



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, MAY 11, 2010.

Item:

The Village President called the meeting to order at 7:39 p.m.

1.0 ROLL CALL:

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

Absent: Karen Spillers

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
	Lisa Roberts, Assistant Director of Community Development
	Jim Dominik, Fire Chief
	Michael McGreal, Assistant Fire Chief

2.0 APPROVAL OF MINUTES:

2.1 Trustee Terman moved approval of minutes of the Regular Board meeting held April 27, 2010, seconded by Trustee Basil. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

Barbara Clayton, 1321 Maple Avenue, thanked the Village Board for the time they give to serve the Village. She is glad that the Village Board voted to maintain the seasonal ban on gas powered leaf blowers and anticipates that the Judiciary Committee will be able to develop an effective and economically feasible enforcement policy as soon as possible. She wonders what will happen next to pursue Trustee Krueger's possible pollution reduction strategies to improve the environmental quality in Wilmette that were mentioned at the April 27 meeting. She also wondered why the Environmental and Energy Commission Report was not available at the last Village Board meeting and how and when to ask more specific questions at a Board meeting.

4.0 REPORTS OF OFFICERS:

Village Manager Timothy Frenzer said the May 25, 2010 Regular Village Board meeting will be held at the Historical Museum, 609 Ridge Road, due to installation of a new sound/cable system in the Council Chambers.

Mr. Frenzer said the United States Census Bureau will be going door to door to contact those residents who did not mail in the census form. He asked all residents to cooperate with the census workers as the information is valuable to the Village of Wilmette.

4.1 Consent Agenda. Trustee Krueger removed item 6.41. Trustee Terman moved approval of the remaining items of the Consent Agenda as follows:

- 6.11 Temporary Use #2010-TU-08 for St. Francis Xavier School to be held on Saturday, June 12, 2010 from 3:00 p.m. to 10:30 p.m.
- 6.21 Presentation of the January 31, 2010 Revenue and Expense Report.
- 6.22 Presentation of the January 31, 2010 Treasurer's Report of Cash Receipts and Disbursements.
- 6.23 Presentation of the January 31, 2010 Cash and Investments Summary.
- 6.24 Presentation of the February 28, 2010 Revenue and Expense Report.
- 6.25 Presentation of the February 28, 2010 Treasurer's Report of Cash Receipts and Disbursements.
- 6.26 Presentation of the February 28, 2010 Cash and Investments Summary.
- 6.27 Approval of the February 2010 Disbursements.
- 6.31 Minutes, Youth Commission.
- 6.32 Minutes, Youth Commission.
- 6.33 Minutes, Transportation Commission.

- 6.34 Adoption of Ordinance #2010-O-29 authorizing the disposal of surplus Village-owned furniture, as currently stored at the Public Works Facility, 711 Laramie, Wilmette, Illinois.

- 6.61 Minutes, Judiciary Committee.
- 6.62 Minutes, Judiciary Committee.
- 6.63 Minutes, Judiciary Committee.
- 6.64 Adoption of Ordinance #2010-O-27 amending the Village Code, Chapter 11 to amend the terms of the Class K Liquor License to allow up to 40 patrons instead of the current limit of 30.
- 6.65 Adoption of Ordinance #2010-O-28 amending the Village Code, Chapter 11 to amend the terms of the Class L Liquor license to change allowable seating configuration and capacity as well as minimum and maximum square footage of eligible stores.

- 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.
- 8.991 Notice of vacancy, Community Relations Commission.
- 8.992 Notice of vacancy, Youth Commission.
- 8.993 Notice of vacancy, Appearance Review Commission.

- 9.1 Reappointment, Police Pension Fund Board of Trustees.
- 9.2 Reappointment, Transportation Commission.

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

4.2 Announcement of Black History Month Contest Results.

Gerald Smith, Chair of the Community Relations Commission, announced that the winner of the Black History Month Contest was Miriam Rovin who is in third grade at Romona School.

President Canning congratulated Ms. Rovin and presented her with a plaque of appreciation.

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 #2010-TU-08 for St. Francis Xavier School to be held on Saturday, June 12, 2010 from 3:00 p.m. to 10:30 p.m. was handled with the Consent Agenda.

6.2 FINANCE COMMITTEE REPORT:

6.21 Presentation of the January 31, 2010 Revenue and Expense Report was handled with the Consent Agenda.

6.22 Presentation of the January 31, 2010 Treasurer's Report of Cash Receipts and Disbursements was handled with the Consent Agenda.

6.23 Presentation of the January 31, 2010 Cash and Investments Summary was handled with the Consent Agenda.

6.24 Presentation of the February 28, 2010 Revenue and Expense Report was handled with the Consent Agenda.

6.25 Presentation of the February 28, 2010 Treasurer's Report of Cash Receipts and Disbursements was handled with the Consent Agenda.

- 6.26 Presentation of the February 28, 2010 Cash and Investments Summary was handled with the Consent Agenda.
- 6.27 Approval of the February 2010 Disbursements was handled with the Consent Agenda.

6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Presentation of minutes of the Youth Commission meeting held February 8, 2010 was handled with the Consent Agenda.
- 6.32 Presentation of minutes of the Youth Commission meeting held February 9, 2010 was handled with the Consent Agenda.
- 6.33 Presentation of minutes of the Transportation Commission meeting held February 10, 2010 was handled with the Consent Agenda.
- 6.34 Adoption of Ordinance #2010-O-29 authorizing the disposal of surplus Village-owned furniture, as currently stored at the Public Works Facility, 711 Laramie, Wilmette, Illinois was handled with the Consent Agenda.

6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

- 6.41 Introduction of Ordinance #2010-O-30 amending the Village Code, Chapter 16 regarding single family driveways.

Trustee Krueger said he removed the item from the Consent Agenda to give residents notice of the proposed ordinance.

President Canning said Ordinance #2010-O-30 would be up for adoption at the May 25, 2010 Regular Board meeting.

6.5 PUBLIC SAFETY COMMITTEE REPORT:

- 6.51 Adoption of Ordinance #2010-O-11 amending the Village Code, Chapter 9 regarding certain Model Fire, Accessibility, Mechanical, Life Safety and Energy Codes and amending References to said Codes.

Trustee McKenna said proposed Ordinances 2010-O-7 and 2010-O-11 were reviewed by both the Public Safety and Judiciary Committees.

Trustee Krueger said the Judiciary Committee has reviewed the proposed Ordinances with the Fire Department staff and made some suggestions for amendments. He noted that the significant proposed amendment is to make residential fire sprinklers mandatory for 1 and 2-family dwellings and townhouses only where lightweight construction materials are used in building the home.

President Canning asked Corporation Counsel how the matter of the Ordinances and proposed amendments should proceed.

Corporation Counsel Michael Zimmermann said the two Ordinances in front of the Board contains the revisions recommended by the Judiciary Committee. If the Board would like to proceed, a motion to amend Ordinances 2010-O-7 and 2010-O-11 would be in order. A second motion would be to waive first reading as the amendments to the Ordinances are substantial. If those motions carry, then the third motion would be to adopt both Ordinances.

President Canning asked Fire Chief Dominik and Deputy Fire Chief Michael McGreal to review the process of the proposed Ordinances.

Chief Dominik said as part of the Code Update process, they looked at the 2006 International Building and Fire Codes and the Life Safety Code. Contained in the Life Safety Code is the requirement for all new construction to have automatic fire sprinklers. He met with the Public Safety Committee and also the Judiciary Committee to discuss options and it was decided to proceed with the proposed amendment. As the Fire Chief, he would like to see the safest environment possible and believes the safest option would be to adopt the Life Safety Code as it stands.

Trustee Terman asked what proportion of new construction of one and two family buildings is light construction and how is that distinguished from ordinary construction.

Chief Dominik said the concern the Fire Department has with light weight construction which is built mainly with trusses and I-beams, is that it fails much faster than conventional construction built mainly of 2' by 6', 2' by 8', and 2' by 10' lumber.

Mr. Adler said approximately 60% of new construction uses light weight construction.

Trustee Swanson said the report presented to the Board states that the typical time for lightweight construction to burn is at 6 minutes, and conventional construction is at 22 minutes. He asked if Chief Dominik agreed with the numbers in the report.

Chief Dominik said there was extensive testing done by Underwriters Laboratories and those were the numbers provided as a result of the testing.

Trustee McKenna said in reading through the minutes of the Public Safety and Judiciary Committees he does not remember seeing comments by the general public or realtor and builder associations.

Mr. Adler said the Codes are used by municipalities throughout the country so it is not surprising they did not receive comments from contractors. The 2009 Energy and Conservation Code is something the State has already mandated be followed.

Trustee Basil said the North Shore Barrington Board of Realtors wrote a letter stating they did not believe mandates were a good idea.

Trustee Krueger said Underwriters Laboratories also did a presentation for the Judiciary Committee and he found that very informative.

Chief Dominik said he met with realtors during the process and the Realtors Associations oppose the Code but local realtors he spoke with believed the new codes were just progress.

Trustee Terman said she finds herself confused. What would the rationale be for excluding one-third of new residential construction from a Code that seems to be acceptable to the professional community, life safety community and builders.

Trustee McKenna said most builders and homeowners have little to no experience in managing sprinkler systems. He asked if the Village should be offering education on sprinkler systems.

Deputy Fire Chief Michael McGreal said the Fire Department has been working with staff regarding sprinkler systems and there is a good infrastructure for sprinkler systems.

Chief Dominik said residential sprinkler systems are plastic rather than steel like commercial sprinkler systems and are a very basic system.

Trustee McKenna asked if there was an alarm system attached to residential sprinkler systems.

Chief Dominik said there is only an outside bell but the Fire Department does recommend that residential sprinkler systems are tied into an alarm system so that the Fire Department is notified if a sprinkler goes off.

Trustee Basil said sprinkler systems are new mechanical systems that most homeowners and most builders are not familiar with. The system brings water to every room of the house and brings additional cost to the construction. He does not believe a sprinkler system should be a mandate but rather an incentive to homeowners. He believes new construction means safer dwellings for residents. He said it was the goal of the Judiciary Committee to come up with incentives and ideas to have people install sprinklers voluntarily rather than have it be a mandate or tax on a new home.

President Canning asked if new homes are safer than older homes as new homes burn faster according to previous comments.

Trustee Basil said new home construction uses traditional timber which is considered not light weight construction, have better assemblies of dry wall and construction material. He said the content of homes, what Fire Chief Dominik referred to burning faster, is applicable to all homes as new furnishings have a higher plastic content and burn faster.

Trustee Terman wonders why one third of new construction would not have the same encouragement to protect itself.

Trustee Krueger said it is not an encouragement if the Village Code requires all homes to have sprinklers.

Trustee Terman said she does not understand why we would permit one third of the construction not to make the residents as safe as can be mandated. She asked what percentage of cost a sprinkler system would add to new construction.

Chief Dominik said approximately one to three percent of the total cost.

Trustee Swanson asked what the requirement was in the Village Code for breaking down and removing a swimming pool.

Mr. Adler said currently the Village Code does not have a requirement to fully remove a swimming pool, it was policy to have the full removal of the pool. It is in the Village Code to break down the sides and the bottom of the pool.

President Canning said if the Village Board votes to adopt the proposed Ordinance and amendment this evening, how would the Fire Department and Community Development proceed in the future.

Chief Dominik said plans requiring a sprinkler system would be reviewed in house by the Fire Department and the Fire Department would inspect the sprinkler system during installation.

Trustee Krueger asked if there would be a cost associated with the Fire Department reviewing the plans and inspecting the sprinkler system.

Deputy Chief McGreal said for a previous sprinkler system installed on a new home, there was a base fee of \$150 to review the plans and then a fee of \$43 for each inspection.

Mr. Adler said he would estimate a total cost of \$300-\$400 added to a new home permit cost for a sprinkler system installation.

Deputy Chief McGreal said the Fire Department has a pretty aggressive public education campaign planned and they have been assisted by the Fire Sprinkler Coalition who have provided pamphlets and DVD's to hand out to residents, builders and realtors.

Trustee Krueger moved to amend Ordinance 2010-O-7 and 2010-O-11(a) so as to make residential fire sprinklers mandatory for 1 and 2- family dwellings and townhouses only where lightweight construction materials are used in building the home; (b) amend Ordinance #2010-O-7 at section 9 to eliminate the "Urinals Required" provision which is duplicative of the state plumbing code; (c) amend section 11 of Ordinance 2010-O-7 to eliminate proposed section 9-9.10 of the Village Code which would require complete removal of the sides and bottom of an in-ground swimming pool when it is abandoned, seconded by Trustee Swanson.

Trustee McKenna thanked the Judiciary Committee for all the work regarding the proposed Ordinances. He was surprised at not receiving more comments from various groups in the Village regarding changes to the Building Codes. He would also like to see the Village have a plan regarding what to expect from new fees and inspections.

Trustee McKenna said he has a concern regarding eliminating the requirement for a certain construction type.

Trustee Swanson said he wanted to state that lawn sprinklers are already being inspected annually by a professional at the homeowner's expense and must have a back flow preventer which keeps the water from going back into the public water supply. Residential sprinklers would have the same type of requirements.

Trustee Terman asked if residential education was part of the proposed Ordinance.

President Canning said education was not part of the proposed Ordinance.

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

Trustee Basil moved to waive the first reading, seconded by Trustee Krueger.

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

Trustee Krueger moved to adopt Ordinances 2010-O-7 and 2010-O-11 as amended, seconded by Trustee Basil.

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

- 6.52 Adoption of Ordinance #2010-O-7 amending the Village Code, Chapter 9 regarding certain model building, residential, electrical and plumbing codes and amending other certain codes relating to buildings and construction.

The adoption of Ordinance #2010-O-7 was handled with the previous item.

6.6 JUDICIARY COMMITTEE REPORT:

- 6.61 Presentation of minutes of the Judiciary Committee meeting held November 10, 2009 was handled with the Consent Agenda.
- 6.62 Presentation of minutes of the Judiciary Committee meeting held January 26, 2010 was handled with the Consent Agenda.

- 6.63 Presentation of minutes of the Judiciary Committee meeting held March 23, 2010 was handled with the Consent Agenda.
- 6.64 Adoption of Ordinance #2010-O-27 amending the Village Code, Chapter 11 to amend the terms of the Class K Liquor License to allow up to 40 patrons instead of the current limit of 30 was handled with the Consent Agenda.
- 6.65 Adoption of Ordinance #2010-O-28 amending the Village Code, Chapter 11 to amend the terms of the Class L Liquor license to change allowable seating configuration and capacity as well as minimum and maximum square footage of eligible stores 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 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.
- 8.991 Notice of vacancy on the Community Relations Commission due to the term expiration of Gerald Smith was handled with the Consent Agenda.
- 8.992 Notice of vacancy on the Youth Commission due to the term expiration of Stephani Becker was handled with the Consent Agenda.
- 8.993 Notice of vacancy on the Appearance Review Commission due to the resignation of Paul Holzman was handled with the Consent Agenda.

9.0 NEW BUSINESS:

- 9.1 Reappointment of Jeffrey Kinzel to the Police Pension Fund Board of Trustees from May 2010 to May 2012 was handled with the Consent Agenda.
- 9.2 Reappointment of Cathy Albrecht to the Transportation Commission from May 2010 to May 2014 was handled with the Consent Agenda.

10.0 ADJOURNMENT:

Trustee Terman moved to adjourn the meeting at 8:29 p.m., seconded by Trustee Basil. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk