



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, FEBRUARY 14, 2017.

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

1.0 ROLL CALL

President
Trustees

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

Absent:

Julie Wolf

Staff Present:

Timothy J. Frenzer, Village Manager
Michael Braiman, Assistant Village Manager
Michael Zimmermann, Corporation Counsel
Barbara Hirsch, Deputy Village Clerk
John Prejzner, Assistant Village Manager
John Adler, Director of Community Development

2.0 PUBLIC COMMENT

3.0 CONSENT AGENDA

David Kanter asked to remove item 3.13 from the Consent Agenda.

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

3.1 Approval of minutes of the Regular Board meeting held January 24, 2017.

LAND USE COMMITTEE CONSENT AGENDA

- 3.2 Approval of Temporary Use Permit #2017-TU-03 for a temporary gravel parking lot at 1225 Central Avenue from February 15, 2017 until adjacent construction is completed.
- 3.3 Approval of Temporary Use Permit #2017-TU-04 for the MS Walk and Event at Highcrest School, 569 Hunter Road, to be held on Sunday, May 7, 2017 from 7:00 a.m. to 2:00 p.m.
- 3.4 Appointment of Land Use Committee as a Special Zoning Committee to review adding group homes for private school students as a permitted or special use in the residential zoning districts.
- 3.5 Adoption of Ordinance #2017-O-9 amending Chapter 20, "Zoning Ordinance," Appendix A, "Plaza del Lago Local Sign Ordinance," of the Wilmette Village Code.
- 3.6 Zoning Board of Appeals Report, Case #2017-Z-02, 625 Park Avenue regarding a request for a 0.5' rear yard setback variation and a variation to permit structural alterations to a legal non-conforming accessory structure in accordance with the plans submitted; adoption of Ordinance #2017-O-11.

FINANCE COMMITTEE CONSENT AGENDA

- 3.7 Approval of January 2017 Disbursement Report.
- 3.8 REMOVE FROM TABLE - Adoption of Ordinance #2017-O-2 amending the Fiscal Year 2016 Annual Budget.

ADMINISTRATION COMMITTEE CONSENT AGENDA

- 3.9 Recommendation of appointment of Nada Andric to the Appearance Review Commission from February 28, 2017 to February 28, 2022.
- 3.10 Notice of vacancy on the Historic Preservation Commission due to the resignation of Homa Ghaemi.
- 3.11 Recommendation of reappointment of Phillip J. Liederbach to the Building Code Board of Appeal from March 1, 2017 to March 1, 2022.
- 3.12 Recommendation of reappointment of Michael Venechuk to the Building Code Board of Appeal from March 1, 2017 to March 1, 2022.

MUNICIPAL SERVICES COMMITTEE CONSENT AGENDA

- 3.14** Approval of contract in the amount of \$119,018 with Currie Motors Fleet, Frankfort, IL to purchase four Police utility interceptors.
- 3.15** Approval of contract in the amount of \$40,127.93 with Currie Motors Chevrolet, Forest Park, IL to purchase on Fire utility vehicle.
- 3.16** Approval of contract in the amount of \$22,440 with Underground Pipe and Valve Company, Plainfield, IL for purchase of 10 fire hydrants.
- 3.17** Approval of contract in the amount not to exceed \$65,325 with Muscat Painting and Decorating, East Dundee, IL for light pole painting.

PUBLIC SAFETY COMMITTEE CONSENT AGENDA

- 3.18** Adoption of Resolution #2017-R-2 approving an Intergovernmental Agreement with the Village of Glenview for Hosted Computer Aided Dispatch Services.
- 3.19** Approval of contract in the amount of \$231,252 with American Response Vehicles (ARV), Columbia, MO for supplying a new Ford F-550 truck chassis, AEV Type 1 advanced life support ambulance module, and equipment.

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

4.0 REPORTS OF OFFICERS:

Village Manager Timothy Frenzer said the Village Board adopted Resolution #2017-R-2 approving an Intergovernmental Agreement with the Village of Glenview for Hosted Computer Aided Dispatch Services. He noted a significant savings and intergovernmental cooperation with the agreement and thanked John Prejzner, Peter Skiles and the Police Department for their hard work on the project

5.0 REPORT OF LIQUOR CONTROL COMMISSIONER:

No Report

6.0 STANDING COMMITTEE REPORTS:

6.1 LAND USE STANDING COMMITTEE REPORT

- 6.11** Zoning Board of Appeals Report, Case #2017-Z-03, 411 Linden Avenue regarding a request for a special use for a pre-school (child day care center), a variation from the requirement that adequate on-site drop-off zones are provided, and a variation from the requirement that adequate open space and recreational areas must be provided to permit a pre-school in accordance with the plans submitted; adoption of Ordinance #2017-O-12.

Trustee Sullivan moved approval of Case #2017-Z-03, 411 Linden Avenue regarding a request for a special use for a pre-school (child day care center), a variation from the requirement that adequate on-site drop-off zones are provided, and a variation from the requirement that adequate open space and recreational areas must be provided to permit a pre-school in accordance with the plans submitted; adoption of Ordinance #2017-O-12, seconded by Trustee Krueger.

President Bielinski said the Village Board received many comments from local business owners in the area of 4th and Linden and it is very clear to him that the parking restrictions that exist in the area are not working for the local businesses there. Regardless of the outcome of this case, he has asked staff to direct the Transportation Commission and Engineering Department to reach out to the business owners in the 4th and Linden area to modify the parking restrictions.

Sharon Kozek, applicant, said she is the owner of three pre-schools in the city and would like to open a pre-school on the North Shore. She said there will be two class rooms with 36 students per the State law. Their drop off times for students is 7:30 – 9:30 am, they have a parking policy for parents and they will monitor the parking as they do at the current locations in the city.

Trustee Ducommun asked what the difference is between a day care and a pre-school.

Ms. Kozek said in Illinois and throughout the United States, all schools under the age of 5 are licensed under day care. The teachers she hires must all have a bachelors or master's degree in education.

Trustee Ducommun asked how they move the students from the classrooms to the local parks in the area.

Ms. Kozek said they use the loop method with the teachers to walk outside with the students.

Trustee Ducommun asked what time parents pick up the children.

Ms. Kozek said parents can pick up at 1pm, 3:15 pm and 5:30 pm. It is up to the parents to choose their days and pick up times.

Trustee Plunkett asked if the applicant was asking for two 15 minute loading areas for parking.

Mr. Frenzer said staff will review the request for the loading areas and also review the current parking situation at 4th and Linden to better regulate parking in the area.

Trustee Plunkett asked if parents park on the street to bring their children into the school.

Ms. Kozek said yes, they will have to park on the street. At her current locations, the city requires her to apply for 15 minute loading zones in front of the school but anyone can use the loading zone in the school area.

Amy McSwane said she was hired by Ms. Kozek to do a parking study for the 4th and Linden area. She installed cameras last week Thursday to take pictures of Linden Avenue in 15 minute increments. She summarized the report noting that the north side of the street had a utilization rate averaging 55% and the south side had a utilization rate of 66% in the morning.

Trustee Ducommun said Ms. McSwane's report is consistent with the Engineering Department's report on parking at the 4th and Linden area.

President Bielinski asked if there was anyone to speak for or against the request.

Blair Cooke, owner of Alchemy Coffee House, 407 Linden Avenue, said he is against the request. He has been in business for 12 years and parking is very difficult in the area. He also believes more parking enforcement in the area would be helpful. He would rather have shopping in the area than a service use.

President Bielinski said the Village Board and staff would like to be supportive of businesses and reviewing the parking restrictions.

Marcus Shlemony said he is the owner of the apartment building at 5th and Linden Avenue. He said there are 60 families living in his building and everyone has a car. If parking spaces are taken away from the area, he will have a more difficult time renting the apartments.

President Bielinski said it is his understanding that there are parking spaces available at the CTA lot at 4th and Linden Avenue for \$80 per month.

Mr. Shlemony said his residents like to park in front of their building.

President Bielinski said changing parking regulations will be addressed by the Engineering Department and the Transportation Commission and they will reach out to him during discussion of the regulations.

Tameeka McFarlane, owner of Growth Spurts, 404 Linden Avenue said parking is an issue for her clients in the area. She said a 15 minute loading zone would not help her clients parking needs as they drive and park for a longer time. Her husband noted that 8-9am is the peak time for their parents to park and bring their children to classes.

Trustee Sullivan said he believes the Board should separate the special use and variation request from the parking issues. A new business bringing 36 children to the neighborhood may be a benefit in bringing activity to the businesses in the area. Everyone would like to have more retail in the area but that is harder to come by. He can support the variation and the special use and believes the parking issues can be resolved by staff and the Transportation Commission.

Trustee Ducommun asked how long the vacancies have existed at the 4th and Linden business district and how has staff been addressing the vacancies.

John Adler, Director of Community Development, said since the grocery store and Artisinal have vacated the building, there have been vacancies in the building. It is his understanding that the landlord chooses not to give long term leases which is a challenge. The owner of the building tried to find retail for 411 Linden but was not able to and has since leased the space to the proposed pre-school.

Trustee Ducommun said she would like to support the special use permit as the applicant has three other successful businesses. She does have empathy for the parking issues in the area but she has faith that the parking issues will be solved.

Trustee Krueger said the Village needs to take a pro-active roll and try to figure out parking issues as they have previously done with the Village Center. He does not see any reason to deny the applicant's request.

Trustee McKenna said he believes that granting a service business at 4th and Linden Avenue is essentially writing off retail business in the area. He looked at 11 different pre-schools in Wilmette, one was in a home and the other 10 were in churches or schools with adequate drop off and parking. He does not believe there should be a pre-school in this location.

Trustee Plunkett said she will support the special use for the pre-school. Hopefully, the business area could turn into an early childhood area and everyone would benefit. She believes the parking issues will be solved in the area.

Trustee Bielinski said he agrees with his colleagues and will support the special use. He does appreciate the business owners that came out to address the Village Board and he has confidence the parking issues will be resolved with the business owners and residents in the neighborhood.

President Bielinski noted that the request received a positive recommendation from the Zoning Board of Appeals and only needs a simple majority for the motion to pass.

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

6.2 FINANCE STANDING COMMITTEE REPORT

All items listed on the Consent Agenda

6.3 ADMINISTRATION STANDING COMMITTEE REPORT

3.13 Introduction of Ordinance #2017-O-10 amending Chapter 5 of the Wilmette Code regulating the application and sale of coal tar sealant products.

Trustee Krueger introduced Ordinance #2017-O-10 amending Chapter 5 of the Wilmette Code regulating the application and sale of coal tar sealant products. solution to address

Dave Kanter said he is an attorney who represents a trade association called The Pavement Coating Technologies Council (PCTC). It is a trade association that is comprised primarily of the manufacturers of coal tar sealants. He noted that at the previous meeting of the Administration Committee he asked if there had been any testing done in Wilmette and was told there had been no testing done. He believes that normally you have a problem and then propose a solution to address the problem. There does not seem to be any evidence that there is a problem in Wilmette that would affect the water quality, aquatic life or human health. He noted that there are many products approved by the FDA that contain coal tar. He also noted that PAH's are in many products that have not been banned and should not be a reason for a coal tar ban. He noted that the State of Illinois has a proposed bill to ban coal tar and he believes the Village should let the State review and decide the issue of a ban.

President Bielinski asked if the issue of house dust relating to coal tar could be addressed.

Anne LeHuray, Ph.D, Executive Director of PCTC from Virginia, said in 1984 the EPA did a risk assessment of the PAH's with the data available. The Food and Drug Association did more fit for purpose studies in the 1990's and the EPA risk numbers were out of date. She explained the process of determining the risk numbers for PAH calculations. She noted that recently new data has shown lower potency for house dust. She said they have been urging a third party review, made up mostly from government scientists and they should have an answer if that review will happen soon.

Trustee Krueger asked if Ms. LeHuray is disputing that PAH's are bad for the environment.

Ms. LeHuray said personally she believes that PAH's are not as bad for you as others put out there, they are a low potency problem.

President Bielinski asked about using asphalt rather than a coal tar Sealant as asphalt has lower PAH's.

Ms. LeHuray said you can use asphalt but coal tar protects against other chemicals over a longer period of time.

President Bielinski said it seems like the appropriate approach would be to use the product that is a close substitute but has less dangerous product in it.

Ms. LeHuray believes the risk assessment number for coal tar is below any level of concern for the EPA.

Trustee McKenna asked where the market share is for coal tar.

Ms. Le Huray said she did not collect market data but for the most part, her members are concerned about the large retail and commercial lots.

Amanda Nugent, 500 Lake Avenue, read a statement from the Sierra Club regarding the threat of coal tar to human and environmental health. She encouraged the Village Board to approve the ordinance for the future, health and best interests of the community.

Trudy Gibbs, 112 Hollywood, said the product in coal tar is made of hazardous waste and she does not believe it makes sense to put it on our driveways. She also believes it is in the best interest to not have the product in our community.

Alison Haught, 523 Maple, said she is the co-president of the League of Women Voters in Wilmette. She thanked the Village Board for the consideration over the past months and urges the Village Board to approve the proposed ordinance.

Trustee McKenna asked why the League of Women Voters chose the issue of coal tar and is the State a better way to decide the issue versus local communities.

Ms. Haught said the League of Women Voters does establish positions and policy based on an issue that is raised to the League on a national level. A number of issues involve public health and safety of coal tar and the effects of coal tar pavement sealants. It would be nice if the issues are taken care of on a County or State level but sometimes it is more important to go ahead and act in your own community to make the world a safer place.

President Bielinski noted the ordinance would be up for adoption at the next Village Board meeting.

6.4 MUNICIPAL SERVICES STANDING COMMITTEE REPORT

All items listed on the Consent Agenda

6.5 PUBLIC SAFETY STANDING COMMITTEE REPORT

All items listed on the Consent Agenda

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 text amendments to the Zoning Ordinance.

9.0 ADJOURNMENT

Trustee Krueger moved to adjourn the meeting at 9:50 p.m., seconded by Trustee Plunkett. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk