



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 26, 2012.

Item:

The Village President called the meeting to order at 7:32 p.m.

1.0 ROLL CALL:

President Christopher S. Canning
Trustees Alan Swanson
Bob Bielinski
Cameron Krueger
Julie Wolf

Absent: Mike Basil
Ted McKenna

Staff Present: Timothy J. Frenzer, Village Manager
Kathleen Gargano, Assistant Village Manager
Michael F. Zimmermann, Corporation Counsel
Barbara L. Hirsch, Deputy Village Clerk
John Prejzner, Assistant to the Village Manager
Lisa Roberts, Assistant Director of Community Development
Jim Dominik, Fire Chief
Mike McGreal, Deputy Fire Chief

2.0 APPROVAL OF MINUTES:

2.1 Trustee Bielinski moved approval of minutes of the Regular Board meeting held June 12, 2012, seconded by Trustee Wolf. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

Valerie Chalcraft, 1838 Isabella, asked to remove item 6.15 from the Consent Agenda.

4.0 REPORTS OF OFFICERS:

Village Manager Timothy Frenzer said the Independence Day Holiday will be celebrated July 3 at Gillson Park. He noted information regarding the event is available on the Village website.

Mr. Frenzer said the Village received notice that the first case of West Nile Virus was found in Wilmette. He asked that residents take precautions against mosquitos especially during dawn and dusk, and noted that information regarding precautions is available on the Village website.

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

- 6.11 Minutes, Zoning Board of Appeals.
- 6.12 Minutes, Land Use Committee.
- 6.13 Adoption of Ordinance #2012-O-27 amending the Zoning Ordinance regarding notice requirements.
- 6.14 Adoption of Ordinance #2012-O-30 granting variations to permit the construction of a second-story addition at 2323 Kenilworth Avenue.
- 6.16 Temporary Use Permit #2012-TU-15 for the St. Joseph Church Block Party to be held on July 15, 2012.
- 6.17 Temporary Use Permit #2012-TU-16 for the Plaza del Lago Antique Appraisal Event to be held September 8, 2012.
- 6.18. Temporary Use Permit #2012-TU-18 for the One Hope United Wilmette Fitness Day and Walks to be held September 15, 2012.
- 6.19 Temporary Use Permit #2012-TU-19 for the Wrigley Field Road Tour Rest Stop to be held at 1515 Sheridan Road on August 19, 2012.
- 6.191 ZBA Report, Case #2012-Z-24, 112 6th Street regarding a request for variations to permit the installation of a new driveway to serve a replacement detached garage in accordance with the plans submitted; adoption of Ordinance #2012-O-31.

- 6.21 Presentation of the April 30, 2012 Cash and Investment Summary.
- 6.22 Presentation of the April 30, 2012 Treasurer's Report of Cash Receipts and Disbursements.

- 6.23 Presentation of the April 30, 2012 Revenue and Expense Report.
- 6.24 Approval of Resolution #2012-R-21 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP).

- 6.41 Approval of contract, Badger Meter Inc., Milwaukee, WI to furnish the Orion Automatic Meter Reading (AMR) Water Meter System components.

- 6.51 Adoption of Ordinance #2012-O-26 authorizing the disposal of surplus personal property owned by the Village of Wilmette (seized vehicles).
- 6.52 Adoption of Resolution #2012-R-22 approving a Fire Truck Revolving Loan Program Loan Agreement with the Illinois Finance Authority.

- 8.1 Notice of vacancy, Historic Preservation Commission.
- 8.2 Notice of vacancy, Housing Commission.
- 8.3 Notice of vacancy, Housing Commission.
- 8.4 Notice of vacancy, Historic Preservation Commission.
- 8.5 Notice of vacancy, Appearance Review Commission.
- 8.6 Notice of vacancy, Transportation Commission.
- 8.7 Notice of vacancy, Transportation Commission.
- 8.8 Notice of vacancy, Historic Preservation Commission.
- 8.9 Notice of vacancy, Housing Commission.
- 8.91 Notice of vacancy, Electrical Commission.

- 9.1 Reappointment, Building Code Board of Appeals.
- 9.2 Reappointment, Electrical Commission.
- 9.3 Reappointment, Electrical Commission.
- 9.4 Recommendation of appointment, Appearance Review Commission.
- 9.5 Recommendation of appointment, Electrical Commission.
- 9.6 Notice of vacancy, Zoning Board of Appeals.
- 9.7 Notice of vacancy, Board of Fire and Police Commissioners.

Trustee Bielinski seconded the motion. Voting yes: Trustees Swanson, Bielinski, Krueger, Wolf, and President Canning. Voting no: none. The motion carried.

- 4.2 Introduction of Linda Nicholls who is recommended for appointment to the Appearance Review Commission.

President Canning introduced Ms. Nicholls to the Village Board and recommended her appointment to the Appearance Review Commission.

- 4.3 Recognition of Clayton Weaver and Eileen Miller-Girson for their service on the Transportation Commission.

President Canning thanked Ms. Miller-Girson and Mr. Clayton for their service, summarized their accomplishments while on the Transportation Commission, and presented them with a plaque of appreciation.

- 4.4 Announcement of cancellation of the August 14, 2012 Regular Village Board meeting.

President Canning announced the cancellation of the August 14, 2012 Regular Village Board meeting.

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 Zoning Board of Appeals meeting held May 2, 2012 was handled with the Consent Agenda.
- 6.12 Presentation of minutes of the Land Use Committee meeting held May 22, 2012 was handled with the Consent Agenda.
- 6.13 Adoption of Ordinance #2012-O-27 amending the Zoning Ordinance regarding notice requirements was handled with the Consent Agenda.
- 6.14 Adoption of Ordinance #2012-O-30 granting variations to permit the construction of a second-story addition at 2323 Kenilworth Avenue was handled with the Consent Agenda.
- 6.15 Approval of Temporary Use Permit #2012-TU-14 for the District 39 Foundation to hold a circus fund raiser on September 28, 2012.

Trustee Swanson moved approval of Temporary Use Permit #2012-TU-14 for the District 39 Foundation to hold a circus fund raiser on September 28, 2012, seconded by Trustee Bielinski.

President Canning asked Corporation Counsel to explain the Village Board's legal review of the proposed Temporary Use Permit.

Michael Zimmermann, Corporation Counsel, said as with all Temporary Uses, the Village Board only reviews the land use aspects and the compatibility with surrounding uses. There is no regulation of the subject matter of the use going on, on the premises.

President Canning asked if the Village's Animal Ordinance was affected by the circus fund raiser.

Mr. Zimmermann said circuses are specifically exempt from the Animal Control Ordinance.

Tracy Kearny, 816 E. Glenwood, Glenview, said she has 3 children in Wilmette schools and is the current District 39 Foundation Chair. The Foundation provides programs and materials that the Community is not able to fund with tax dollars. The Foundation has a variety of fundraisers to benefit the children in District 39 and the community, but the circus is by far the most successful fundraiser event since 2002. The Kelly Miller Circus delivers a wholesome, family oriented entertainment to the Community. Their experience with the Kelly Miller Circus to date has been entirely without incident, and 1500 – 2000 residents have attended the performances. Public safety is of great concern, and is closely monitored. The circus is regulated and licensed by the USDA and must comply with the AWDA. She asked the Village Board to grant the request for the Temporary Use Permit.

President Canning asked if there was anything different in the current request from previous years' requests.

Ms. Kearny said the request is consistent with their previous requests and they continually check the circus to make sure they are in compliance with all regulations. There have been no incidents with the animals during previous circus presentations.

Joan Criswell-Merrilees, 100 14th Street, said she is the current co-chair of the event and a trustee of the District 39 Educational Foundation. She supports the proposed request for a Temporary Use Permit for the circus fund raiser.

Valerie Chalcraft, 1838 Isabella, reviewed the materials she provided previously to the Village Board, reiterating the animal welfare concerns she has, and described how animals in circuses are brutally broken and trained with harsh physical punishments. She said training is not covered under the USDA and is not seen by the general public. She also noted there is a long list of safety incidents that plague all circuses with wild animals. She said that in 2011, three tigers escaped from the Kelly Miller Circus and attacked a nearby horse. It took 30 minutes to capture the tigers and the Kelly Miller Circus was cited for rusty gates and wires, and transport trailers in disrepair. She asked the Village Board to consider all these issues and deny the permit for the circus.

President Canning asked Ms. Chalcraft if she had attended the circus in Wilmette and noticed anything that the Village Board should be aware of.

Ms. Chalcraft said she had attended the circus and seen chains on the elephants as well as wounds on the back of their legs and ears.

President Canning asked if Ms. Chalcraft had attended a District 39 Board meeting or a District 39 Educational Foundation meeting to raise concerns about the proposed circus fundraiser.

Ms. Chalcraft said she has not attended any meetings but has submitted information regarding her concerns about the circus.

Trustee Swanson said it seems that the USDA report regarding the tiger incident is a regulatory issue and the owner of the circus would have to correct the problem.

Ms. Chalcraft said that is true.

Trustee Bielinski asked if there are tigers in the proposed circus.

Ms. Chalcraft said tigers do travel with the Kelly Miller Circus.

Virginia Grossman, 2621 Greenleaf, said she believes the issue is to grant a permit for a circus with performing wild animals. She has previously provided documentation to the Village Board stating why a permit should not be granted. She said her concern is not with any particular circus, it is with all circuses with performing wild animals.

Ms. Kearny said she would like to address the tiger concerns. They have talked to the circus about the tiger incident and there was no one harmed during the incident. They were told the circus has bought new cages and fixed other cages to insure that incident does not happen again.

Trustee Bielinski said there are no tigers listed in the permit.

Ms. Kearny said she would let staff know if there are going to be tigers in the circus event.

Mr. Zimmermann said the presence of a tiger in the circus does not impact the process this evening.

Trustee Swanson said he appreciates Mr. Zimmermann outlining the issue of the Temporary Use and that the Village Board must consider the request in a land use capacity. He is satisfied that District 39 is sufficiently representative of the community and the type of vetting that would go forward on the type of activity and the appropriateness of the activity at that level. The Village Board's responsibility is not to debate the appropriateness of the activity but its land use impact and whether there is land use impact on the local community where the event will take place and if there is a safety issue for the community at large. He is sufficiently convinced that this is a closely regulated operation, and he does not see any negative land use impact.

Trustee Bielinski said he believed Trustee Swanson covered all the relative points of the issue.

Trustee Krueger said he agreed with Trustees Swanson and Bielinski.

Trustee Wolf said she also agreed with her fellow Trustees. She said the decision to have a circus was made by District 39 and the Village is looking at the land use issue.

President Canning said he agrees with his fellow Trustees. He suggested the issue of the appropriateness of the circus be raised with District 39 or the Educational Foundation.

Voting yes: Trustees Swanson, Bielinski, Krueger, Wolf, and President Canning. Voting no: none. The motion carried.

- 6.16 Approval of Temporary Use Permit #2012-TU-15 for the St. Joseph Church Block Party to be held on July 15, 2012 was handled with the Consent Agenda.
- 6.17 Approval of Temporary Use Permit #2012-TU-16 for the Plaza del Lago Antique Appraisal Event to be held September 8, 2012 was handled with the Consent Agenda.
- 6.18. Approval of Temporary Use Permit #2012-TU-18 for the One Hope United Wilmette Fitness Day and Walks to be held September 15, 2012 was handled with the Consent Agenda was handled with the Consent Agenda.
- 6.19 Approval of Temporary Use Permit #2012-TU-19 for the Wrigley Field Road Tour Rest Stop to be held at 1515 Sheridan Road on August 19, 2012 was handled with the Consent Agenda.
- 6.191 Zoning Board of Appeals Report, Case #2012-Z-24, 112 6th Street regarding a request for a 36.1 square foot (2.18%) rear yard pavement impervious surface coverage variation to permit the installation of a new driveway to serve a replacement detached garage in accordance with the plans submitted; adoption of Ordinance #2012-O-31.

The request was handled with the Consent Agenda for a 36.1 square foot (2.18%) rear yard pavement impervious surface coverage variation to permit the installation of a new driveway to serve a replacement detached garage in accordance with the plans submitted. Ordinance #2012-O-31 was adopted with the Consent Agenda authorizing the variation of this case.

- 6.192 REMOVE FROM TABLE-Zoning Board of Appeals Report, Case #2012-Z-21, 625 Harvard Street regarding a request for a lot separation variation to separate the ownership of two lots each measuring 50' by 185.0', 9,250 square feet in area in accordance with the plans submitted.

Trustee Swanson said a request was received by the petitioner to table the request to the July 10, 2012 Village Board meeting due to the absence of two Trustees this evening.

Trustee Swanson moved to leave the item on the table and table to the July 10, 2012 Regular Village Board meeting, seconded by Trustee Wolf. All voted aye, the motion carried.

6.2 FINANCE COMMITTEE REPORT:

- 6.21 Presentation of the April 30, 2012 Cash and Investment Summary was handled with the Consent Agenda.
- 6.22 Presentation of the April 30, 2012 Treasurer's Report of Cash Receipts and Disbursements was handled with the Consent Agenda.
- 6.23 Presentation of the April 30, 2012 Revenue and Expense Report was handled with the Consent Agenda.
- 6.24 Approval of Resolution #2012-R-21 approving investments as previously authorized in the Illinois Public Treasurer's Investment Pool (IPTIP) was handled with the Consent Agenda.

6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Update concerning Electrical Aggregation Rates for Wilmette Power Purchasing Program Members.

Village Manager Timothy Frenzer said the Village did finalize the price obtained through the bid process and received the electrical rate of 4.03 cents per kilowatt hour. He noted that this is the lowest price to date of the surrounding communities. The Village staff will move as quickly as possible to get residents savings for the billing month of August. Letters will be sent to residents this week to let them know what their options are and a phone number as well as a web page will be provided for the easy process. He said the program will save Village residents approximately \$4 million this year. He thanked staff for their hard work on the project, residents for voting for the program and the Village Board for guiding the program from the beginning through to the end.

Trustee Wolf asked if there was a time line for signing up for the 100% renewable energy credits.

Mr. Frenzer said residents are able to sign up for that option at any time as there are no fees for entering into or opting out of the program.

Trustee Krueger complimented staff for their hard work on the program as it turned out much better than he had ever anticipated. The process is very easy and consistent with being green. He complimented staff on the excellent rate.

Trustee Bielinski also thanked staff for their hard work on the program and noted that it is an easy process for residents.

Trustee Swanson said he would also like to add his appreciation to staff for their hard work on the program as it will save residents money on their monthly electrical bills.

President Canning also thanked staff and the Administration Committee for all their hard work on the project. He said it is an outstanding result for the Village and he is excited about the \$4 million savings to residents in the next year.

6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

6.41 Approval of contract in the amount of \$53,200 with Badger Meter Inc., Milwaukee, WI to furnish the Orion Automatic Meter Reading (AMR) Water Meter System components was handled with the Consent Agenda.

6.5 PUBLIC SAFETY COMMITTEE REPORT:

6.51 Adoption of Ordinance #2012-O-26 authorizing the disposal of surplus personal property owned by the Village of Wilmette (seized vehicles) was handled with the Consent Agenda.

6.52 Adoption of Resolution #2012-R-22 approving a Fire Truck Revolving Loan Program Loan Agreement with the Illinois Finance Authority was handled with the Consent Agenda.

6.6 JUDICIARY COMMITTEE REPORT:

No Report.

7.0 REPORTS FROM SPECIAL COMMITTEES:

No Report.

8.0 UNFINISHED BUSINESS:

- 8.1 Notice of vacancy on the Historic Preservation Commission due to the term expiration of Kevin Kirkpatrick was handled with the Consent Agenda.
- 8.2 Notice of vacancy on the Housing Commission due to the term expiration of Polly Kuehl was handled with the Consent Agenda.
- 8.3 Notice of vacancy on the Housing Commission due to the term expiration of Jack Rosenberg was handled with the Consent Agenda.
- 8.4 Notice of vacancy on the Historic Preservation Commission due to the resignation of Raymond Pruchnicki was handled with the Consent Agenda.
- 8.5 Notice of vacancy on the Appearance Review Commission due to the resignation of Julie Wolf was handled with the Consent Agenda.
- 8.6 Notice of vacancy on the Transportation Commission due to the term expiration of Eileen Miller-Girson was handled with the Consent Agenda.
- 8.7 Notice of vacancy on the Transportation Commission due to the term expiration of Clayton Weaver was handled with the Consent Agenda.
- 8.8 Notice of vacancy on the Historic Preservation Commission due to the term expiration of James McClure was handled with the Consent Agenda.
- 8.9 Notice of vacancy on the Housing Commission due to the term expiration of Gregory Braun was handled with the Consent Agenda.
- 8.91 Notice of vacancy on the Electrical Commission due to the term expiration of Robert May was handled with the Consent Agenda.

9.0 NEW BUSINESS:

- 9.1 Reappointment of George Vandervoort to the Building Code Board of Appeals from July 2012 to July 2017 was handled with the Consent Agenda.

- 9.2 Reappointment of Joseph Drelicharz to the Electrical Commission from July 2012 to July 2016 was handled with the Consent Agenda.
 - 9.3 Reappointment of Thomas McDaniel to the Electrical Commission from July 2012 to July 2016 was handled with the Consent Agenda.
 - 9.4 Recommendation of appointment of Linda Nicholls to Appearance Review Commission from July 10, 2012 to July 10, 2017 was handled with the Consent Agenda.
 - 9.5 Recommendation of appointment of Jeffery A. Batara to the Electrical Commission from July 10, 2012 to May 1, 2016 was handled with the Consent Agenda.
 - 9.6 Notice of vacancy on the Zoning Board of Appeals due to the term expiration of Daniel Sullivan was handled with the Consent Agenda.
 - 9.7 Notice of vacancy on the Board of Fire and Police Commissioners due to the resignation of Mari Terman was handled with the Consent Agenda.
- 10.0 ADJOURNMENT:

Trustee Krueger moved to adjourn the meeting at 8:23 p.m., seconded by Trustee Bielinski. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk