



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, JUNE 8, 2010.

Item:

The Village President called the meeting to order at 7:31 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
John Adler, Director of Community Development
Michael Braiman, Assistant to the Village Manager

2.0 APPROVAL OF MINUTES:

2.1 Trustee Terman moved approval of minutes of the Regular Board meeting held May 25, 2010, seconded by Trustee Basil. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

Dan Carter, 850 Sheridan Road, asked to remove item 6.14 from the Consent Agenda.

4.0 REPORTS OF OFFICERS:

Village Manager Timothy Frenzer said there will be a Community Workshop as part of its Village Center Master Plan this Thursday, June 10 at 7:00 pm at the Wilmette Historical Museum, 609 Ridge Road. The purpose of the meeting is to solicit public comments and feedback on a preferred development character for the Village Center's Master Plan.

Mr. Frenzer announced that the Village Public Works Facility has officially become the first Village facility to achieve Leadership in Energy and Environmental Design (LEED) Gold certification rating from the U. S. Green Building Council. The facility joins only a handful of public works buildings in the country to achieve the LEED Gold certification level.

Mr. Frenzer noted this is the first meeting back in the Council Chambers after the cable television renovations. The system has been improved with digital remote cameras, a new electronic podium, and the ability to image the visuals of the reports presented. Village staff is very pleased with the result as the sound and video quality has been greatly improved. Mr. Frenzer thanked Michael Braiman, Assistant to the Village Manager, for managing the project and keeping it on time and on budget.

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

- 6.11 Minutes, Plan Commission.
- 6.12 Temporary Use Permit #2010-TU-12 for the Wilmette Chamber of Commerce Sidewalk Sale to be held July 9 and 10, 2010.
- 6.13 Request for a variation extension, 2008-Z-31, 522 Forest Avenue for an additional twelve months.

- 6.21 Presentation of the April 30, 2010 Revenue and Expense Report.
- 6.22 Presentation of the April 30, 2010 Treasurer's Report of Cash Receipts and Disbursements.
- 6.23 Presentation of the April 30, 2010 Cash and Investments Summary.
- 6.24 Approval of the April 2010 Disbursements.

- 6.31 Minutes, Board of Health.
- 6.32 Adoption of Resolution #2010-R-24 regarding the annual determination of prevailing wages for Public Works contracts.

- 6.41 Adoption of Ordinance #2010-O-31 authorizing the Village of Wilmette to borrow funds from the Illinois Environmental Protection Agency (IEPA) Revolving Loan Fund for 2010 Sewer Lining.

- 6.42 Approval of contract, Trees "R" Us Inc., Wauconda, IL for tree removals.
- 6.43 Approval of contract, Midwest Material Management, East Dundee, IL for leaf hauling and disposal.
- 6.44 Village Board rejection of bids for a three-year contract for the sidewalk and curb removal and replacement programs.

- 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.

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 Announcement of cancellation of the August 10, 2010 Regular Village Board meeting.

President Canning announced the cancellation of the August 10, 2010 Regular Village Board meeting.

- 4.3 Adoption of Resolution #2010-R-25, Objecting to Cook County's Installation of Red Light Cameras at the Intersection of Lake Avenue and Ridge Road.

Trustee Basil moved adoption of Resolution #2010-R-25, Objecting to Cook County's Installation of Red Light Cameras at the Intersection of Lake Avenue and Ridge Road, seconded by Trustee Terman.

President Canning said an article appeared in the Chicago Tribune last week stating that the Cook County Commissioners voted to approve a one year program to install 30 red light cameras at various intersections throughout Cook County. The Village received no previous notice from the Cook County Highway Commissioner that one of the red lights was to be installed in the Village of Wilmette at the intersection of Lake Avenue and Ridge Road. President Canning said he was stunned and shocked that a vital intersection that the Village has spent millions of dollars reconfiguring to make more safe was now going to be the target of Cook County to place a red light camera to improve the safety at an intersection where we had already improved the safety of the intersection and driven down the accident rates tremendously over the last several years. In speaking with other Village Presidents and Mayors, he believes it is appropriate to contact Cook County and voice our opposition to their intent to put red light cameras in our municipal boundaries without any notification, explanation or data. Traditionally, Cook County has not been engaged in any law enforcement or traffic enforcement in the Village. The Resolution has been proposed to be adopted by the Village Board tonight to communicate to the Cook County Board the Village's objection to the installation of cameras and he has also asked to set up a meeting with Cook County Commissioner Larry Suffredin.

President Canning said he is pleased with a news article that came out at 5:00 p.m. this evening, that states that Commissioner Suffredin who supports the cameras, would nevertheless like to slow the process down and wait to install the cameras when a new Cook County Board President is seated after the November election. Commissioner Suffredin said he was surprised to learn that the Cook County Highway Department had not contacted any Village Presidents or Village Managers in Cook County to even discuss this issue with them. The proposed Resolution would object to Cook County installing red light cameras without the Village's approval and would be forwarded on to the Cook County Commissioners if adopted.

Trustee Swanson said the intersection at Lake Avenue and Ridge Road is under the jurisdiction of the Illinois Department of Transportation, only the traffic lights are under the jurisdiction of Cook County. He said Cook County probably looked at older data for accidents as the intersection has been greatly improved in the past few years.

Trustee Spillers asked that since the Village is a home rule community, is Cook County actually able to install red light cameras over the Village's objections.

Village Manager Timothy Frenzer said under the constitution a Home Rule Municipal Ordinance is supposed to take precedence over a Home Rule County Ordinance. He hopes the proposed Resolution will rectify the situation, if not then the Village will consult with Corporation Counsel regarding drafting an ordinance. Since Cook County has not communicated with the Village, we do not really know what their intentions are at this time.

Trustee Terman said the red light cameras seem to propose an additional tax without any benefit to the Village.

Trustee McKenna said he supports the proposed Resolution.

Trustee Krueger said he also supports the proposed Resolution as he believes it is unacceptable for Cook County to propose this type of mandate to the Village.

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

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 Plan Commission meeting held April 6, 2010 was handled with the Consent Agenda was handled with the Consent Agenda.

6.12 Approval of Temporary Use Permit #2010-TU-12 for the Wilmette Chamber of Commerce Sidewalk Sale to be held July 9 and 10, 2010 was handled with the Consent Agenda.

6.13 Request for a variation extension, 2008-Z-31, 522 Forest Avenue for an additional twelve months was handled with the Consent Agenda.

6.14 Plan Commission Report, Case #2010-P-01, 2123, 2127, 2145 and 2147 Wilmette Avenue regarding a request for tentative plat approval of an eight-lot subdivision, a variation from the requirement that no subdivision in a residential zoning district will result in one or more lots having side lot lines abutting rear lot lines and a

variation from the requirement that lots in a proposed subdivision have front lot lines adjoining the same public street as the property prior to being subdivided. The recommendation of approval conditioned upon meeting all Site Plan Review Committee requirements and eliminating the current curb-cut from 2127 Wilmette Avenue.

Trustee Swanson moved to grant a request for a tentative plat approval of an eight-lot subdivision, a variation from the requirement that no subdivision in a residential zoning district will result in one or more lots having side lot lines abutting rear lot lines and a variation from the requirement that lots in a proposed subdivision have front lot lines adjoining the same public street as the property prior to being subdivided. The recommendation of approval conditioned upon meeting all Site Plan Review Committee requirements and eliminating the current curb-cut from 2127 Wilmette Avenue, seconded by Trustee Terman.

Michael Murdock, 939 Romona Road, said he is speaking on behalf of Ronald Knox Montessori School. He requested that the item be tabled to the July 27 Regular Village Board meeting due to some minor issues that need to be finalized prior to the Village Board's approval.

Trustee Swanson moved to continue item 6.14 to the July 27, 2010 Regular Village Board meeting, seconded by Trustee Terman. All voted aye, the motion carried.

- 6.15 Zoning Board of Appeals Report, Case #2010-Z-13, 415 9th Street regarding a request for a 7.02' side yard setback variation to allow the retention of a detached shed in accordance with the plans submitted.

Trustee Swanson moved approval of a request for a 7.02' side yard setback variation to allow the retention of a detached shed in accordance with the plans submitted, seconded by Trustee Basil.

President Canning noted that Item 6.15 received a negative recommendation from the Zoning Board of Appeals.

Tony and Maggie Broglio, petitioners, said they built the shed but the home was not built by them. Mr. Broglio said they needed additional storage space and the way the house is configured on the lot, the area the shed is placed on is the only place that works. He did not call the Village prior to placing the shed on the lot as the Village website says sheds need a three foot setback but do not need a permit.

Community Development staff suggested other locations on the lot but the sites recommended would be directly in the site line of the neighbors. He submitted a letter signed by all his neighbors supporting the site the shed is currently placed on.

Trustee Swanson asked how big the petitioner's garage is and who installed the fence on the lot.

Mr. Broglio said it is a two car garage and the developer installed the fence before they bought the home.

Trustee Swanson asked if there were any issues regarding lot coverage ratio.

Mr. Adler said there was not an issue regarding lot coverage ratio.

Trustee Swanson asked why the shed could not be located behind the fence on the north side of the house as it would be screened.

Mr. Broglio said he could place it inside the fence but he would still have a setback issue and need a variance.

Mr. Adler said the shed would not need a variation if it was located in the rear 25 feet of the property, 3 feet from the lot lines, and not in the easement areas.

Mr. Broglio said if the shed was placed in the rear yard, it would not be accessible for them and would be in the site line for all his neighbors.

Trustee Basil noted that there were letters in support of the shed from most of the neighbors.

Trustee Terman said she was concerned about what she perceived as the potential instability of the installation of the shed as it exists now.

Mr. Broglio said he had a contractor install the shed and he would check with him regarding the stability of the shed.

Trustee McKenna asked how the shed was discovered by the Village.

Mr. Broglio said there was an anonymous complaint to the Code Enforcement Officer.

Trustee McKenna asked for the description of a shed.

Mr. Adler said if a shed is less than 100 square feet and is not installed on a permanent concrete pad, a permit is not required. There is a handout regarding sheds at Community Development and on the website regarding size and setbacks.

Trustee McKenna noted that the petitioner stated the location was the hardship for the variation.

Mr. Broglio said the location is the hardship as placing the shed elsewhere on the lot would block one of his windows or would be in the site line of the neighbors.

Trustee Krueger said he thought the home was very attractive and he believes the petitioner is on a challenging lot. He asked the petitioner if he believed he installed the shed 3 feet from the lot line.

Mr. Broglio said he thought the shed was installed 3 feet from the lot line in the alley but when he looked at the plat of survey he was actually not 3 feet from the lot line and required a variance.

President Canning asked if there was anyone to speak in favor of the request.

Elaine and Jerry Lenz said they live adjacent to the petitioner and they support where the shed is currently placed.

President Canning noted there was no one to speak in opposition to the request.

Mr. Broglio said he believed there was very good discussion at the Zoning Board of Appeals and most of the ZBA supported the request as they met the six requirements. He said there are other cases that have generators placed near the alley so there is some precedent for the request, and he has a unique lot size.

Trustee Swanson said when he first read the report he was inclined to vote no on the request as he did not see a reason why the shed should remain where it is as there is an ample sized garage for storage. He would feel better about the shed if it was screened but he understands the placement of the air conditioning prevents the shed from being installed behind the fence.

Trustee Basil complimented the petitioner in matching the shed to the home and seeking out his neighbors for approval and support of the shed. The lot is unique and circumstances are unique, so he is inclined to support the request.

Trustee Terman said she agrees with Trustees Swanson and Basil but she does have concerns with the stability of the shed.

Trustee McKenna said he finds the shed attractive and agrees that the current location is probably the best place for it. He said storage is a universal problem for most people and he does not support the request.

Trustee Krueger said he believes the ZBA's decision was correct but he also believes that if there is going to be a shed on the property, then the current location of the shed is the correct one. He does worry about precedent even though the lot is challenging as we would be allowing a shed less than one foot from the alley.

President Canning said he would not be inclined to put a condition on the request regarding the stability of the shed but he would like Mr. Adler to make sure the shed has been built according to the building requirements. His decision is based on the way the lot is configured and it seems that the shed is set back far enough that it will not create a hazard so he does not believe the shed will set a precedent.

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

6.2 FINANCE COMMITTEE REPORT:

- 6.21 Presentation of the April 30, 2010 Revenue and Expense Report was handled with the Consent Agenda.
- 6.22 Presentation of the April 30, 2010 Treasurer's Report of Cash Receipts and Disbursements was handled with the Consent Agenda.
- 6.23 Presentation of the April 30, 2010 Cash and Investments Summary was handled with the Consent Agenda.
- 6.24 Approval of the April 2010 Disbursements was handled with the Consent Agenda.

6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Presentation of minutes of the Board of Health meeting held January 13, 2010 was handled with the Consent Agenda.
- 6.32 Adoption of Resolution #2010-R-24 regarding the annual determination of prevailing wages for Public Works contracts was handled with the Consent Agenda.

6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

- 6.41 Adoption of Ordinance #2010-O-31 authorizing the Village of Wilmette to borrow funds from the Illinois Environmental Protection Agency (IEPA) Revolving Loan Fund for 2010 Sewer Lining was handled with the Consent Agenda.
- 6.42 Approval of contract not to exceed \$116,280 with Trees “R” Us Inc., Wauconda, IL for tree removals was handled with the Consent Agenda.
- 6.43 Approval of contract at a rate of \$11.35 per compacted cubic yard with Midwest Material Management, East Dundee, IL for leaf hauling and disposal was handled with the Consent Agenda.
- 6.44 Village Board rejection of bids for a three-year contract for the sidewalk and curb removal and replacement programs 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.
- 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:

No Report.

10.0 ADJOURNMENT:

Trustee Terman moved to adjourn the meeting at 8:36 p.m., seconded by Trustee Basil. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk

6/8/10

Approved 6/22/10