.8 Notice of vacancy on the Board of Health due to the term expiration of Diana Hackbarth was handled with the Consent Agenda.
- 8.9 Notice of vacancy on the Youth Commission due to the term expiration of Melissa Miller was handled with the Consent Agenda.
- 8.91 Notice of vacancy on the Fine Arts Commission due to the term expiration of Peter Yang was handled with the Consent Agenda.
- 8.92 Notice of vacancy on the Historic Preservation Commission due to the term expiration of Martin Jaffe was handled with the Consent Agenda.
- 8.93 Notice of vacancy on the Youth Commission due to the term expiration of Sheila Bower was handled with the Consent Agenda.
- 8.94 Notice of vacancy on the Historic Preservation Commission due to the resignation of Paul Schwab was handled with the Consent Agenda.
- 8.95 Reappointment of Emily Swann to the Youth Commission from October 2008 to October 2009 was handled with the Consent Agenda.
- 9.0 NEW BUSINESS:
 - 9.1 Notice of vacancy on the Housing Commission due to the term expiration of John Thomason was handled with the Consent Agenda.
 - 9.2 Recommendation of appointment of Joan Evans to the Youth Commission from November 2008 to November 2011 was handled with the Consent Agenda.
 - 9.3 Designation of Linda Kurtz as chair of the Board of Health was handled with the Consent Agenda.
 - 9.4 Discussion of Village agenda items for November 13, 2008 Intergovernmental Cooperation Committee meeting.

President Canning noted that the Intergovernmental Cooperation Committee meets twice a year. The Village Manager has suggested the Village discuss the following agenda items: 2009 Budget/2008 Property Tax Levy, Sheridan road Improvements, Green Bay Road Traffic Signal Improvements.

Trustee Terman said she believed the Food Pantry/Social Services would be an item she would like New Trier Township to discuss.

Trustee Watt said she would also like to discuss the impact of the current economy on residents.

10.0 ADJOURNMENT:

Trustee Terman moved to adjourn the meeting at 8:37 p.m., seconded by Trustee Watt. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk