



# 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, OCTOBER 14, 2014.**

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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  
Trustees Absent:        Cameron Krueger  
                                  Mike Basil

Staff Present:            Timothy J. Frenzer, Village Manager  
                                  Michael Braiman, Assistant Village Manager  
                                  Michael Zimmermann, Corporation Counsel  
                                  Barbara Hirsch, Deputy Village Clerk  
                                  John Prejzner, Assistant to the Village Manager  
                                  John Adler, Director of Community Development  
                                  Peter Skiles, Director of Services Technology  
                                  Michael McGreal, Deputy Fire Chief

2.0 APPROVAL OF MINUTES:

2.1 Trustee Wolf moved approval of minutes of the Regular Board meeting held September 23, 2013, seconded by Trustee Ducommun. All voted aye, the motion carried.

### 3.0 PETITIONS AND COMMUNICATIONS:

Irwin Smiley, 244 Sunset, said he has construction going on at the property next to him and there have been many issues with the contractor. John Adler from Community Development had a meeting with the contractor today and the majority of his complaints have been addressed.

Mark Weyermuller, 208 Lawndale Avenue, said he is not happy with the raise in the Home Rule Sales Tax, the Village spending money to fight tax appeals, the empty property on Green Bay Road and the issuance of bonds that is on the agenda this evening. He is also concerned with the referendum for New Trier High School and would like to see the taxing bodies cut expenses.

President Bielinski said he could not comment on the New Trier Referendum as under Illinois law a public body is not permitted to advocate for or against a ballot initiative.

President Bielinski said in response to Mr. Weyermuller's comment about the sales tax, there is a State of the Village presentation online that explains the Village's financial situation in depth and encouraged him to view the presentation to see why the decision to raise the tax was made, what the Village spends money on and what cuts have been made. In response to the property tax litigation, he noted that if a resident or business unfairly receives a break on their tax evaluation, then everybody else's taxes go up. The Village Board will be very happy to have a development at 611 Green Bay Road and the Village should show a profit on the sale of the property. The issuance of bonds on tonight's agenda is related to primarily to refinancing, which will save the Village money and to sewer bonds to address flooding in the Village.

Mr. McFedries asked to remove item 6.41 from the Consent Agenda.

### 4.0 REPORTS OF OFFICERS:

4.1 Consent Agenda. Trustee Wolf moved approval of the remaining items of the Consent Agenda as follows:

6.11 Minutes, Appearance Review Commission.

6.12 Minutes, Zoning Board of Appeals.

6.13 Temporary Use Permit #2014-TU-24 for the Laundry Mutt Howl-ween event to be held on Saturday, October 25, 2014 from 6:00 p.m. to 9:00 p.m.

- 6.14 ARC Report, Case #2014-AR-21, 111 Green Bay Road, Firefly Kitchen regarding a request for an Appearance Review Certificate for new landscaping and wall and window signs, a sign variation to paint a sign directly to a wall, a sign variation to display more than one window sign along a single street frontage, and a sign variation to display more than one wall sign along a single street frontage.
- 6.15 ARC Report, Case #2014-AR-25, 521 Green Bay Road, Illinois Bone & Joint Institute regarding a request for an amendment to a previously granted variation to install a sign not fronting a street.
- 6.16 Adoption of Ordinance #2014-O-55 approving a request for variations to permit the construction of a new home and one-car detached garage at 433 8<sup>th</sup> Street in accordance with the plans submitted.
- 6.17 ZBA Report, Case #2014-Z-40, 33 Locust Road regarding a request for variations to permit the construction of a new side porch on the legal non-conforming structure in accordance with the plans submitted; adoption of Ordinance #2014-O-56.
- 6.18 ZBA Report, Case #2014-Z-43, 1125 Wilmette Avenue regarding a request for a variation to permit the replacement of playground equipment in accordance with the plans submitted; adoption of Ordinance #2014-O-57.
  
- 6.21 Adoption of Ordinance #2014-O-54 authorizing the issuance of not-to-exceed \$27,200,000 general obligation bonds, series 2014.
  
- 6.31 Minutes, Board of Fire and Police Commission.
- 6.32 Adoption of Resolution #2014-R-26 approving an agreement with Rock House Entertainment for the Metra Station concession.
- 6.33 Approval of contract renewal, Tyler Technologies, Inc., Dallas TX for annual licensing and support services for the MUNIS municipal software application.
- 6.34 Approval of contract, Tyler Technologies, Inc., Dallas, TX for licensing and implementation services to upgrade the MUNIS municipal software application.
  
- 6.42 Approval of contract, RJN Group, Inc., Wheaton, IL for construction engineering services associated with the 2014 Manhole Rehabilitation Project.
  
- 6.51 Approval of contract, Hastings Air Energy Control, New Berlin, WI for the purchase and installation of fire apparatus exhaust extraction equipment in Fire Stations 26 and 27.

- 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, Environmental and Energy Commission.
- 8.5 Notice of vacancy, Housing Commission.
- 8.6 Notice of vacancy, Environmental and Energy Commission.
- 8.7 Notice of vacancy, Environmental and Energy Commission.
- 8.8 Notice of vacancy, Environmental and Energy Commission.
- 8.9 Notice of vacancy, Human Relations Commission.
  
- 9.1 Appointment, Transportation Commission
- 9.2 Recommendation of appointment, Transportation Commission; Waiver of rules - Appointment, Transportation Commission.

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

- 4.2 Introduction of Libby Braband who is recommended for appointment to the Transportation Commission.

President Bielinski introduced Ms. Braband to the Village Board and recommended her appointment to the Transportation Commission.

- 4.3 Introduction of Susan Barton who is recommended for appointment to the Transportation Commission.

President Bielinski introduced Ms. Barton to the Village Board and recommended her appointment to the Transportation Commission.

- 4.4 Announcement of cancellation of the December 23, 2014 Regular Village Board Meeting.

There no reports from the Village Manager or Corporation Counsel.

#### 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 September 8, 2014 was handled with the Consent Agenda.
- 6.12 Presentation of minutes of the Zoning Board of Appeals meeting held September 3, 2014 was handled with the Consent Agenda.
- 6.13 Approval of Temporary Use Permit #2014-TU-24 for the Laundry Mutt Howl-ween event to be held on Saturday, October 25, 2014 from 6:00 p.m. to 9:00 p.m. was handled with the Consent Agenda.
- 6.14 Appearance Review Commission Report, Case #2014-AR-21, 111 Green Bay Road, Firefly Kitchen regarding a request for an Appearance Review Certificate for new landscaping and wall and window signs, a sign variation to paint a sign directly to a wall, a sign variation to display more than one window sign along a single street frontage, and a sign variation to display more than one wall sign along a single street frontage.

The request was handled with the Consent Agenda for an Appearance Review Certificate for new landscaping and wall and window signs, a sign variation to paint a sign directly to a wall, a sign variation to display more than one window sign along a single street frontage, and a sign variation to display more than one wall sign along a single street frontage.

- 6.15 Appearance Review Commission Report, Case #2014-AR-25, 521 Green Bay Road, Illinois Bone & Joint Institute regarding a request for an amendment to a previously granted variation to install a sign not fronting a street.

The request was handled with the Consent Agenda for an amendment to a previously granted variation to install a sign not fronting a street.

- 6.16 Adoption of Ordinance #2014-O-55 approving a request for a 252.64 square foot (4.59%) lot coverage variation, a 1,596.07 square foot (29.02%) total floor area variation, a 3.23' minimum side yard setback variation, a 0.58' combined side yard setback variation, a 6.01' rear yard setback variation, a 3.23' side yard eave setback variation, a 4.01' rear yard eave setback variation, an 11.67' rear yard deck setback variation, a 4.01' rear yard stair setback variation, a 1.0' first floor height variation, a 2.0' rear yard detached garage setback variation, a 1.0' rear yard garage eave setback variation, a 3.5' accessory structure separation variation, a 208.06 square foot (15.13%) rear yard structure impervious surface

coverage variation, and a variation from the requirement to provide two enclosed parking spaces to permit the construction of a new home and one-car detached garage at 433 8<sup>th</sup> Street in accordance with the plans submitted was handled with the Consent Agenda.

- 6.17 Zoning Board of Appeals Report, Case #2014-Z-40, 33 Locust Road regarding a request for a 12.25' front yard porch setback variation and a 17.0' front yard porch step setback variation to permit the construction of a new side porch on the legal non-conforming structure in accordance with the plans submitted; adoption of Ordinance #2014-O-56.

The request was handled with the Consent Agenda for a 12.25' front yard porch setback variation and a 17.0' front yard porch step setback variation to permit the construction of a new side porch on the legal non-conforming structure in accordance with the plans submitted. Ordinance #2014-O-56 was adopted with the Consent Agenda authorizing the variations of this case.

- 6.18 Zoning Board of Appeals Report, Case #2014-Z-43, 1125 Wilmette Avenue regarding a request for a 12.0' front yard playground equipment setback variation to permit the replacement of playground equipment in accordance with the plans submitted; adoption of Ordinance #2014-O-57.

The request was handled with the Consent Agenda for a 12.0' front yard playground equipment setback variation to permit the replacement of playground equipment in accordance with the plans submitted. Ordinance #2014-O-57 was adopted with the Consent Agenda authorizing the variation of this case.

## 6.2 FINANCE COMMITTEE REPORT:

- 6.21 Adoption of Ordinance #2014-O-54 authorizing the issuance of not-to-exceed \$27,200,000 general obligation bonds, series 2014 was handled with the Consent Agenda.
- 6.22 Presentation of the proposed Fiscal Year 2015 Budget.

Village Manager Timothy Frenzer said he was pleased to present the proposed Fiscal Year 2015 Budget. Revenues this year are projected to exceed the budget by over \$800,000 due to better than expected performance beyond what was budgeted in real estate transfer tax, sales tax, income tax, building permits and licenses. Additionally we are projected to be under budget in our expenses in the General Fund by over

\$300,000. The Village Board and staff have been very successful in treating the budget as a living document during the year to keep staffing down, hold positions open and achieve other economies so that we are able to return as much to the General Fund as possible.

Mr. Frenzer said looking forward to 2015, he is pleased to present a Budget that is balanced with a projected surplus of \$20,000 at the end of the fiscal year. All Village services are maintained and we begin to recover some of the services that we had lost during the recession. For the fourth straight year there will be no increase in the water rate. The sewer rate will increase by forty cents to provide funding for repaying the bond issue that will be done for completion of the Sewer Improvement Program.

The proposed property tax levy increase will be the smallest percentage increase in 17 years at approximately 3.35%. This Budget will include a number of critical capital improvements made possible by the Village Board's decision on revenue. There will be money available for road resurfacing, alleys, brick streets, sidewalks and curbs, a Police Department roof and five squad cars, two snow plow trucks, sewer lining and repair, a catch basin cleaner and completion of the West Park Sewer Storage Project.

Mr. Frenzer said there will be a Village Board Workshop on Tuesday, October 28 at 6:00 pm at Village Hall. There will be a public hearing to adopt the budget on Tuesday, November 25 at 7:30 pm at Village Hall and a public hearing to adopt the tax levy on Tuesday, December 9 at 7:30 pm. The Village Budget is available on the Village website, at Village Hall and at the Wilmette Library.

Mr. Frenzer thanked the Budget team for their hard work and preparation of the budget document; Michael Braiman, Assistant Village Manager, John Prejzner, Assistant to the Village Manager, Alex Cease, Assistant to the Village Manager, Melinda Molloy, Director of Finance and Peter Skiles, Director of Information Technology.

### 6.3 ADMINISTRATION COMMITTEE REPORT:

- 6.31 Presentation of minutes of the Board of Fire and Police Commission meeting held August 25, 2014 was handled with the Consent Agenda.

- 6.32 Adoption of Resolution #2014-R-26 approving an agreement with Rock House Entertainment for the Metra Station concession was handled with the Consent Agenda.
- 6.33 Approval of contract renewal in an amount not to exceed \$68,650 with Tyler Technologies, Inc., Dallas TX for annual licensing and support services for the MUNIS municipal software application was handled with the Consent Agenda.
- 6.34 Approval of contract in an amount not to exceed \$46,660 with Tyler Technologies, Inc., Dallas, TX for licensing and implementation services to upgrade the MUNIS municipal software application was handled with the Consent Agenda.

#### 6.4 MUNICIPAL SERVICES COMMITTEE REPORT:

- 6.41 Approval of contract in the amount of \$518,526 with Kim Construction Company, Inc., Steger, IL for the 2014 Manhole Rehabilitation Project.

Trustee Wolf moved to approve a contract in the amount of \$518,526 with Kim Construction Company, Inc., Steger, IL for the 2014 Manhole Rehabilitation Project, seconded by Trustee

Scott McFedries, 1940 Civil Drive, Crest Hill, IL, said he submitted a bid protest earlier in the month regarding Kim Construction. He has concerns regarding Kim Construction following the prevailing wage laws as they had a previous violation regarding prevailing wage. He asked the Village Board to consider putting the project out to rebid.

Mr. Frenzer said he appreciates Mr. McFedries' concerns and the Village understands its obligation to monitor compliance regarding the Prevailing Wage Act. On their prior project for the Village, Kim Construction did submit their required certified payrolls on time. He has spoken to the Village Engineer and she is convinced that the Village would not do better by rebidding the project.

Trustee Swanson said he assumes that the Department of Labor has a set protocol for punishments for violations.

Mr. Frenzer said violators are required to pay what should have been properly paid to the employee and then there is fine they have to pay also. After the second violation, the company would be debarred and Village Staff routinely checks the debar list.



Trustee Wolf said she noted in the report that Kim Construction has successfully executed other projects for the Village. She appreciated Mr. McFedries calling the violation to the Village Board's attention.

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

- 6.42 Approval of contract in the amount of \$64,895 with RJN Group, Inc., Wheaton, IL for construction engineering services associated with the 2014 Manhole Rehabilitation Project was handled with the Consent Agenda.

6.5 PUBLIC SAFETY COMMITTEE REPORT:

- 6.51 Approval of contract in the amount of \$132,252 with Hastings Air Energy Control, New Berlin, WI for the purchase and installation of fire apparatus exhaust extraction equipment in Fire Stations 26 and 27 was handled with the Consent Agenda

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 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 with the Consent Agenda.
- 8.4 Notice of vacancy on the Environmental and Energy Commission due to the term expiration of Debra Favre was handled with the Consent Agenda.
- 8.5 Notice of vacancy on the Housing Commission due to the term expiration of Jane Hornstein was handled with the Consent Agenda.

- 8.6 Notice of vacancy on the Environmental and Energy Commission due to the term expiration of Chris Dunn was handled with the Consent Agenda.
- 8.7 Notice of vacancy on the Environmental and Energy Commission due to the term expiration of Patrick Meara was handled with the Consent Agenda.
- 8.8 Notice of vacancy on the Environmental and Energy Commission due to the term expiration of John Anderson was handled with the Consent Agenda.
- 8.9 Notice of vacancy on the Human Relations Commission due to the term expiration of David Pollak was handled with the Consent Agenda.
- 9.0 NEW BUSINESS:
- 9.1 Appointment of Libby Braband to the Transportation Commission from October 14, 2014 to October 14, 2018 was handled with the Consent Agenda.
- 9.2 Recommendation of appointment of Susan Barton to the Transportation Commission from October 14, 2014 to October 14, 2018; Waiver of rules - Appointment of Susan Barton to the Transportation Commission from October 14, 2014 to October 14, 2018 was handled with the Consent Agenda.
- 10.0 ADJOURNMENT:
- Trustee Ducommun moved to adjourn the meeting at 8:11 p.m., seconded by Trustee Wolf. All voted aye, the motion carried.

Barbara L. Hirsch  
Deputy Village Clerk