



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, NOVEMBER 22, 2016.

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

1.0 ROLL CALL

President	Bob Bielinski
Trustees	Daniel E. Sullivan, Jr.
	Carol Ducommun
	Julie Wolf
	Cameron Krueger
	Ted McKenna
	Senta Plunkett

Staff Present: Michael Braiman, Assistant Village Manager
Barbara Hirsch, Deputy Village Clerk
Michael Zimmermann, Corporation Counsel
John Prejzner, Assistant Village Manager
John Adler, Director of Community Development
Melinda Molloy, Finance Director
John Risko, Assistant Finance Director
Michael McGreal, Fire Chief
Tom Robertson, Assistant Fire Chief
Brian King, Chief of Police

2.0 PUBLIC COMMENT

3.0 CONSENT AGENDA

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

3.1 Approval of minutes of the Regular Board meeting held November 8, 2016.

- 3.2 Approval of minutes of the Committee of the Whole meeting held October 20, 2016.
- 3.3 Approval of minutes of the Committee of the Whole meeting held October 26, 2016.

LAND USE COMMITTEE CONSENT AGENDA

- 3.4 Presentation of minutes of the Appearance Review Commission meeting held September 26, 2016.
- 3.5 Presentation of minutes of the Zoning Board of Appeals meeting held September 21, 2016.
- 3.6 Presentation of minutes of the Zoning Board of Appeals meeting held October 5, 2016.
- 3.7 Approval of Temporary Use Permit #2016-TU-29 to locate a construction trailer adjacent to the Sheridan Road bridge from November 28, 2016 through September 30, 2017.
- 3.8 Introduction of Ordinance #2016-O-25 adopting International Code Council's 2006 International Property Maintenance Code with amendments.
- 3.9 Introduction of Ordinance #2016-O-75 amending the Village Code definition of demolition and amending the way residential building permit extension fees are calculated.
- 3.10 Zoning Board of Appeals Report, Case #2016-Z-41, 1810 Elmwood regarding the revised request for an 8.55' front yard porch setback variation, a 6.55' front yard porch step setback variation, a 292.88 square foot (23.43%) front yard impervious surface coverage variation, and 96.31 square foot (7.7%) front porch coverage variation to permit the construction of a front porch on the legal non-conforming structure in accordance with the plans as revised; adoption of Ordinance #2016-O-73.

FINANCE COMMITTEE CONSENT AGENDA

- 3.11 Presentation of the September/October 2016 Monthly Financial Report.
- 3.12 Adoption of Ordinance #2016-O-65 amending the Village Code to conform to the proposed 2017 Fiscal Year Budget.
- 3.13 Introduction of Ordinance #2016-O-72 regarding the 2016 Tax Levy.

- 3.14** Introduction of Ordinance #2016-O-66 abating the tax levy requirements of General Obligation Bond Ordinance # 2007-O-54.
- 3.15** Introduction of Ordinance #2016-O-67 abating the tax levy requirements of General Obligation Bond Ordinance # 2009-O-63.
- 3.16** Introduction of Ordinance #2016-O-68 abating the tax levy requirements of General Obligation Bond Ordinance # 2010-O-66.
- 3.17** Introduction of Ordinance #2016-O-69 abating the tax levy requirements of General Obligation Bond Ordinance # 2011-O-70.
- 3.18** Introduction of Ordinance #2016-O-70 abating the tax levy requirements of General Obligation Bond Ordinance # 2013-O-64.
- 3.19** Introduction of Ordinance #2016-O-71 abating the tax levy requirements of General Obligation Bond Ordinance # 2014-O-54.

ADMINISTRATION COMMITTEE CONSENT AGENDA

- 3.20** Adoption of Resolution #2016-R-27 approving the 2017 Pay and Classification Plans.

Municipal Services Committee Consent Agenda

- 3.21** Presentation of minutes of the Municipal Services Committee meeting held April 5, 2016.
- 3.22** Presentation of minutes of the Bikeway Advisory Group meeting August 15, 2016.
- 3.23** Introduction of Ordinance #2016-O-74 authorizing acquisition of right-of-way.
- 3.24** Approval of contract in the amount of \$221,480.83 with Baxter & Woodman, Inc., Crystal Lake, IL for Phase III construction inspection services associated with the Skokie-Hibbard Intersection Project.
- 3.25** Approval of one-year contracts with Carus Corp., Peru, IL; Alexander Chemical Corp., Peru, IL; USALCO LLC., Baltimore, MD for the purchase of water treatment chemicals for the Water Plant.

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

4.0 REPORTS OF OFFICERS:

- 4.1** Appointment of Benjamin Wozney as Deputy Fire Chief, Ryan Menzies as Duty Chief, Michael Minogue as Lieutenant/Paramedic and Bradley Markovich as Firefighter.

Fire Chief Michael McGreal and Deputy Fire Chief Tom Robertson congratulated Benjamin Wozney as Deputy Fire Chief, Ryan Menzies as Duty Chief, Michael Minogue as Lieutenant/Paramedic and Bradley Markovich as Firefighter on their appointments.

Deputy Village Clerk Barbara Hirsch issued the Oath of Office to Benjamin Wozney, Ryan Menzies, Michael Minogue, and Bradley Markovich and congratulated them on their appointments.

- 4.2** Request for an Executive Session to discuss the collective bargaining matters pursuant to Section 2 (c) (2) of the Illinois Open Meetings Act.

There was no report from the Assistant Village Manager.

There was no report from Corporation Counsel.

5.0 REPORT OF LIQUOR CONTROL COMMISSIONER:

No Report

6.0 STANDING COMMITTEE REPORTS:

- 6.1** Land Use Standing Committee Report

- 6.11** REMOVE FROM TABLE - Zoning Board of Appeals Report, Case #2015-Z-32, 701 Laurel Avenue regarding a request for a 6.3' side yard adjoining a street parking setback variation to permit a parking pad in accordance with the plans submitted.

Trustee Sullivan said there was a request from the applicant to table the item as they were not able to be present this evening.

President Bielinski said the case has been continued many times since 2015. He asked Mr. Adler for more information regarding the case and the request for continuances.

John Adler, Director of Community Development, said there have been 28 meetings, four have been cancelled, 15 meetings where at least one Village Board member has been absent and nine requests from the applicant to continue to the case.

Trustee Sullivan moved to grant a request for Case #2015-Z-32, 701 Laurel Avenue regarding a request for a 6.3' side yard adjoining a street parking setback variation to permit a parking pad in accordance with the plans submitted, seconded by Trustee Wolf.

President Bielinski asked what the solution would be for the request to be conforming.

Mr. Adler said for the request to be conforming, the applicant would have to remove any type of paving stone in the three feet between the alley and the patio and stop using the patio as a parking surface. The applicant could also remove 6.3' of the existing patio, as the 60' lot requires an 18' side yard adjoining a street setback for a legal parking space.

Trustee McKenna asked if the applicant has offered to do either of the conforming solutions.

Mr. Adler said he has not had a discussion about amending the request with the applicant.

Trustee Plunkett asked if the applicant was aware that the Village Board would be discussing the request.

Mr. Adler said he did send an email to the applicant letting them know that he would not be able to guarantee that the case would be tabled this evening and the Village Board could choose to discuss and act on the case this evening.

Trustee Ducommun said she was concerned about the intent of applicant regarding the permit for the patio and parking pad.

Mr. Adler said he is confident the patio went through the permit process.

Trustee Plunkett said if the applicant withdrew the application, what if any, violations are currently going on.

Mr. Adler said the applicant would have to remove the material that allows them to park on the patio and put some landscaping in.

Trustee Ducommun said she is not inclined to approve the request as the Zoning Board of Appeals did have the opportunity to hear the case and ask the applicants questions. The Zoning Board of Appeals denied the request and she does not see a hardship.

Trustee Sullivan said the Zoning Code is very clear regarding the options for the request.

President Bielinski asked Mr. Adler to communicate to the applicant that it is unlikely that the request will be approved and they should discuss with staff any revisions to the request.

Trustee Ducommun suggested that any revisions to the request should be remanded back to the Zoning Board of Appeals.

Mr. Adler said he would contact the applicant and if they are willing to submit changes to the request, then on the December 13, 2016 Regular Village Board meeting the request will be remanded back to the Zoning Board of Appeals.

Trustee Sullivan moved to table the item to the December 13, 2016 Regular Village Board meeting, seconded by Trustee Ducommun.

Voting yes: Trustees Ducommun, Wolf, Krueger, McKenna, Plunkett and President Bielinski. Voting no: Trustee Sullivan. The motion carried.

- 6.12 REMOVE FROM TABLE - Zoning Board of Appeals Report, Case #2016-Z-26, 1809 Wilmette Avenue regarding a request for a 54.02 square foot (0.87%) total floor area variation, a 1.1' side yard garage setback variation, a 5.0' rear yard parking pad setback variation, a 2.0' parking space depth variation, a 52.46 square foot (4.22%) rear yard total impervious surface coverage variation, and a 45.62 square foot (3.67%) rear yard structure impervious surface coverage variation to permit the retention of a detached two-car garage and parking pad in accordance with the plans submitted.**

Trustee Sullivan moved to grant a request for a 54.02 square foot (0.87%) total floor area variation, a 1.1' side yard garage setback variation, a 5.0' rear yard parking pad setback variation, a 2.0' parking space depth variation, a 52.46 square foot (4.22%) rear yard total impervious surface coverage variation, and a 45.62 square foot (3.67%) rear yard structure impervious surface coverage variation to permit the retention of a detached two-car garage and parking pad in accordance with the plans submitted, seconded by Trustee Ducommun.

Joe Rodriguez said he was the builder of the garage and mistakes were made under his supervision. He would like to work with the Village Board to resolve the issue.

Trustee Sullivan asked if Mr. Rodriguez owned the home.

Mr. Rodriguez said he owned the home at the time of the construction but has since sold the home. He told the new owners that he will be responsible for any issues with the property.

Mr. Adler said the variations that Mr. Rodriguez is requesting are due to the garage being too large and the brick parking pad that was added adjacent to the garage.

Trustee Ducommun asked why there was a mistake in the building plans.

Mr. Adler said the engineering plans that the builder used were not updated to match the architectural plans that were approved by Community Development.

Trustee Ducommun asked if Mr. Rodriguez was aware he was building the wrong sized garage.

Mr. Rodriguez said he did not check the plans, he assumed the architect and the builders were following the amended plans from Community Development.

President Bielinski said he is concerned that there are not penalties for contractors that do not follow the building plans. He believes the Land Use Committee should discuss the issue.

Trustee McKenna said there have been two previous cases regarding penalties for contractors that he recalls and there were penalties from the Land Use Committee. He believes the location of the home and the difficult alley help him with the garage variations but he believes the Board should focus on whether the parking pad is appropriate for the rear yard.

Trustee Krueger asked if the neighbor requested variations in his construction.

Mr. Adler said the neighbor at 1811 Wilmette Avenue asked for variations for the addition and the garage. The neighbor said he does not have an issue with the house or the garage that Mr. Rodriguez built.

Trustee Ducommun asked why Mr. Rodriguez added the parking pad in the back.

Mr. Rodriguez said Wilmette Avenue is very busy and he believed it would be beneficial to park in the back rather than on the busy street in front of the house.

Trustee Ducommun asked if it occurred to him that he would need a permit from the Village to build the parking pad.

Mr. Rodriguez said he did not believe he needed a permit for the brick parking pad in the back of the home.

Natalie Hanson, current owner of the home, noted that there is no overnight parking on Wilmette Avenue or Lawndale Avenue so it is helpful to have the parking pad.

Trustee Wolf asked what size the parking pad needs to be so that it is conforming to the Code.

Mr. Adler said the parking pad should be 16' with a 2' overhang, and 21' deep. He also noted that the fence in that area should be removed to make the parking pad conforming in size.

Ms. Hanson said both cars for their family are SUV's and they both park on the pad without overhanging into the alley.

Mr. Adler said a car that is overhanging into the alley is violating the Village Code. The solution would be to move the fence to allow the cars to pull in closer on the property.

Trustee Krueger said he believes removing the parking pad will put a car back out on the street and Wilmette Avenue is a challenging street.

Trustee Plunkett asked Ms. Hanson how she feels about the location of the parking pad and possibly moving the fence.

Ms. Hanson said she has two small boys and the yard is fenced in for their safety so the idea of removing the fence is not a tenable solution and moving the fence would take away from the small yard that they have.

Trustee McKenna said he supports the variation requests and would also support a penalty for the contractor. If the curb cut still exists on Wilmette Avenue he would support removing it and having it be part of the penalty.

Marie Hirschle, real estate broker for the buyers, asked the Village Board to consider that the current home owners purchased the property based on marketing from Mr. Rodriguez.

Ms. Hanson asked the Village Board to consider that there are other parking pads in the neighborhood.

Trustee Sullivan said the contractor did not build the garage to Code and he sold it to the current owners with the building violations.

Trustee Ducommun said if Land Use deals with the penalty and it is appropriate for this situation, then she would be happy to discuss the variations.

Trustee Wolf said the home owner seems to be happy with the parking pad and fence the way it is. She would be happier moving the fence two feet but that would still not make the parking pad compliant.

Mr. Adler said assuming the Village does not hold any liability if granting the variation, it is really the property owners decision to park the car in a safe and responsible manner.

Trustee Ducommun asked Corporation Counsel if the Village would be liable for the car if it overhangs the parking pad into the alley.

Michael Zimmermann said the liability should be on the home owner for the parking of the car.

Trustee Plunkett said she is not concerned the situation will become a habit with the contractor and in terms of the variations, she believes the parking pad should be left as is.

Trustee Wolf said she agrees with Trustee Plunkett.

Trustee Krueger said he does not want to lose site of the fact that plans were submitted, and the contractor built something else. He is fine with leaving the parking pad the way it is if the Village is not exposed to liability.

Trustee McKenna said the garage is large so the homeowners can park their cars in the garage.

Trustee Ducommun said she is fine also with the parking pad staying the way it is given Corporation Counsel's reassurance about liability.

President Bielinski noted that there was no one present to speak against the request.

Trustee Ducommun said she would be willing to approve the variations presuming that the curb cut and the apron are removed.

Trustee Sullivan agreed with Trustee Ducommun.

President Bielinski asked the homeowner if she was agreeable to the curb cut and apron being removed from Wilmette Avenue.

Ms. Hanson said she was agreeable as they do not believe it is safe to park on Wilmette Avenue.

Trustee Sullivan moved to amend the motion with the conditions of the removal of the curb cut and apron by homeowner's contractor with homeowner maintaining ultimate responsibility, the referral to the Land Use Committee for the recommendation of a fine to the Corporation Counsel to be assessed in the settlement of the pending Code Enforcement matter and payment of that fine prior to the effectiveness of the variations, seconded by Trustee Ducommun.

Voting yes on the amended motion: Trustees Sullivan, Ducommun, Wolf, Krueger, McKenna, Plunkett and President Bielinski. Voting no: none. The motion carried.

President Bielinski declared a recess at 9:37 p.m.

President Bielinski called the meeting back to order at 9:43 p.m.

6.2 FINANCE STANDING COMMITTEE REPORT

6.21 Public hearing on Village of Wilmette's Fiscal Year 2017 Budget.

President Bielinski opened the hearing at 9:43 p.m.

President Bielinski noted there was no one present to speak.

President Bielinski closed the hearing at 9:44 p.m.

6.22 Adoption of Ordinance #2016-O-64 adopting the 2017 Fiscal Year Budget.

Trustee Ducommun moved adoption of Ordinance #2016-O-64 adopting the 2017 Fiscal Year Budget, seconded by Trustee Wolf.

Michael Braiman, Assistant Village Manager, said at the last Village Board meeting, President Bielinski asked staff to address concerns expressed by Trustee McKenna regarding the 2017 Budget. Mr. Braiman said the 2017 operating budget is balanced, maintains all Village services and provides for increased capital funding. The key components of the budget include:

- \$2 million for the annual road program
- \$2+ million in sewer system improvements
- 1+ million for alleys, brick streets, sidewalks, curbs
- \$853,000 for critical public safety vehicle replacements
- No increase in the residential water rate
- No increase in the sewer rate
- No increase in the monthly refuse collection fee
- Lowest level of full-time staffing in decades

The Village is a full service community, providing core services which include but are not limited to:

- Police Protection
- Fire Suppression
- Advanced Life Support Emergency Medical Service
- Drinking Water
- Sanitary and Storm Water Collection
- Refuse and Recycling
- Snow and Ice Removal
- Street Repair and Improvements

The history of the Property Tax Levy is that for the past seven years, the tax levy increase was lower than the year prior. This was a goal and directive set by the Village Board and staff has been tasked with creating proposing budgets that accomplish this goal. He said proposed tax levy for 2017 is 4.9% and of that 1.27% is for general operations. The other aspects of the levy are for existing debt and pensions that are set by State Statute and are out of our control.

Mr. Braiman reviewed the Major General Fund Revenues and Major General Fund Expenses for 2017, 2017 Critical Infrastructure Projects, and personnel staffing positions.

Fire Department Services has a minimum daily staffing of 11 personnel to ensure the department can respond to simultaneous emergency calls for service. In 2009, the Village hired McGrath Consulting to review fire staffing levels and they confirmed that the minimum staffing model was appropriate in order to keep 2 ambulances in service and ensure the safety of personnel on the fire

ground. Advanced Life Support services requires up to 5 paramedics, to administer 70 different protocols and 24 medications.

The Police Department is staffed to ensure the following services are provided:

- Minimum of 4 officers + 1 supervisor on the street at all times to respond to 2 simultaneous calls and for officer safety
- School Resource Officer
- Detectives Unit

Mr. Braiman noted that sworn staffing has remained constant since the 1970's.

The Village routinely seeks ways to innovate and become more efficient:

- Renegotiated residential solid waste contract to save \$2 million over 4 years
- Identified 3 new wholesale water customers - \$1.5 million in new annual net revenues
- Change in Fire Department response protocols have reduced Tower 26's response rate by 42%, thereby extending the life of a \$1 million + apparatus
- Continued technology innovations to improve customer experience
- More than \$1 million in grant awards since 2014
- Implemented CERF to be more strategic in managing ongoing capital replacement
- Consolidation of engineering and public works departments to reduce management staff and improve customer service
- Continue receipt of the GFOA Distinguished Budget Award
- Raised more than \$50,000 in private contributions for the housing assistance program
- Changes in procurement practices have resulted in savings in all funds
- Average annual expense savings to budget of approximately \$500,00 since 2014

Each year departments are challenged to reduce expenditures and find more efficient ways to deliver core services. Important department goals for 2017 include but are not limited to:

- Village Manager's Office - complete a review of the Village's benefits package to identify low cost methods to improve recruitment efforts

- Community Development - review permit requirements to determine whether certain projects should still require a permit
- Administrative Services - implement administrative adjudication and document management processes
- Engineering & Public Works-conduct a comprehensive review of the grading permit process; conduct an emergency preparedness exercise
- Police-review and revise performance measures to more accurately reflect service level expectations
- Fire - explore opportunities to share apparatus with neighboring communities

Trustee Ducommun asked if there was an opportunity to combine or have township wide staffing.

Brian King, Chief of Police, said combining communities for police staffing would come from a legislative body not the Police Chief. He noted that most communities like to have local control over their Police Department.

Mr. Braiman said there has not been any serious discussion in the region regarding combining Police staff. The Village does pool its resources with surrounding communities through NORTAF and NIPSTA.

Trustee Ducommun asked if the same logic applies to the Fire Department staffing.

Michael McGreal, Fire Chief, said by purpose the Fire Departments are already consolidated. If you look at the MABAS system and NIPAS system, Fire Departments are sharing resources, people, officers and services. He also noted they do many services in house rather than sending out for service.

Trustee Ducommun said the Village Board has discussed the proposed budget in five separate meetings. She hopes the community understands the challenges the Village faces and believes a lot of compromise has gone into servicing the needs of the various functions well. She is proud of the capital improvements proposed and that the Village Board, collectively with the staff, has dealt with some of the issues.

Trustee Wolf said one thing that has impressed her with the proposed budget, is the fact that it is looking ahead to some projects that are coming up in the next few years and planning for those so

that we are able to continue to keep the assets in good shape, keep the roads repaired and plan ahead for financing for the next few years.

Trustee Krueger said he believes the Village Board has done as good a job as they can possibly do within the confines of what is required for as far as pension funding goes. He thinks the investment they are making in the community in roads, sewers, infrastructure and equipment is both necessary and has been too long deferred.

Trustee Plunkett said she feels good about reducing the initial tax increase that was proposed, they really compromised to lower the percentage. The Village should feel very fortunate to have such a hard working and intelligent staff of people running the Village. She feels good about the proposed budget.

Trustee Sullivan said he agrees with all the comments. There was a lot of work on the part of the Village Board as there were more budget meetings and there was more work on the staff, who did a very nice job. He believes knowing what the challenges are going forward helped the Village Board make some educated recommendations. He believes the proposed budget is very well done and he can support the proposed budget.

President Bielinski also thanked staff for their work on the budget. The proposed budget is very good; it maintains service levels but also addresses the necessary investments in our infrastructure in a fiscally responsible way. The staff remains focused on finding efficiencies and improving service. The increase in the property tax relating to general operations is just 1.27% and that is an inflationary like increase. The budgeting process is very frustrating. As a local government in Illinois, we do not have control of our finances because of the regulatory environment and unfunded mandates, in particular public safety personnel and pensions. These have not gone away, they remain and are very costly. We are all concerned that there are future actions from Springfield which could complicate our efforts to create a responsible budget and provide the services that our residents want. The Village Board asked staff to put together a forward looking analysis and they met five additional times for 16 hours of budget meetings. They reviewed the capital needs and identified funding strategies to minimize the tax increases on residents. He also believes it is important to know that all the meetings were open meetings required by law but the Village also posted budget information on the website, asked the media to highlight bigger issues, put meeting dates in weekly emails and encouraged the public to comment on the budget.

Voting yes: Trustees Sullivan, Ducommun, Wolf, Krueger, Plunkett and President Bielinski. Voting no: Trustee McKenna. The motion carried.

6.3 ADMINISTRATION STANDING COMMITTEE REPORT

All items listed on the Consent Agenda

6.4 MUNICIPAL SERVICES STANDING COMMITTEE REPORT

All items listed on the Consent Agenda

6.5 PUBLIC SAFETY STANDING COMMITTEE REPORT

No Report

6.6 JUDICIARY STANDING COMMITTEE REPORT

No Report

6.7 REPORTS FROM SPECIAL COMMITTEES

No Reports

7.0 NEW BUSINESS

No Report

8.0 MATTERS REFERRED TO STANDING COMMITTEES

8.1 Review Plaza del Lago Local Sign Ordinance regulations.

9.0 ADJOURNMENT

Trustee Krueger moved to adjourn to executive session at 10:18 p.m. to discuss collective bargaining matters pursuant to Section 2 (c) (2) of the Illinois Open Meetings Act, seconded by Trustee Wolf.

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

The Village Board returned from the Executive Session at 10:42 p.m.

Trustee Ducommun made a motion to adjourn the Village Board meeting at 10:43 p.m., seconded by Trustee Sullivan.

All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk