



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, MARCH 9, 2010.

Item:

The Village President called the meeting to order at 7:45 p.m.

1.0 ROLL CALL:

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

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| Staff Present: | Timothy J. Frenzer, Village Manager |
| | Kathleen Gargano, Assistant Village Manager |
| | Michael F. Zimmermann, Corporation Counsel |
| | Barbara L. Hirsch, Deputy Village Clerk |
| | John Adler, Director of Community Development |
| | Brian King, Chief of Police |
| | Kyle Perkins, Deputy Chief of Police |
| | Bob Amoruso, Finance Director |

2.0 APPROVAL OF MINUTES:

2.1 Trustee Terman moved approval of minutes of the Regular Board meeting held February 23, 2010, seconded by Trustee Basil. All voted aye, the motion carried.

2.2 Trustee Terman move approval of minutes of the Special Board meeting held February 23, 2010, 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 McKenna removed item 6.31. Trustee Terman moved approval of the Consent Agenda as follows:

- 6.11 Minutes, Appearance Review Commission.
- 6.12 Temporary Use Permit #2010-TU-02 for the St. Augustine's Plant Sale to be held May 2010.
- 6.13 Approval of contract with TPI Building Code Consultants Inc., St. Charles, IL for Plan Review and Inspectional Services.
- 6.14 Z BA Report, Case #2010-Z-04, 617 Hibbard Road regarding a revised request for variations for the reconstruction of an existing carport and the construction of a second story addition on a legal nonconforming structure in accordance with the plans as submitted; adoption of Ordinance #2010-O-20.
- 6.15 Z BA Report, Case #2010-Z-05, 741 Westwood Lane regarding a request for variations to permit the installation of an emergency stand-by generator in accordance with the plans submitted; adoption of Ordinance #2010-O-21.
- 6.16 Z BA Report, Case #2010-Z-07, 687 Sheridan Road regarding a request for variations to permit the construction of a one-story rear addition and second floor dormer addition on a legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2010-O-22.

- 6.41 Approval of extension of contract, Morton International, Chicago, IL for the purchase of rock salt through the 2010-2011 Illinois Joint Purchasing Agreement.
- 6.42 Approval of contract, Trees "R" Us, Inc., Wauconda, IL for parkway ash tree removal.
- 6.43 Approval of contracts, among the following companies: St. Aubin Nursery, Kirkland, IL; Mike Greco Landscaping Inc., Gurnee, IL; Arthur Weiler Nursery, Zion, IL, and The TLC Group Ltd., Clarendon Hills, IL for tree planting.
- 6.44 Approval of contract, Lenny Hoffman Excavating, Inc., Wilmette, IL for the 2010 Sewer Repair and Valve Installation Program.

- 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 Notice of vacancy, Youth Commission.
- 8.96 Notice of vacancy, Historic Preservation Commission.
- 8.97 Notice of vacancy, Fine Arts Commission.
- 8.98 Notice of vacancy, Historic Preservation Commission.
- 8.99 Notice of vacancy, Appearance Review Commission.

- 9.1 Reappointment, Building Code Board of Appeal.
- 9.2 Reappointment, Environmental and Energy Commission.
- 9.3 Notice of vacancy, Community Relations Commission.
- 9.4 Notice of vacancy, Police Pension Fund Board of Trustees.

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 Presentation of Life Saving Award to Sergeant Michael McGarry.

Kyle Perkins, Deputy Chief of Police, recognized Sergeant Michael McGarry, summarized the event and presented him with the Life Saving Award.

4.3 Recognition of Detective Bureau for work on a complex drug conspiracy investigation.

Brian King, Chief of Police, summarized the investigation, and recognized the following Police Officers; Roger Ockrim, Michael Robinson, Solveig Sullivan, David Sweet, Kyle Murphy, and Landon Girard.

4.4 Report from Veolia Waste Management Services regarding changes to the Solid Waste Collection.

Jeff Hayes, General Manager for Veolia Environmental Services, highlighted the changes of the new solid waste collection reminding residents to check the brochure that was mailed and will also be placed inside the new carts for the change in collection days. He noted that all the new carts will be delivered the week of March 22 and the new collection days will begin March 29.

Village Manager Timothy Frenzer said information regarding the new collection is on Channel 6, the Village website and phone call reminders will also go out the weekend before March 29.

Trustee Terman asked what could be done with the old green recycling boxes and old trash cans.

Mr. Hayes said the green recycling boxes may be used as a storage container, dropped off at the Public Works Department for recycling or put out with the trash. Trash cans may also be put out with the trash with a note asking Veolia to take the trash can.

Trustee Basil asked what could be done with the wooden platforms that currently elevate the trash cans.

Mr. Hayes said those could also be put out with the trash to be collected.

Trustee Krueger asked if there is a cost for an additional container.

Mr. Hayes said there is a charge for additional trash containers but not an additional charge for picking up more than one container of trash.

President Canning asked when yard waste would be picked up under the new system.

Mr. Hayes said yard waste will be collected on Wednesdays only and must be placed at the curb in a bag or cart with the Village stickers.

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 February 1, 2010 was handled with the Consent Agenda.

6.12 Approval of Temporary Use Permit #2010-TU-02 for the St. Augustine's Plant Sale to be held May 2010 was handled with the Consent Agenda.

6.13 Approval of contract with TPI Building Code Consultants Inc., St. Charles, IL for Plan Review and Inspectional Services was handled with the Consent Agenda.

6.14 Zoning Board of Appeals Report, Case #2010-Z-04, 617 Hibbard Road regarding a revised request for a 2.2' side yard setback variation for the reconstruction of an existing carport and a 0.68' combined side yard setback variation to permit the construction of a second story addition on a legal nonconforming structure in accordance with the plans as submitted; adoption of Ordinance #2010-O-20.

The request was handled with the Consent Agenda for a 2.2' side yard setback variation for the reconstruction of an existing carport and a 0.68' combined side yard setback variation to permit the construction of a second story addition on a legal nonconforming structure in accordance with the plans as submitted.

Ordinance #2010-O-20 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.15 Zoning Board of Appeals Report, Case #2010-Z-05, 741 Westwood Lane regarding a request for a 3.0' side yard generator setback variation and a 1.65 decibel variation to permit the installation of an emergency stand-by generator in accordance with the plans submitted; adoption of Ordinance #2010-O-21.

The request was handled with the Consent Agenda for a 3.0' side yard generator setback variation and a 1.65 decibel variation to permit the installation of an emergency stand-by generator in accordance with the plans submitted. Ordinance #2010-O-21 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.16 Zoning Board of Appeals Report, Case #2010-Z-07, 687 Sheridan Road regarding a request for a 223.15 square foot lot coverage variation and a 3,215.94 square foot total floor area variation to permit the construction of a one-story rear addition and second floor dormer addition on a legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2010-O-22.

The request was handled with the Consent Agenda for a 223.15 square foot lot coverage variation and a 3,215.94 square foot total floor area variation to permit the construction of a one-story rear addition and second floor dormer addition on a legal nonconforming structure in accordance with the plans submitted. Ordinance #2010-O-22 was adopted with the Consent Agenda, authorizing the variations of this case.

- 6.17 Zoning Board of Appeals Report, Case #2010-Z-06, 103 Sixteenth Street regarding a request for a 156.44 square foot total floor area variation, a 15.79' front yard setback variation, a 4.3' minimum side yard setback variation, a 0.71' minimum side yard setback variation, a 7.59' combined side yard setback variation, a 12.79' front yard eave setback variation, a 3' side yard eave setback variation, and a 4.21' side yard eave setback variation to permit the construction of a second story addition on a legal nonconforming structure in accordance with the plans submitted.

Trustee Swanson moved to grant a request for a 156.44 square foot total floor area variation, a 15.79' front yard setback variation, a 4.3' minimum side yard setback variation, a 0.71' minimum side yard setback variation, a 7.59' combined side yard setback variation, a 12.79' front yard eave setback variation, a 3' side yard eave setback variation, and a 4.21' side yard eave setback variation to permit the construction of a second story addition on a legal nonconforming structure in accordance with the plans submitted, seconded by Trustee Basil.

President Canning noted that the applicant David Shaer and DonnaLee Floeter, his architect, were present.

President Canning said the request received a negative recommendation from the Zoning Board of Appeals. He said there is a memo attached to the ZBA report noting that there are new plans that have been drafted by Mr. Shaer's architect. The memo notes that the case may be voted on this evening or remanded back to the ZBA on March 17 to review the new plans. President Canning said it would be his preference to have the new plans reviewed by the ZBA and then come back to the Village Board.

Trustee Swanson said he agreed with President Canning particularly in light of the fact that previously there was a zoning change requested and granted on the property. In reading the report, the ZBA had questions regarding the previous drawings presented and he would prefer that they review the new drawings.

Trustee Swanson moved to remand item 6.18 back to the Zoning Board of Appeals to be heard at the March 17 meeting, seconded by Trustee Terman. All voted aye, the motion carried.

- 6.18 Adoption of Ordinance #2010-O-4 placing a moratorium on certain construction, zoning relief and subdivisions in the Village Center Study Area.

Trustee Swanson moved adoption of Ordinance #2010-O-4 placing a moratorium on certain construction, zoning relief and subdivisions in the Village Center Study Area, seconded by Trustee Terman.

Trustee Swanson said the matter was heard before the Land Use Committee and the proposed Ordinance was recommended by a 2-1 vote. He said the study is underway and will be completed shortly. He does not believe there is a problem in waiting for the completed study to provide development direction. The Land Use Committee recommended revising the study to exclude residential properties and define "new construction".

Trustee Swanson moved to amend the motion to say "The commercially zoned area of land bounded on the north by the Lake Avenue right of way, the south by the Linden Avenue right of way; on the west by the western most lot lines of the properties in the VC and GC1 Zoning Districts as depicted on the Wilmette Zoning Map; and on the east by the limits of the VC zoning district east of the Green Bay Road right of way" seconded by Trustee Terman.

Voting yes: Trustees Swanson, Spillers, Terman, McKenna, Krueger and President Canning. Voting no: Trustee Basil. The motion carried.

Trustee Basil said he believes that all the Trustees want what is best for Wilmette and he apologized if his previous words regarding the moratorium offended anyone. He believes the moratorium is a terrible idea as it sends the wrong message to the community of developers. He does not believe the Lakota Group, who is performing the study, has a monopoly on great ideas to improve downtown

Wilmette. He believes a moratorium is sending the message that Wilmette is closed to new ideas to improve their downtown and that is the wrong message to send in this economic climate.

Trustee Spillers said she agrees with Trustee Basil that all the Trustees want what is best for the community. She disagrees that the moratorium is sending the wrong message as the Village is always open to new ideas and the moratorium is only for downtown Wilmette for a very short time. She likes the Village Center Study as it includes professionals, the development community, the residents and the Village Board to come up with a Master Plan. She believes it is the Board's job to do what is best for the community for the long term.

Trustee Terman said she supports what Trustee Spillers said. She said the moratorium is for a short period of time and will not stop creativity or construction planning.

Trustee McKenna said he concurs with his fellow Trustees in support of the moratorium. He believes the moratorium is important so that builders will have clear direction to navigate through the development process.

Trustee Krueger said he has voiced his comments at the previous Board meeting. He does believe the amendment to the Ordinance is good and valid. He believes the proposed ordinance treads on personal property rights and the Board could block any development without the moratorium. He thinks it sends the message that Wilmette is closed to development, not business friendly and counter-productive to what Wilmette is trying to achieve.

President Canning thanked the Land Use Committee for their amendments. His memo regarding the moratorium reiterates his comments.

Voting yes: Trustees Swanson, Spillers, Terman, McKenna, and President Canning. Voting no: Trustees Basil and Krueger. The motion carried.

6.2 FINANCE COMMITTEE REPORT:

No Report.

6.3 ADMINISTRATION COMMITTEE REPORT:

6.31 Adoption of Resolution #2010-R-13 approving the 2010 Housing Assistance Program Guidelines.

Trustee Spillers moved adoption of Resolution #2010-R-13 approving the 2010 Housing Assistance Program Guidelines, seconded by Trustee Terman.

Trustee McKenna noted that the Resolution is very specific in its guidelines for financial help for those residents who are disabled and incapable of putting garbage toters out at the curb.

Voting yes: Trustees Swanson, Basil, Spillers, Terman, McKenna, Krueger and President Canning. Voting no: The motion carried.

6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

6.41 Approval of extension of contract with Morton International, Chicago, IL for the purchase of rock salt through the 2010-2011 Illinois Joint Purchasing Agreement was handled with the Consent Agenda.

6.42 Approval of contract in the amount of \$88,000 with Trees “R” Us, Inc., Wauconda, IL for parkway ash tree removal was handled with the Consent Agenda.

6.43 Approval of contracts in an amount not to exceed \$44,470 distributed among the following companies: St. Aubin Nursery, Kirkland, IL; Mike Greco Landscaping Inc., Gurnee, IL; Arthur Weiler Nursery, Zion, IL, and The TLC Group Ltd., Clarendon Hills, IL for tree planting was handled with the Consent Agenda.

6.44 Approval of contract in the amount of \$297,363.75 with Lenny Hoffman Excavating, Inc., Wilmette, IL for the 2010 Sewer Repair and Valve Installation Program was handled with the Consent Agenda.

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 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 Notice of vacancy on the Youth Commission due to the resignation of Dennis Allen was handled with the Consent Agenda.
- 8.96 Notice of vacancy on the Historic Preservation Commission due to the term expiration of Richard Brill was handled with the Consent Agenda.
- 8.97 Notice of vacancy on the Fine Arts Commission due to the term expiration of Mary Ann Grannemann was handled with the Consent Agenda.
- 8.98 Notice of vacancy on the Historic Preservation Commission due to the term expiration of William Shapiro was handled with the Consent Agenda.

8.99 Notice of vacancy on the Appearance Review Commission due to the term expiration of James Kalas was handled with the Consent Agenda.

9.0 NEW BUSINESS:

9.1 Reappointment of Kent Nusekabel to the Building Code Board of Appeal from March 2010 to March 2015 was handled with the Consent Agenda.

9.2 Reappointment of Karen Glennemeier to the Environmental and Energy Commission from March 2010 to March 2013 was handled with the Consent Agenda.

9.3 Notice of vacancy on the Community Relations Commission due to the term expiration of Gerald Smith was handled with the Consent Agenda.

9.4 Notice of vacancy on the Police Pension Fund Board of Trustees due to the term expiration of David Farina was handled with the Consent Agenda.

10.0 ADJOURNMENT:

Trustee Terman moved to adjourn the meeting at 8:39 p.m., seconded by Trustee Basil. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk