



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, SEPTEMBER 24, 2013.

ITEM:

The Village President called the meeting to order at 7:31 p.m.

1.0 ROLL CALL:

President	Bob Bielinski
Trustees	Alan Swanson
	Carol Ducommun
	Julie Wolf
	Ted McKenna
	Mike Basil
Absent:	Cameron Krueger

Staff Present:	Timothy J. Frenzer, Village Manager
	Michael Braiman, Assistant Village Manager
	Michael Zimmermann, Corporation Counsel
	Barbara L. Hirsch, Deputy Village Clerk
	John Prejzner, Assistant to the Village Manager
	John Adler, Director of Community Development
	Jorge Cruz, Assistant Director of Engineering
	Brian King, Chief of Police
	Kyle Perkins, Deputy Police Chief

2.0 APPROVAL OF MINUTES:

2.1 Trustee Wolf moved approval of minutes of the Regular Board meeting held September 10, 2013, seconded by Trustee Ducommun. All voted aye, the motion carried.

3.0 PETITIONS AND COMMUNICATIONS:

President Bielinski noted that there were five people asking to address items that were not on the agenda. He asked to defer resident comment until after the recognition awards.

President Bielinski asked if there was anyone present who would like to remove an item from the Consent Agenda.

Gail Schechter, Executive Director of Open Communities, asked to remove item 6.38 from the Consent Agenda.

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

- 6.11 Minutes, Appearance Review Commission.
- 6.12 Temporary Use Permit #2013-TU-23 for the display of two live reindeer at Chalet Nursery and Garden Shop, 3132 Lake Avenue from November 19 through December 23, 2013.
- 6.13 Adoption of Ordinance #2013-O-52 approving a request for a special use for a roofed accessory structure in excess of 200 square feet and a 4.0' accessory structure separation variation to retain a gazebo at 111 Carriage Way in accordance with the plans submitted. The use shall run with the use.
- 6.14 Adoption of Ordinance #2013-O-53 approving a revised request for a 120 square foot total floor area variation to permit a one-story addition at 901 Greenleaf Avenue in accordance with the plans submitted.
- 6.15 ZBA Report, Case #2013-Z-28, 2501 Lake Avenue regarding a request for variations to allow a parking space in the required front yard to permit the widening of the existing driveway in accordance with the plans submitted; adoption of Ordinance #2013-O-54.
- 6.16 ZBA Report, Case #2013-Z-33, 2028 Highland Avenue regarding a request for a variation to permit a pergola on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2013-O-55.
- 6.17 ZBA Report, Case #2013-Z-35, 3133 Sprucewood Road regarding a request for a variation in accordance with the plans submitted; adoption of Ordinance #2013-O-56.

- 6.21 Approval of August 2013 Disbursements.

- 6.22 Adoption of Resolution #2013-R-35 approving investments as previously authorized in the Illinois Funds money market accounts.
- 6.31 Minutes, Human Relations Commission.
- 6.32 Minutes, Transportation Commission.
- 6.33 Minutes, Administration Committee.
- 6.34 Renewal of contract, Tyler Technologies, Inc. Dallas, TX for annual licensing and support services for the MUNIS municipal software application.
- 6.35 Adoption of Resolution #2013-R-34 appointing Assistant Village Manager Michael Braiman as Representative to the Intergovernmental Risk Management (IRMA) Board of Directors.
- 6.36 Adoption of Ordinance #2013-O-42 amending the Village Code, Chapter 13 regarding parking meter regulations in certain parking lots.
- 6.37 Introduction of Ordinance #2013-O-50 amending the Village Code, Chapter 2 providing that the Village Manager shall serve simultaneously as Village Clerk.
- 6.41 Minutes, Municipal Services Committee.
- 6.42 Approval of contract, Kim Construction Company, Inc., Steger, IL for the 2013 Manhole Rehabilitation Project.
- 6.43 Approval of contract, RJN Group, Wheaton, IL for engineering services associated with the 2013 Separate Sanitary System Sewer Program.
- 6.61 Minutes, Judiciary Committee.
- 6.62 Introduction of Ordinance #2013-O-49 amending the Village Code, Chapter 11 decreasing the number of Class H liquor licenses.
- 6.63 Introduction of Ordinance #2013-O-51 amending the Village Code, Chapter 11 to create a new class of liquor license (Class P) to allow the liquor control commissioner to issue a Class P liquor license to Marriott Residence Inn.
- 8.1 Notice of vacancy, Housing Commission.
- 8.2 Notice of vacancy, Housing Commission.
- 8.3 Notice of vacancy, Electrical Commission.
- 8.4 Notice of vacancy, Historic Preservation Commission.
- 8.5 Notice of vacancy, Environmental and Energy Commission.
- 8.6 Notice of vacancy, Transportation Commission.
- 8.7 Notice of vacancy, Environmental and Energy Commission.
- 8.8 Notice of vacancy, Environmental and Energy Commission.
- 8.9 Notice of vacancy, Historic Preservation Commission.

- 9.1 Appointment, Historic Preservation Commission.
- 9.2 Recommendation of appointment, Environmental and Energy Commission.

Trustee Wolf seconded the motion. Voting yes: Trustees Swanson, Ducommun, Wolf, McKenna, Basil and President Bielinski. Voting no: none. The motion carried.

4.2 Recognition of Michael Clark for Officer of the Year Award.

Brian King, Chief of Police, recognized Michael Clark, summarized his accomplishments and presented him with an award for Officer of the Year.

4.3 Recognition of Syndy Nugent for Civilian of the Year Award.

Brian King, Chief of Police, recognized Syndy Nugent, summarized her accomplishments and presented her with an award for Civilian of the Year.

4.4 Recognition of James Pasquesi for Traffic Safety Award.

Kyle Perkins, Deputy Chief of Police, recognized James Pasquesi, summarized his accomplishments and presented him with an award for Traffic Safety.

4.5 Recognition of Nick Rizzo and Alex Mercado for Life Saving Awards.

Kyle Perkins, Deputy Chief of Police, recognized Officers Nick Rizzo and Alex Mercado, summarized the event and presented them with the Life Saving Award.

3.0 PETITIONS AND COMMUNICATIONS:

President Bielinski returned to item 3.0 noting there were residents who would like to address the Village Board.

Gail Schechter, Executive Director of Open Communities, said she would like to recognize Jean Cleland who recently passed away. Ms. Cleland was very active in affordable housing in the Village of Wilmette. Ms. Schechter was also concerned about the Village discontinuing the housing assistance fund. She said the fund helps a number of low income residents and people with disabilities in the Village. She offered to help the Village find alternative sources of funding and urged the Village Board not to end the housing assistance fund.

Rich Goodwin, 334 Skokie Court, said there are many low income residents and residents who are disabled who are in need of the housing assistance funding. He encouraged the Village Board to keep the affordable housing funding.

Ellen McManus, 705 11th Street, said she is speaking on behalf of her daughter who has cerebral palsy and lives in the Village. Her daughter has been receiving housing assistance for the past 14 years and her family is grateful for the assistance. She strongly requested that the Village Board continue the housing assistance funding.

Spencer Cowan, 1616 Sheridan Road, said eliminating the affordable housing funding would negatively affect fair housing in Wilmette. He also believes that it would only cost \$2.66 per household per year to fund the affordable housing program from property taxes if there were no other sources of funding found. He encouraged the Village Board to continue the program.

Holly Gilson, 510 Central, thanked everyone who supported the triathlon event that was recently held in Wilmette.

President Bielinski thanked all those who commented regarding the Housing Assistance Program. He said the budget process for 2014 is currently underway and the Administration Committee held the first meeting regarding the affordable housing fund. The Committee reviewed the affordable housing fund and tried to come up with methods to extend the assistance program. He said there will be an additional meeting with the Housing Commission and staff has contacted New Trier Township to discuss alternate sources of funding. It is a difficult decision to review the budget and decide what items are needed most such as ambulances, police cars, sidewalks, and sewers. The Village Board will discuss all items at upcoming budget meetings that are open to the public.

Trustee Wolf said she is a member of the Administration Committee who discussed the affordable housing fund and housing assistance program. She said the affordable housing fund which subsidizes a portion of the assistance program, was funded by the Red Seal project and has been nearly depleted which is very unfortunate.

Trustee Basil said he is also a member of the Administration Committee and they recently had a lengthy meeting to discuss the funding of the Affordable Housing Fund and the Clampitt Fund. He said both funds have been nearly depleted and he agrees with President Bielinski's comments on the decisions that have to be made regarding the 2014 budget process.

Trustee McKenna said he would be interested in knowing more about the housing assistance program and the process of reviewing it.

Trustee Wolf said the Administration Committee discussed exploring New Trier Township benefits that would help Wilmette residents.

President Bielinski said he has been in contact with the Supervisor at New Trier Township as has staff with the purpose of trying to extend the money that is currently in the fund.

Village Manager Timothy Frenzer said at the current rate of spending the affordable housing escrow, which supports the Housing Assistance Program, will be fully depleted in 2016. The Administration Committee made several recommendations regarding extending the fund which staff will incorporate in the proposed 2014 budget process. He noted that the property tax rate will increase in 2014 but the Village Board has given direction to staff to try to reduce the rate of increase. Sales tax and income tax are still flat, if not below what was projected and the non-property tax revenue is still well behind what it was prior to the recession. In the proposed 2014 budget there is not going to be very much money for discretionary spending beyond maintaining critical services.

4.0 REPORTS OF OFFICERS:

No Reports.

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 August 5, 2013 was handled with the Consent Agenda.

6.12 Approval of Temporary Use Permit #2013-TU-23 for the display of two live reindeer at Chalet Nursery and Garden Shop, 3132 Lake Avenue from November 19 through December 23, 2013 was handled with the Consent Agenda.

- 6.13 Adoption of Ordinance #2013-O-52 approving a request for a special use for a roofed accessory structure in excess of 200 square feet and a 4.0' accessory structure separation variation to retain a gazebo at 111 Carriage Way in accordance with the plans submitted. The use shall run with the use.

Ordinance #2013-O-52 was adopted with the Consent Agenda authorizing the special use and variations of this case.

- 6.14 Adoption of Ordinance #2013-O-53 approving a revised request for a 120 square foot (1.24%) total floor area variation to permit a one-story addition at 901 Greenleaf Avenue in accordance with the plans submitted.

Ordinance #2013-O-53 was adopted with the Consent Agenda authorizing the variation of this case.

- 6.15 Zoning Board of Appeals Report, Case #2013-Z-28, 2501 Lake Avenue regarding a request for a 282.75 square foot (18.13%) front yard impervious surface coverage variation and a variation to allow a parking space in the required front yard to permit the widening of the existing driveway in accordance with the plans submitted; adoption of Ordinance #2013-O-54.

The request was handled with the Consent Agenda for a 282.75 square foot (18.13%) front yard impervious surface coverage variation and a variation to allow a parking space in the required front yard to permit the widening of the existing driveway in accordance with the plans submitted. Ordinance #2013-O-54 was adopted with the Consent Agenda authorizing the variations of this case.

- 6.16 Zoning Board of Appeals Report, Case #2013-Z-33, 2028 Highland Avenue regarding a request for a 339.36 square foot (5.13%) lot coverage variation to permit a pergola on the legal nonconforming structure in accordance with the plans submitted; adoption of Ordinance #2013-O-55.

The request was handled with the Consent Agenda for a 339.36 square foot (5.13%) lot coverage variation to permit a pergola on the legal nonconforming structure in accordance with the plans submitted. Ordinance #2013-O-55 was adopted with the Consent Agenda authorizing the variation of this case.

- 6.17 Zoning Board of Appeals Report, Case #2013-Z-35, 3133 Sprucewood Road regarding a request for a 1.02' front yard pergola setback variation in accordance with the plans submitted; adoption of Ordinance #2013-O-56.

The request was handled with the Consent Agenda for a 1.02' front yard pergola setback variation in accordance with the plans submitted. Ordinance #2013-O-56 was adopted with the Consent Agenda authorizing the variation of this case.

- 6.18 Zoning Board of Appeals Report, Case #2013-Z-36, 214 5th Street regarding a request for a 53.08 square foot (0.5%) total floor area variation and a 511.5 square foot (25.58%) rear yard flat surface impervious surface coverage variation to permit the retention of a raised deck (tree house) and artificial turf surface in accordance with the plans submitted.

Trustee Swanson moved to grant a request for a 53.08 square foot (0.5%) total floor area variation and a 511.5 square foot (25.58%) rear yard flat surface impervious surface coverage variation to permit the retention of a raised deck (tree house) and artificial turf surface in accordance with the plans submitted, seconded by Trustee Basil.

Traci Knudson, applicant for the request, reviewed the request as presented in the Zoning Board of Appeals report. She noted that her block is unique as it is one of the few streets in the area without an alley. Without an alley for her block, the water has no place to go which creates additional standing water in her yard. After reviewing many options, they chose to install a synthetic grass system. She has confirmed, since the Zoning Board of Appeals meeting, that the third party test results show that the synthetic turf is on a permeable fabric which allows for the passage of rainwater. The product is installed over a gravel base and rainfall infiltrates into the sub soils, similar to a natural condition. She said they are also asking for a floor area variance for the tree house and they were not aware that a permit was needed for the tree house.

Trustee Swanson asked the applicant why she did not apply for a permit.

Ms. Knudson said she understands the permit process but the information she and her husband read online regarding tree houses, led them to believe that they would not need a permit for the tree house that they built.

There are no concrete footings, there is not a roof or pergola on the tree house, the main platform is 10' by 10' and they are well under the Village's height restriction. She said they believed the synthetic turf was a landscaping issue and did not require a permit.

President Bielinski asked how often we deal with synthetic turf surfaces.

John Adler, Director of Community Development, said this is the first case he has seen regarding synthetic turf. They have had requests for artificial turf for a sports court or putting green which is a harder surface.

Trustee Ducommun said she visited the applicant's property and she has no concerns regarding the tree house or synthetic turf surface. She hopes that we can make the tree house ordinance clearer as we go through the Zoning Ordinance review process.

Trustee Wolf asked Mr. Adler for more clarification regarding requests for synthetic surfaces.

Mr. Adler said typically they have only had requests for sports court synthetic turf. The reason staff asks for permits for this type of request is that this type of surface will require maintenance to keep the surface pervious.

Ms. Knudson said they will have to clean the debris off the surface of the turf but they have been told that the synthetic surface will remain pervious.

Trustee Wolf said she was sorry that the rain garden on the property did not work out but the synthetic surface seems to have alleviated the flooding problem in the yard.

Ms. Knudson said they had too much clay in the yard so the plants in the rain garden were not surviving.

Trustee Swanson said he is a neighbor of Ms. Knudson's. He looked at the property and thinks that the situation on Ms. Knudson's block has been improved with the synthetic turf. He said because of the pervious synthetic turf and the pump in Ms. Knudson's yard the flooding has been pumped to the front yard to be distributed rather than pool in the back yard.

Trustee McKenna asked if this is a question of definition of pervious and impervious surface. If the petitioners' system is a better system, he wondered if a variation is needed.

Mr. Adler said staff's concern is that there is the possibility that maintenance is required for this type of turf to keep it pervious and they would like to be aware of what is installed and how much is installed on a property.

President Bielinski said even if there was a permeable issue, it looks like water will end up flowing into the petitioner's drain and then pumped out.

Jorge Cruz, Assistant Director of Engineering, said the water does flow into the sump pit and is then pumped out.

President Bielinski asked if the Engineering Department was comfortable with the grading of the property.

Mr. Cruz said they would have issued a grading permit for the project with the proposed information.

Trustee Basil said the crushed stone is also an improvement over the clay that was previously in the soil and was removed for the synthetic turf.

Mr. Adler said he did send the engineer's report to the neighbors and he has not heard anything further from the neighbors.

Voting yes: Trustees Swanson, Ducommun, Wolf, McKenna, Basil and President Bielinski. Voting no: none. The motion carried.

6.2 FINANCE COMMITTEE REPORT:

6.21 Approval of August 2013 Disbursements was handled with the Consent Agenda.

6.22 Adoption of Resolution #2013-R-35 approving investments as previously authorized in the Illinois Funds money market accounts was handled with the Consent Agenda.

6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Presentation of minutes of the Human Relations Commission meeting held June 6, 2013 was handled with the Consent Agenda.
- 6.32 Presentation of minutes of the Transportation Commission meeting held January 30, 2013 was handled with the Consent Agenda.
- 6.33 Presentation of minutes of the Administration Committee meeting held March 19, 2013 was handled with the Consent Agenda.
- 6.34 Renewal of contract in an amount not to exceed \$67,500 with Tyler Technologies, Inc. Dallas, TX for annual licensing and support services for the MUNIS municipal software application was handled with the Consent Agenda.
- 6.35 Adoption of Resolution #2013-R-34 appointing Assistant Village Manager Michael Braiman as Representative to the Intergovernmental Risk Management (IRMA) Board of Directors was handled with the Consent Agenda.
- 6.36 Adoption of Ordinance #2013-O-42 amending the Village Code, Chapter 13 regarding parking meter regulations in certain parking lots was handled with the Consent Agenda.
- 6.37 Introduction of Ordinance #2013-O-50 amending the Village Code, Chapter 2 providing that the Village Manager shall serve simultaneously as Village Clerk was handled with the Consent Agenda.
- 6.38 Adoption of Resolution #2013-R-36 approving a fourth amendment to the Real Estate Sale and Developer's Agreement between the Village of Wilmette and Lexington Homes, LLC for the property known as 611 Green Bay Road.

Trustee Swanson moved adoption of Resolution #2013-R-36 approving a fourth amendment to the Real Estate Sale and Developer's Agreement between the Village of Wilmette and Lexington Homes, LLC for the property known as 611 Green Bay Road, seconded by Trustee Basil.

Mr. Frenzer said the Village has granted a number of extensions to the developer in the past and are recommending granting a fourth extension as

the developer is working to make the development more in line with the Village Center Master Plan and that is a very long process.

Gail Schechter encouraged the Village Board to consider a similar process with Lexington Homes that was considered with the Red Seal Project.

Voting yes: Trustees Swanson, Ducommun, Wolf, McKenna, Basil and President Bielinski. Voting no: none. The motion carried.

6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

- 6.41 Presentation of minutes of the Municipal Services Committee meeting held July 9, 2013 was handled with the Consent Agenda.
- 6.42 Approval of contract in the amount of \$815,700 with Kim Construction Company, Inc., Steger, IL for the 2013 Manhole Rehabilitation Project was handled with the Consent Agenda.
- 6.43 Approval of contract in an amount not to exceed \$266,870 with RJN Group, Wheaton, IL for engineering services associated with the 2013 Separate Sanitary System Sewer Program was handled with the Consent Agenda.

6.5 PUBLIC SAFETY COMMITTEE REPORT:

No Report.

6.6 JUDICIARY COMMITTEE REPORT:

- 6.61 Presentation of minutes of the Judiciary Committee meeting held April 23, 2013 was handled with the Consent Agenda.
- 6.62 Introduction of Ordinance #2013-O-49 amending the Village Code, Chapter 11 decreasing the number of Class H liquor licenses was handled with the Consent Agenda.
- 6.63 Introduction of Ordinance #2013-O-51 amending the Village Code, Chapter 11 to create a new class of liquor license (Class P) to allow the liquor control commissioner to issue a Class P liquor license to Marriott Residence Inn 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 Housing Commission due to the term expiration of Jack Rosenberg was handled with the Consent Agenda.

8.2 Notice of vacancy on the Housing Commission due to the term expiration of Gregory Braun was handled with the Consent Agenda.

8.3 Notice of vacancy on the Electrical Commission due to the term expiration of Robert May was handled on the Consent Agenda.

8.4 Notice of vacancy on the Historic Preservation Commission due to the resignation of Senta Plunkett was handled on the Consent Agenda.

8.5 Notice of vacancy on the Environmental and Energy Commission due to the term expiration of Karen Glennemeier was handled on the Consent Agenda.

8.6 Notice of vacancy on the Transportation Commission due to the term expiration of Mark Wagstaff was handled with the Consent Agenda.

8.7 Notice of vacancy on the Environmental and Energy Commission due to the term expiration of Debra Favre was handled with the Consent Agenda.

8.8 Notice of vacancy on the Environmental and Energy Commission due to the term expiration of Charles Murdock was handled with the Consent Agenda.

8.9 Notice of vacancy on the Historic Preservation Commission due to the term expiration of Rich Lytle was handled with the Consent Agenda.

9.0 NEW BUSINESS:

9.1 Appointment of Homa Ghaemi to the Historic Preservation Commission from September 10, 2013 to September 10, 2017 was handled with the Consent Agenda.

9.2 Recommendation of appointment of Arthur Haut to the Environmental and Energy Commission from October 8, 2013 to October 8, 2016 was handled with the Consent Agenda.

10.0 ADJOURNMENT:

Trustee Basil moved to adjourn the meeting at 8:49 p.m., seconded by Trustee Ducommun. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk