



# VILLAGE OF WILMETTE

1200 Wilmette Avenue  
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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 22, 2009.**

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Item:

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

1.0 ROLL CALL:

President	Christopher S. Canning
Trustees	Alan Swanson
	Michael W. Basil
	Karen Spillers
	Mari D. Terman
	Ted McKenna
	Cameron Krueger

Staff Present: Timothy J. Frenzer, Village Manager  
 Kathleen Gargano, Assistant Village Manager  
 Michael F. Zimmermann, Corporation Counsel  
 Barbara L. Hirsch, Deputy Village Clerk  
 Michael Braiman, Assistant to the Village Manager  
 John Adler, Director of Community Development  
 Bob Amoruso, Finance Director

2.0 APPROVAL OF MINUTES:

2.1 Trustee Terman moved approval of minutes of the Regular Board meeting held September 8, 2009, seconded by Trustee Basil. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

#### 4.0 REPORTS OF OFFICERS:

No Reports.

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

- 6.11 Temporary Use Permit #2009-TU-28 for the St. Francis and St. Joseph Schools Homecoming Football Game Event to be held on October 2, 2009 at Howard Park.
- 6.12 Temporary Use Permit #2009-TU-30 for the Christensen Animal Hospital Open House and Pet Adoption Event to be held on October 18, 2009.
- 6.13 Authorization of Village Manager to execute a contract, with The Lakota Group, Chicago, IL for Village Center Master Plan consulting services.
- 6.14 Adoption of Resolution #2009-R-28 stating the Village's intention to promote the 2010 United States Census.
- 6.15 Adoption of Ordinance #2009-O-58 granting variations in order to permit the retention of a greenhouse addition to a detached garage at 535 Lavergne Avenue, and on the condition that all other requirements of the Zoning Ordinance be complied with.
- 6.16 Z BA Report, Case #2009-Z-41, 1718 Forest Avenue regarding a request for variations to allow the installation of a sport court and the retention of fencing on a lot without a principal structure in accordance with the plans submitted; adoption of Ordinance #2009-O-59.
- 6.17 ZBA Report, Case #2009-Z-43, 1515 Sheridan Road regarding a request for a special use for a limited service restaurant (No Man's Land Pizza and Grill) in accordance with the plans submitted. The special use shall run with the use; adoption of Ordinance #2009-O-60.
- 6.18 ZBA Report, Case #2009-Z-44, 1225 Wilmette Avenue regarding a request for a special use for an overnight dog boarding service in accordance with the plans submitted. The use shall run with the use; adoption of Ordinance #2009-O-61.
- 6.19 ZBA Report, Case #2009-Z-45, 1212 21<sup>st</sup> Street regarding a request for variations to allow the construction of a two-story addition on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2009-O-62.
- 6.21 Approval of Resolution #2009-R-31 to write off unclaimed flex plan balances from fiscal year 2008.
- 6.22 Adoption of Resolution #2009-R-29, which grants authority to file with the Cook County Property Tax Board of Appeals an objection to the reassessment appeal filed by GER Wilmette, LLC concerning 3201 Old Glenview Road, for Assessment Year 2007.

- 6.23 Presentation of the December 31, 2009 Single Audit Report and Auditor's Management Letter – Referral to Finance Committee.
- 6.24 Approval of Resolution #2009-R-30 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP).
- 6.25 Presentation of the July 31, 2009 Revenue and Expense Report.
- 6.26 Presentation of the July 31, 2009 Treasurer's Report of Cash Receipts and Disbursements.
- 6.27 Presentation of the July 31, 2009 Cash and Investments Summary.
- 6.28 Approval of August 2009 Disbursements.
  
- 6.31 Minutes, Bicycle Task Force.
- 6.32 Approval of one-year retainer agreement with Raysa & Zimmermann, LLC for Corporation Counsel services.
  
- 6.41 Approval of contract extension, KGI Landscaping Company, Skokie, IL for snowplowing parking lots.
- 6.42 Approval of contract extension, Wayne Endre Contracting, Wilmette, IL for snowplowing cul-de-sacs.
- 6.43 Approval of contract extension, Temple Display Ltd., Oswego, IL for holiday light decorations and a request for the allocation of additional funds in the General Fund Holiday Decorations account, and the Public Parking – CTA Station and Public Parking - Village Center contractual accounts.
  
- 8.1 Notice of vacancy, Board of Health.
- 8.2 Notice of vacancy, Housing Commission.
- 8.3 Notice of vacancy, Community Relations Commission.
- 8.4 Notice of vacancy, Board of Health.
- 8.5 Notice of vacancy, Fine Arts Commission.
- 8.6 Notice of vacancy, Housing Commission.
- 8.7 Notice of vacancy, Commission for Persons with Disabilities.
- 8.8 Notice of vacancy, Board of Health.
- 8.9 Notice of vacancy, Historic Preservation Commission.
- 8.91 Notice of vacancy, Fine Arts Commission.
- 8.92 Notice of vacancy, Youth Commission.
- 8.93 Notice of vacancy, Youth Commission.
- 8.94 Notice of vacancy, Community Relations Commission.
- 8.95 Appointment, Zoning Board of Appeals.
  
- 9.1 Notice of vacancy, Youth Commission.

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

- 4.2 Introduction of Mike Boyer who is recommended for appointment to the Zoning Board of Appeals.

President Canning noted Mr. Boyer was not present.

- 4.3 Announcement of appointment of Michael F. Zimmermann as Corporation Counsel.

Village Manager Timothy Frenzer announced the appointment of Michael F. Zimmermann as Corporation Counsel for the Village. He summarized Mr. Zimmermann's accomplishments noting his extensive experience in municipal law. Mr. Frenzer is confident Mr. Zimmermann will work well with the Village Board and Village staff.

Mr. Zimmermann thanked Mr. Frenzer and the Village Board. He introduced Jeff Goldstein and John Zimmerman from his law firm, and said they look forward to working with the Village Board and Village staff.

5.0 REPORT OF THE LIQUOR CONTROL COMMISSIONER:

No Report.

6.0 STANDING COMMITTEE REPORTS:

6.1 LAND USE COMMITTEE REPORT:

6.11 Approval of Temporary Use Permit #2009-TU-28 for the St. Francis and St. Joseph Schools Homecoming Football Game Event to be held on October 2, 2009 at Howard Park was handled with the Consent Agenda.

6.12 Approval of Temporary Use Permit #2009-TU-30 for the Christensen Animal Hospital Open House and Pet Adoption Event to be held on October 18, 2009 was handled with the Consent Agenda.

6.13 Authorization of Village Manager to execute a contract in an amount not to exceed \$124,128 with The Lakota Group, Chicago, IL for Village Center Master Plan consulting services was handled with the Consent Agenda.

- 6.14 Adoption of Resolution #2009-R-28 stating the Village's intention to promote the 2010 United States Census was handled with the Consent Agenda.
- 6.15 Adoption of Ordinance #2009-O-58 granting a 66.55 square foot (1.25%) lot coverage variation and a 92.4 square foot (8.75%) rear yard structure impervious surface coverage variation, in order to permit the retention of a greenhouse addition to a detached garage at 535 Lavergne Avenue, and on the condition that all other requirements of the Zoning Ordinance be complied with.

Ordinance #2009-O-58 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.16 Zoning Board of Appeals Report, Case #2009-Z-41, 1718 Forest Avenue regarding a request for a 768.37 square foot (36.46%) rear yard structure impervious surface coverage variation, a 241.5 square foot (11.46%) rear yard total impervious surface coverage variation and a variation to allow the installation of a sport court and the retention of fencing on a lot without a principal structure in accordance with the plans submitted; adoption of Ordinance #2009-O-59.

The request was handled with the Consent Agenda for a 768.37 square foot (36.46%) rear yard structure impervious surface coverage variation, a 241.5 square foot (11.46%) rear yard total impervious surface coverage variation and a variation to allow the installation of a sport court and the retention of fencing on a lot without a principal structure in accordance with the plans submitted. Ordinance #2009-O-59 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.17 Zoning Board of Appeals Report, Case #2009-Z-43, 1515 Sheridan Road regarding a request for a special use for a limited service restaurant (No Man's Land Pizza and Grill) in accordance with the plans submitted. The special use shall run with the use; adoption of Ordinance #2009-O-60.

The request was handled with the Consent Agenda for a special use for a limited service restaurant (No Man's Land Pizza and Grill) in accordance with the plans submitted. The special use shall run with the use. Ordinance #2009-O-60 59 was adopted with the Consent Agenda, authorizing the special use of this case.

- 6.18 Zoning Board of Appeals Report, Case #2009-Z-44, 1225 Wilmette Avenue regarding a request for a special use for an overnight dog boarding service in accordance with the plans submitted. The use shall run with the use; adoption of Ordinance #2009-O-61.

The request was handled with the Consent Agenda for a special use for an overnight dog boarding service in accordance with the plans submitted. The use shall run with the use. Ordinance #2009-O-61 was adopted with the Consent Agenda, authorizing the special use of this case.

- 6.19 Zoning Board of Appeals Report, Case #2009-Z-45, 1212 21<sup>st</sup> Street regarding a request for a 131.6 square foot (2.17%) total floor area variation to allow the construction of a two-story addition on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2009-O-62.

The request was handled with the Consent Agenda for a 131.6 square foot (2.17%) total floor area variation to allow the construction of a two-story addition on the legal nonconforming structure in accordance with the plans submitted. Ordinance #2009-O-62 was adopted with the Consent Agenda, authorizing the variation of this case.

## 6.2 FINANCE COMMITTEE REPORT:

- 6.21 Approval of Resolution #2009-R-31 to write off unclaimed flex plan balances from fiscal year 2008 was handled with the Consent Agenda.
- 6.22 Adoption of Resolution #2009-R-29, which grants authority to file with the Cook County Property Tax Board of Appeals an objection to the reassessment appeal filed by GER Wilmette, LLC concerning 3201 Old Glenview Road, for Assessment Year 2007 was handled with the Consent Agenda.
- 6.23 Presentation of the December 31, 2009 Single Audit Report and Auditor's Management Letter – Referral to Finance Committee was handled with the Consent Agenda.
- 6.24 Approval of Resolution #2009-R-30 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP) was handled with the Consent Agenda.
- 6.25 Presentation of the July 31, 2009 Revenue and Expense Report was handled with the Consent Agenda.

- 6.26 Presentation of the July 31, 2009 Treasurer's Report of Cash Receipts and Disbursements was handled with the Consent Agenda.
- 6.27 Presentation of the July 31, 2009 Cash and Investments Summary was handled with the Consent Agenda.
- 6.28 Approval of August 2009 Disbursements was handled with the Consent Agenda.

6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Presentation of minutes of the Bicycle Task Force meeting held June 8, 2009 was handled with the Consent Agenda.
- 6.32 Approval of one-year legal services agreement with the law firm of Raysa & Zimmermann, LLC of Park Ridge, IL was handled with the Consent Agenda.
- 6.33 Discussion of pending changes to Solid Waste Collection.

Village Manager Timothy Frenzer reviewed the report presented to the Village Board noting the current waste collection service contract expires at the end of the year. The Village has gone to an RFP process to seek proposals to continue the waste service. Currently, the Village has back door pick-up for those residents who do not have alley service, and a green bin for recyclables. The results from the RFP process has indicated that continuing the current method of back door pick-up will be quite expensive, raising the cost of the service approximately 30%. The two companies that the Village is negotiating with have also provided rates for the elimination of back door refuse pick-up (alley customers will continue to receive alley service) and the implementation of 95 gallon refuse toters and 65 gallon recycling toters.

President Canning said the item was placed on the agenda to provide residents an opportunity to express their comments.

Anna Bandeali, 644 Pine Street, said she believes the issue deserves much more attention from the residents. She would like to see the current system retained as putting out garbage containers causes hardship and is messy. She would be willing to pay more for the current system of back door pick-up.

Mr. Frenzer said the current charge for refuse collection only covers about 85% of the cost, the other 15% comes out of the property tax levy.

Peter Koelle, 640 Pine Street, said he sent a letter to the Village noting that he did not want the current level of service changed. The current back door pick-up service is reliable, and it would be a problem for many residents to take a large container to the curb. He was also concerned with animals eating through the plastic garbage cans and hauling the toters through snow. He believes the additional cost, divided among residents, should be minimal.

John Houston, 309 Driftwood Lane, said he would like to see the current service maintained and also believed the additional cost, divided among residents, should be minimal.

Frank Candioto, 220 Maple Avenue, said he was also concerned with animals getting into the proposed plastic garbage cans, and trying to haul heavy toters out to the curb. He would like to see the additional cost added to the property tax levy.

Davita Fruchter, 3239 Central, said she agrees with the comments from previous residents and is also concerned with how the refuse toters will look in the community. She would like to have the option of paying extra for backdoor pick-up.

Margo Turner, 725 Locust Road, said she objects to garbage being put out on the street as it lowers the standard of living in the community. She also believes taking toters to the curb would be difficult for elderly residents. She would like the option of using another garbage service for back door pick-up.

Paul Plotnik, 3133 Hill Lane, said he has metal garbage cans that are elevated due to animals previously getting into his garbage. His property has a carriage walk and is very difficult to manage during the winter snows. He would like the back door pick-up service to continue.

David Shaw, 804 Chestnut, said he lives in a townhouse where a common driveway is shared and would make taking toters to the curb almost impossible.

Georgia Gebhardt, Linden Village Townhome Association, said her townhome association does not have any place to store the proposed toters. She would like her Association to be involved in the process for the next waste hauling service contract.



Mike Shipley, 315 Linden, said he agrees with previous residents comments and would like to emphasize the unsightly appearance of garbage totes being left at the curb. He would like to see the current system retained.

Mary Rose Keleher, 3115 Central, said she agreed with previous residents' comments. She also wonders what would happen if she goes out of town and the garbage sits around for two weeks, she believes it would be a health hazard.

President Canning thanked the residents for their input.

Trustee Basil suggested having a sample toter at Village Hall so residents can see how to handle them.

6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

6.41 Approval of contract extension at a rate of \$2,787.39 for snow accumulations of 2" – 8" and \$4,307.04 for events of 8" or more, a total estimated cost of 32,432.82 with KGI Landscaping Company, Skokie, IL for snowplowing parking lots was handled with the Consent Agenda.

6.42 Approval of contract extension at a rate of \$8,439.67 for snow accumulations of 4" – 8" and \$11,473.87 for events of 8" or more, a total estimated cost of \$36,792.88 with Wayne Endre Contracting, Wilmette, IL for snowplowing cul-de-sacs was handled with the Consent Agenda.

6.43 Approval of contract extension in the amount of \$33,232.29 with Temple Display Ltd., Oswego, IL for holiday light decorations and a request for the allocation of additional funds in the General Fund Holiday Decorations account, and the Public Parking – CTA Station and Public Parking - Village Center contractual accounts was handled with the Consent Agenda.

6.5 PUBLIC SAFETY COMMITTEE REPORT:

No Reports.

6.6 JUDICIARY COMMITTEE REPORT:

No Reports.

7.0 REPORTS FROM SPECIAL COMMITTEES:

No Reports.

8.0 UNFINISHED BUSINESS:

- 8.1 Notice of vacancy on the Board of Health due to the term expiration of Malcolm Hast was handled with the Consent Agenda.
- 8.2 Notice of vacancy on the Housing Commission due to the term expiration of Marilyn Schaffer was handled with the Consent Agenda.
- 8.3 Notice of vacancy on the Community Relations Commission due to the term expiration of Shahid Siddiqui was handled with the Consent Agenda.
- 8.4 Notice of vacancy on the Board of Health due to the term expiration of Diana Hackbarth was handled with the Consent Agenda.
- 8.5 Notice of vacancy on the Fine Arts Commission due to the term expiration of Peter Yang was handled with the Consent Agenda.
- 8.6 Notice of vacancy on the Housing Commission due to the term expiration of John Thomason was handled with the Consent Agenda.
- 8.7 Notice of vacancy on the Commission for Persons with Disabilities due to the resignation of Sally Schiller was handled with the Consent Agenda.
- 8.8 Notice of vacancy on the Board of Health due to the term expiration of Kenneth Krebs was handled with the Consent Agenda.
- 8.9 Notice of vacancy on the Historic Preservation Commission due to the term expiration of Neal Vogel was handled with the Consent Agenda.
- 8.91 Notice of vacancy on the Fine Arts Commission due to the resignation of Philip Simmons was handled with the Consent Agenda.
- 8.92 Notice of vacancy on the Youth Commission due to the resignation of Emily Swann was handled with the Consent Agenda.
- 8.93 Notice of vacancy on the Youth Commission due to the resignation of Nicole Kukulka was handled with the Consent Agenda.

8.94 Notice of vacancy on the Community Relations Commission due to the term expiration of Robert Gordon was handled with the Consent Agenda.

8.95 Appointment of Mike Boyer to the Zoning Board of Appeals from September 2009 to September 2014 was handled with the Consent Agenda.

9.0 NEW BUSINESS:

9.1 Notice of vacancy on the Youth Commission due to the resignation of Dennis Allen was handled with the Consent Agenda.

10.0 ADJOURNMENT:

Trustee moved to adjourn the meeting at Basil 8:17 p.m., seconded by Trustee Spillers. All voted aye, the motion carried.

Barbara L. Hirsch  
Deputy Village Clerk